

MITIGATED NEGATIVE DECLARATION

July 26, 2012

Revised August 31, 2012

Project Name: Flume Trail

This Document is Considered Draft Until it is Adopted by the Appropriate County of San Diego Decision-Making Body.

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Biological Resources (including a Jurisdictional Delineation Report) and Cultural Resources
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. Biological Resources

1. Mitigation for unavoidable direct effects to habitat occupied by sensitive species as a result of loss of habitat will be mitigated according to ratios outlined in the County of San Diego Biological Mitigation Ordinance. Direct effects of the project (project alternative) will be compensated at a ratio of 1.5:1 for impacts to 1.78 (1.76) acres of Diegan coastal sage scrub, 1:1 for impacts to 0.91 (0.93) acre of southern mixed chaparral, and 0.5:1 for impacts to 0.30 (0.30) acre of nonnative grassland. Impacts for the proposed project (project alternative) will be mitigated within a BRCA of the MSCP through the purchase of 2.67 (2.64) acres of Tier II or higher habitat and 1.06 (1.08) acres of Tier III or higher habitat mitigation credits within an approved mitigation bank or preservation of habitat in accordance with Board Policy I-138.
2. Conduct pre-construction training for construction crews to inform them of sensitive species that occur or have potential to occur along the proposed trail.
3. Brushing, clearing, and/or grading will not occur within 300 feet of suitable habitat, including coastal sage scrub habitat, during the breeding season of the California gnatcatcher (March 1 - August 15). This condition can be waived if surveys described below determine that no active nests occur on-site.
 - a. Within one week of commencement of clearing or activities associated with project construction, a qualified biologist shall conduct a preconstruction survey for California gnatcatcher. If the biologist finds any evidence of an active nest, the biologist shall (a) notify the County, and (b) clearing or construction activities will not occur until after the breeding season.
4. Brushing, clearing, and/or grading will not occur within 500 feet of suitable habitat, including coast live oak woodland and non-native grassland habitat, during the tree-nesting raptor breeding season (January 15 to July 15) and within 800 feet of suitable habitat during the ground-nesting raptors (February 1 – July 31). This condition can be waived if surveys described below determine that no active nests occur on-site.
 - a. Within one week of commencement of clearing or activities associated with project construction, a qualified biologist shall conduct a preconstruction survey for nesting raptors. If the biologist finds any evidence of an active nest, the biologist shall (a) notify the County, and (b) ensure that no clearing or construction activities occur within 500 feet (800 feet for ground-nesting raptors) of an active nest.
5. In order to comply with the State Regulations for non-wetland waters of the U.S., the following agency permit shall be obtained.
 - a. A Section 1602 Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances to any streambed.

B. Cultural Resources

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1. Prior to construction, DPR will relocate and place temporary fencing around all identified historical resources (elements of CA-SDI-11296H) within the project area for avoidance except for the benchcut (ICF-FT-17), and confirm in the field that the trail alignment avoids these resources.
 2. Prior to trail construction a professional archaeologist will provide cultural resources sensitivity training to construction personnel. Training will address both the types of resources that might be identified, as well as the procedures to be followed in the event of an unanticipated discovery of cultural resources. Any resources that might be found would likely be related to the historic-period flume (CA-SDI-11296H), and would be similar in kind to those already recorded, which include modified boulders, drainage crossing features consisting of natural cobble structures, and wood and other debris. Should cultural resources be encountered during construction, work will stop in the immediate vicinity of the find until a qualified archaeologist can assess the find and provide recommendations for avoidance (preferred) or further treatment, as required. Minimally, any newly identified features related to the flume shall be added to the site record form for CA-SDI-11296H as an update.
 3. DPR shall install interpretive signage along the trail, and specifically at the tunnel entrances (ICF-FT-10 and ICF-FT-11), to inform trail users of the presence and significance of historical resources along the trail and the importance of leaving the resources undisturbed. The signage should detail the significance of the historical resources along the trail and the importance of leaving the resources undisturbed.
 4. For the project alternative, DPR will survey any portions of the trail, with a suitable buffer, that fall outside the survey area of the proposed trail. If cultural resources are identified, those resources will be avoided in trail design. Per mitigation measure 2.B.1, temporary fencing will be placed around the resources during construction.
3. Critical Project Design Elements:

The following project design elements were either proposed in the project or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

- Ongoing maintenance and monitoring of the trail will occur during implementation of the El Monte County Park RMP. DPR will ensure that trail maintenance is confined to the existing trail alignment and is conducted in such a manner as to avoid impacting biological and cultural resources within the project area. The trail will be patrolled by Park Rangers on a daily basis. The Park Rangers ~~who~~ will identify unauthorized trail use or other adverse effects associated with increased human use (e.g. trash). Such issues will be addressed through construction of fence segments, installation of signs, or other

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means to prevent ongoing impacts resulting from increased human use on the site or competition from domestic animals.

Biological Resources

- Avoid impacts to County Group A and B plant species, to the extent feasible, through construction methodology and flagging of the species by a biologist if it is in bloom and can be identified. No offsite fill is allowed.

Cultural Resources

- DPR will conduct annual condition monitoring of the historical resources along the trail for signs of vandalism or other alterations, such as unauthorized deviation from the trail, and take corrective measures to rectify potential impacts. Annual inspections of historical resources along the trail will ensure that DPR has accurate information on the condition of the resources and will allow for measures to be taken if impacts have occurred or are in danger of occurring.

Hydrology and Water Quality

- The project will implement site design measures, source control, and/or treatment control BMPs to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable. BMPs are required during construction activities and will include, but are not limited to, features such as stabilized construction entrance/exit areas, permeable surfaces, and silt fencing. Silt fences and fiber rolls would be specified to minimize surface transport of sediments. These measures will control erosion and sedimentation and satisfy waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (RWQCB Order No. R9-2007-0001), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP).

Air Quality

- Dust control measures will be implemented as necessary during trail and construction.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

Board of Supervisors (Decision-Making Body)

On September 26, 2012 / Item # 9 (Date/Item #)

Megan Hamilton, Group Program Manager
Department of Parks and Recreation

July 26, 2012

Revised August 31, 2012

CEQA Initial Study - Environmental Checklist Form
(Based on the State CEQA Guidelines, Appendix G Rev. ~~10/04~~ January, 2011)

1. Project Title:

Flume Trail Project

2. Lead agency name and address:

County of San Diego, Department of Parks and Recreation
5500 Overland Avenue, Suite 410
San Diego, CA 92123

3. a. Contact: Megan Hamilton, Project Manager

b. Phone number: (858) 966-1377

c. E-mail: megan.hamilton@sdcounty.ca.gov

4. Project location:

The proposed project is located south of El Monte Road and joins with the El Monte County Park Trail approximately 3.5 miles northeast of the intersection of El Monte Road and Lake Jennings Park Road (Figures 1 and 2). The project site is located in the unsectioned portion of Township 15 South Range 1 East within the historic El Cajón Mexican Land Grant, and appears on the El Cajon Mountain, California and Alpine, California USGS 7.5-minute series topographic maps (APNs 390-061-06 and 393-022-10).

Thomas Brothers Coordinates: Page 1232, Grid J/1; Page 1213, Grids A/7, B/6, and C/6

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5. Project Sponsor name and address:

County of San Diego, Department of Parks and Recreation
5500 Overland Avenue, Suite 410
San Diego, CA 92123

6. General Plan Designation

Community Plan: Lakeside
Land Use Specific Plan Area 22 Semi-Rural Residential SR-4 & SR-
Designation: Quail Canyon Estates 10
Los Coches Hills
Density: 0.24 du/1 acre 1 du/4, 8 or 16 acres & 1du/10 or 20
0.21 du/1 acre acres

7. Zoning

Use Regulation: A70 (5.9 ac); A72 (5.9 ac); S80 (6.1 ac); RR (3.4 ac)
Minimum Lot Size: 4 acres 10 acres 8 acres 2 acres
Special Area Regulation: S POR A,F,S S80 --

8. Description of project:

The proposed Flume Trail project is to construct approximately 2.5 miles of multi-use trail for hiking, biking, and equestrian users within an existing 10-foot wide bench cut of the 50-foot-wide, County-owned parcel of the historic flume alignment. The Flume Trail will connect to the recently constructed El Monte County Park Trail. The County also holds an additional 20-foot-wide trail easement immediately adjacent to the southern boundary of the historic flume alignment. Approximately 1,050 to 2,100 feet of fencing will be installed along the northern border of the proposed trail alignment in the vicinity of tunnel #4 of the historic flume. Construction staging and access to the project will occur in the developed portion of El Monte County Park. In addition, a project alternative is being considered that would deviate from the proposed alignment near Drainages #7 and #8, where the trail would head north outside of the County-owned parcel. This alternative would require acquisition of additional easements from adjacent property owners.

9. Surrounding land uses and setting (Briefly describe the project's surroundings):

The project site is located south, southeast and southwest of El Monte County Park (Park). The Park is an 87.66-acre day-use park and the Park's southern section contains the recently constructed El Monte County Park trail that will connect to the Flume Trail. Dedicated open space is located to the south of the project site preserved within a biological open space easement and rural residential and agricultural uses are located to the north.

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10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

<u>Permit Type/Action</u>	<u>Agency</u>
1602 – Streambed Alteration Agreement	CA Department of Fish and Game (CDFG)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a “Potentially Significant Impact” or a “Less Than Significant With Mitigation Incorporated,” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Haz. 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 |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- On the basis of this Initial Study, the Department of Parks and Recreation finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- On the basis of this Initial Study, the Department of Parks and Recreation finds 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.
- On the basis of this Initial Study, the Department of Parks and Recreation finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



Signature

Megan Hamilton

July 26, 2012

Date

Group Program Manager, DPR

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Printed Name

Title

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources 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 will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. “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.
4. “Potential Significant Unless 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.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and

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- b) The mitigation measure identified, if any, to reduce the impact to less than significance

I. AESTHETICS -- Would the project:

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands, but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups.

The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and also to individual visual resources.

Less than Significant Impact: The proposed project is located near or within the viewshed of a scenic vista. The viewshed and visible components of the landscape within that viewshed, including the underlying landform and overlaying land cover, establish the visual environment for the scenic vista.

The visual environment of the subject scenic vista extends from Lake Jennings Park Road to the west along the valley floor that is traversed by El Monte Road to El Capitan Reservoir to the east. The project site consists of a hillside covered mainly by coastal sage scrub habitat recovering from the 2003 Cedar Fire with small areas of southern mixed chaparral, non-native grassland, and coast live oak woodland. The project site itself is undeveloped, but the areas to the northwest and southeast of the project site are developed with single family rural residences with some agricultural areas.

The project proposes to develop a trail on a hillside south of El Monte Road within the historic flume bench cut. The project alternative will follow the proposed trail alignment deviating slightly at Drainages #7 and #8. The trail will connect to the recently constructed El Monte County Park trail and will have a ten-foot wide tread. Because the trail will be located within the historic flume bench cut, the trail itself is not expected to be highly visible from either El Monte Road or El Monte Park. The proposed project is compatible with the existing visual environment in terms of visual character and quality for the following reasons: (1) construction of the trail will not result in a substantial modification of the existing landform, substantial amounts of grading, or the creation of visually prominent cut and fill slopes, and (2) no blockage of views would result from the

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construction of the trail. Therefore, the proposed project will not have a substantial adverse effect on a scenic vista.

The project will not result in cumulative impacts on a scenic vista because the proposed project viewshed and past, present and future projects within that viewshed were evaluated to determine their cumulative effects. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered. Those projects listed in Section XVII are located within the scenic vista's viewshed and will not contribute to a cumulative impact because the cumulatively related projects do not propose substantial landform modification nor block existing views. Therefore, the project will not result in adverse project or cumulative impacts on a scenic vista.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic ([Caltrans - California Scenic Highway Program](#)). Generally, the area defined within a State scenic highway is the land adjacent to and visible from the vehicular right-of-way. There are no scenic highways designated within the vicinity of the project site. Therefore, the proposed project will not have any substantial adverse effect on a scenic resource within a State scenic highway.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Visual character is the objective composition of the visible landscape within a viewshed. Visual character is based on the organization of the pattern elements line, form, color, and texture. Visual character is commonly discussed in terms of dominance, scale, diversity and continuity. Visual quality is the viewer's perception of the visual environment and varies based on exposure, sensitivity and expectation of the viewers. The existing visual character and quality of the project

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site and surrounding area can be characterized as a valley floor surrounded by steep undeveloped open space areas. The project proposes a trail which will disturb some vegetation on a hillside south of El Monte Road. However, visual impacts are expected to be minimal as the trail will be within the existing historic flume bench cut which can already be seen from El Monte Road.

The proposed project is the development of a multi-use trail. The proposed trail is within the existing historic flume bench cut and the trail itself is not expected to be highly visible. The project is compatible with the existing visual environment's visual character and quality for the following reasons: (1) construction of the trail will not result in a substantial modification of the existing landform, substantial amounts of grading, or the creation of visually prominent cut and fill slopes, and (2) no blockage of views would result from the construction of the trail.

The project will not result in cumulative impacts on visual character or quality because the entire existing viewshed and a list of past, present and future projects within that viewshed were evaluated. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered. Those projects listed in Section XVII are located within the viewshed surrounding the project and will not contribute to a cumulative impact for the following reasons: none of the cumulatively related projects will result in the construction of structures that would block existing views or be incompatible with the existing visual character of the area. Therefore, the project will not result in any adverse project or cumulative level effect on visual character or quality on-site or in the surrounding area.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not propose any use of outdoor lighting or building materials with highly reflective properties, such as highly reflective glass or high-gloss surface colors. Therefore, the project will not create any new sources of light pollution that could contribute to skyglow, light trespass or glare and adversely affect day or nighttime views in area.

II. AGRICULTURAL AND FORESTRY RESOURCES -- Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?

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- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Within the project vicinity there are lands designated as Unique Farmland, Farmland of Local Importance, and small areas designated as 'other'. The trail will traverse lands designated as Unique Farmland, Farmland of Local Importance, and 'other'; however, these lands are within an existing County-owned portion of the historic flume alignment and trail easement. The project will not convert agricultural resources to non-agricultural uses. Agricultural uses are not envisioned within the historic flume alignment and trail easement which has been dedicated for recreational uses. Therefore, there will be no potentially significant impacts to or cumulative level conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance to a non-agricultural use as a result of this project.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: A portion of the project site is zoned A-70 and A-72, which is considered to be an agricultural zone. However, the proposed project will not result in a conflict in zoning for agricultural use, because recreational trails is a permitted use in A-70 and A-72 zones and will not create a conflict with existing zoning for agricultural use. Additionally, the project site's land is not under a Williamson Act Contract. Therefore, there will be no conflict with existing zoning for agricultural use, or a Williamson Act contract.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), or timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

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Discussion/Explanation:

No Impact: The project site does not contain forest lands or timberland. The County of San Diego does not have any existing Timberland Production Zones. In addition, the project is consistent with existing zoning and a rezone of the property is not proposed. Therefore, project implementation would not conflict with existing zoning for, or cause rezoning of, forest land, timberland or timberland production zones.

d) Result in the loss of forest land, conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site does not contain any forest lands as defined in Public Resources Code section 12220(g), therefore project implementation would not result in the loss or conversion of forest land to a non-forest use. In addition, the project is not located in the vicinity of offsite forest resources.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The proposed trail will traverse lands designated as Unique Farmland, Farmland of Local Importance, and 'other'. However, the changes proposed to the existing environment associated with this project will not result in the conversion of agricultural resources to non-agricultural uses as this area is within an existing County-owned portion of the historic flume alignment and trail easement. Additionally, the trail will not preclude the establishment of agriculture in areas surrounding the proposed trail. Therefore, no potentially significant project or cumulative level conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance to a non-agricultural use will occur as a result of this proposed project.

III. AIR QUALITY -- 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 San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project consists of construction of trail that will connect to the existing El Monte County Park Trail. The operational emissions from the project are below specified screening levels, and subsequently will not violate ambient air quality standards. In addition, because the project will provide additional trail opportunities to Park visitors, it is not anticipated to generate any additional vehicle trips. Therefore, the project will not conflict or obstruct with the implementation of the RAQS nor the SIP on a project or cumulative level.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

In general, air quality impacts from land use projects are the result of emissions from motor vehicles, and from short-term construction activities associated with such projects. The San Diego County Land Use Environment Group (LUEG) has established guidelines for determining significance which incorporate the Air Pollution Control District's (SDAPCD) established screening-level criteria for all new source review (NSR) in APCD Rule 20.2. These screening-level criteria can be used as numeric methods to demonstrate that a project's total emissions (e.g., stationary and fugitive emissions, as well as emissions from mobile sources) would not result in a significant impact to air quality. Since APCD does not have screening-level criteria for emissions of volatile organic compounds (VOCs), the use of the screening level for reactive organic compounds (ROC) from the South Coast Air Quality Management District (SCAQMD) for the Coachella Valley (which are more appropriate for the San Diego Air Basin) are used.

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Less than Significant Impact: The project may use small machinery to construct the proposed trail. However, grubbing and clearing operations will implement Best Management Practices (BMPs) which will require the implementation of dust control measures. Emissions from the use of any equipment would be minimal, temporary and localized, resulting in pollutant emissions below the screening-level criteria established by the LUEG guidelines for determining significance. In addition, because the project will provide additional trail opportunities to Park visitors, it is not anticipated to generate any additional vehicle trips. Therefore, the project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

San Diego County is presently in non-attainment for the 1-hour concentrations under the California Ambient Air Quality Standard (CAAQS) for Ozone (O₃). San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of Particulate Matter less than or equal to 10 microns (PM₁₀) under the CAAQS. O₃ is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) react in the presence of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of PM₁₀ in both urban and rural areas include: motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

Less than Significant Impact: Air quality emissions associated with the project include emissions of PM₁₀, NO_x and VOCs from construction/grading activities. However, grubbing and clearing operations will implement Best Management Practices (BMPs) which will require the implementation of dust control measures. Emissions from the construction phase would be minimal, localized and temporary resulting in PM₁₀ and VOC emissions below the screening-level criteria established by the LUEG guidelines for determining significance. Because the project will provide additional trail opportunities to Park visitors, it is not anticipated to generate any additional vehicle trips.

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In addition, a list of past, present and future projects within the surrounding area were evaluated and none of these projects emit significant amounts of criteria pollutants. Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered. The proposed project as well as the past, present and future projects within the surrounding area, have emissions below the screening-level criteria established by the LUEG guidelines for determining significance, therefore, the construction and operational emissions associated with the proposed project are not expected to create a cumulatively considerable impact nor a considerable net increase of PM10, or any O₃ precursors.

d) Expose sensitive receptors to substantial pollutant concentrations?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

Air quality regulators typically define sensitive receptors as schools (Preschool-12th Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The County of San Diego also considers residences as sensitive receptors since they house children and the elderly.

No Impact: No sensitive receptors have been identified within a quarter-mile (the radius determined by the SCAQMD in which the dilution of pollutants is typically significant) of the proposed project.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: No potential sources of objectionable odors have been identified in association with the proposed project. As such, no impact from odors is anticipated.

IV. BIOLOGICAL RESOURCES -- 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?

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- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant with Mitigation Incorporated: Based on an analysis of the California Natural Diversity Database (CNDDDB 2008), the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, and a Biological Resources Letter Report dated July 23, 2012, prepared by ICF International, the 21.32 project area supports native habitat including southern mixed chaparral (including burned) (6.24 acres), Diegan coastal sage scrub (burned) (11.86 acres), coast live oak woodland (including open) (0.54 acre), non-native grassland (2.47 acres), disturbed habitat (0.14 acre), and urban/developed (0.07 acre).

Potential Impacts

There are several sensitive plant and animal species that have been identified in the project survey area. One County sensitive plant species was observed within the project survey area: delicate clarkia (*Clarkia delicata*). Approximately ten (10) individuals of this CRPR 1B and Group A species were located within the proposed project alignment in the understory of the coast live oak woodland. Impacts to delicate clarkia resulting from the project alternative would be identical to those of the proposed project. In addition, if present within the project area, other special-status plant species may be removed as a result of vegetation removal and grubbing and clearing activities. Impacts to special-status plant species, including delicate clarkia, will be avoided during final trail design and construction. Impacts to County List C and D species will be mitigated on a habitat-basis as required by the County's Biological Mitigation Ordinance (BMO). Therefore, the potential minimal impacts resulting from the proposed project would not impact the regional long-term survival of special-status plant species in the project area.

Sensitive wildlife species detected during the surveys included County Group 1 species: turkey vulture (*Cathartes aura*) and Cooper's hawk (*Accipiter cooperii*) and County Group 2 species: coastal western whiptail (*Aspidoscelis tigris stejnegeri*) and southern mule deer (*Odocoileus hemionus*). Potential impacts to suitable habitat for these species associated with development of the proposed trail alignment would be limited to 1.78 acres of coastal sage scrub, 0.09 acre of coast live oak woodland, 0.91 acre of southern mixed chaparral, and 0.30 acre of nonnative grassland. Potential impacts to suitable habitat for these species associated with development of the trail utilizing the project alternative trail alignment would include 1.76 acres of coastal sage scrub, 0.08 acre of coast live oak woodland, 0.93 acre of southern mixed chaparral, and 0.30 acre of nonnative grassland. In addition, a small portion of the proposed trail passes through 0.09 acre of coast live oak woodland (0.08 acre for the project alternative); however,

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coast live oaks would not be removed during brushing and clearing and their root zone would not be disturbed as trail construction will be achieved by hand in that area. Total impacts to approximately 3.08 acres (proposed project) and 3.06 acres (project alternative) of potentially suitable habitat for County Group 1 or 2 wildlife species would not impact the regional long-term survival of these fairly widespread species. Therefore, impacts to County Group 1 or 2 wildlife species would not be considered significant.

The project site is within the range of two sensitive invertebrate species, Quino checkerspot butterfly (*Euphydryas editha quino*) and Hermes copper (*Lycaena hermes*). However, based on a habitat assessment and historical data, the potential for Quino to occur onsite is low. The potential for Hermes was also rated as low because even though host plant spiny redberry (*Rhamnus crocea*) was observed within the survey area, ~~not proposed trail alignment,~~ the habitat assessment for Hermes copper, conducted during vegetation mapping, found spiny redberry present as an uncommon occurrence within the survey area and did not find California buckwheat (*Eriogonum fasciculatum*) present within 15 feet of any spiny redberry. Habitat including spiny redberry without nearby California buckwheat nectar sources does not require Hermes copper surveys, per Attachment B of the County's Report Format and Content Requirements for Biological Resources (2010) is sparsely distributed and does not occur adjacent to suitable nectar sources.

The federally threatened coastal California gnatcatcher (*Polioptila californica californica*) was not observed during the 2012 surveys and was rated with a low potential to occur on-site. However, the construction of the proposed project and project alternative would result in impacts to marginally suitable habitat for this species (burned coastal sage scrub) and suitable habitat for this species occurs in the project vicinity. Vegetation clearing in the vicinity of occupied habitat could result in significant impacts to this species. If trail construction occurs during the gnatcatcher breeding season (March 1 to August 15), prior to any habitat clearing of coastal sage scrub, the County will conduct nesting bird surveys for gnatcatchers to confirm their absence from the project area.

Nesting raptors were not observed during the 2012 surveys. However, the construction of the proposed project and project alternative will occur in the vicinity of suitable habitat for this species. Vegetation clearing in the vicinity of coast live oak woodland could result in significant impacts to this species. If trail construction occurs within 500 feet of suitable habitat, including coast live oak woodland and non-native grassland habitat, during the tree-nesting raptor breeding season (January 15 to July 15) and within 800 feet of suitable habitat during the ground-nesting raptors (February 1 - July 31), the County will conduct nesting bird surveys for raptors to confirm their absence from the project area.

General Avoidance and Minimization Measures

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Trail routes were selected to avoid and minimize potential impacts to sensitive habitats, and plant and wildlife species to the maximum extent practicable. Additionally, the following design measures will be implemented prior to, and during, construction to avoid and minimize biological resource impacts:

1. Avoid impacts to County Group A and B plant species, to the extent feasible, through construction methodology. No offsite fill is allowed.

Mitigation Measures

1. Mitigation for unavoidable direct effects to habitat occupied by sensitive species as a result of loss of habitat will be mitigated according to ratios outlined in the County of San Diego Biological Mitigation Ordinance. Direct effects of the project (project alternative) will be compensated at a ratio of 1.5:1 for impacts to 1.78 (1.76) acres of Diegan coastal sage scrub, 1:1 for impacts to 0.91 (0.93) acre of southern mixed chaparral, and 0.5:1 for impacts to 0.30 (0.30) acre of nonnative grassland. Impacts for the proposed project (project alternative) will be mitigated within a BRCA of the MSCP through the purchase of 2.67 (2.64) acres of Tier II or higher habitat and 1.06 (1.08) acres of Tier III or higher habitat mitigation credits within an approved mitigation bank or preservation of habitat in accordance with Board Policy I-138.
2. Conduct pre-construction training for construction crews to inform them of sensitive species that occur or have potential to occur along the proposed trail.
3. Brushing, clearing, and/or grading will not occur within 300 feet of suitable habitat, including coastal sage scrub habitat, during the breeding season of the California gnatcatcher (March 1 - August 15). This condition can be waived if surveys described below determine that no active nests occur on-site.
 - a. Within one week of commencement of clearing or activities associated with project construction, a qualified biologist shall conduct a preconstruction survey for California gnatcatcher. If the biologist finds any evidence of an active nest, the biologist shall (a) notify the County, and (b) clearing or construction activities will not occur until after the breeding season.
4. Brushing, clearing, and/or grading will not occur within 500 feet of suitable habitat, including coast live oak woodland and non-native grassland habitat, during the tree-nesting raptor breeding season (January 15 to July 15) and within 800 feet of suitable habitat during the ground-nesting raptors (February 1 - July 31). This condition can be waived if surveys described below determine that no active nests occur on-site.
 - a. Within one week of commencement of clearing or activities associated with project construction, a qualified biologist shall conduct a preconstruction survey for nesting raptors. If the biologist finds any evidence of an active nest, the biologist shall (a) notify the County, and (b) ensure that no clearing or construction activities occur within 500 feet (800 feet for ground-nesting raptors) of an active nest.

Therefore, as a result of project design considerations and the mitigation measures discussed above, potential direct or indirect impacts to sensitive and/or listed species or their habitats have been reduced to less than significant.

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Additionally, cumulative impacts to sensitive resources occurring in the project vicinity are not anticipated to be significant due to the lack of development and rural character of the adjacent properties. Many of these areas are dedicated open space easements or County owned Preserves that will be maintained and managed in perpetuity with the intent of protecting onsite sensitive biological resources. In addition, the proposed project's impacts to sensitive biological resources within the historic flume alignment are limited and would not be cumulatively considerable.

- 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant with Mitigation Incorporated: Based on an analysis of the California Natural Diversity Database (CNDDDB 2008), the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, and a Biological Resources Letter Report dated July 23, 2012, prepared by ICF International it has been determined that the proposed project site contains southern mixed chaparral, Diegan coastal sage scrub, coast live oak woodland, and non-native grassland within the project boundaries.

Direct impacts to sensitive habitat associated with development of the proposed trail (project alternative) and associated brush clearing total 3.08 (3.06) acres. A small portion of the proposed trail (project alternative) passes through 0.09 (0.08) acre of coast live oak woodland; however, coast live oaks would not be removed during brushing and clearing and their root zone would not be disturbed as trail construction will be achieved by hand. A total of 0.06 acre of disturbed and/or developed lands occurs within the impact area for the proposed trail and the project alternative. This land cover type is not considered sensitive and direct impacts associated with construction, grading, clearing, or other activities would not be considered significant. Direct effects of the project (project alternative) will be compensated at a ratio of 1.5:1 for impacts to 1.78 (1.76) acres of Diegan coastal sage scrub, 1:1 for impacts to 0.91 (0.93) acre of southern mixed chaparral, and 0.5:1 for impacts to 0.30 (0.30) acre of nonnative grassland. Impacts for the proposed project and project alternative will be mitigated through the purchase of 2.67 (2.64) acres of Tier II habitat or higher and 1.06 (1.08) acres of Tier III habitat or higher mitigation credits within an approved mitigation bank or preservation of habitat in accordance with Board Policy I-138.

A total of 12 ephemeral drainage features were identified along the proposed alignment of the trail, all of which were determined to be non-wetland waters under the joint

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jurisdiction of the USACE, CDFG, and RWQCB. These drainages did not support any riparian habitat. Thus, the project will not have a substantial adverse effect on riparian habitat.

Construction of the proposed trail and project alternative could also result in impacts to sensitive habitat by increasing human access to the site. Based on the capacity of the staging area within El Monte County Park, allowing parking for five horse trailers and ten cars, anticipated trail usage is estimated to consist of a maximum of up to 10 equestrians and 20 hikers twice a day. Only a small number of bicyclists are expected to utilize the proposed trail due to the steepness of initial access. Such human-related impacts could include destruction of vegetation through trampling and unauthorized off-trail use. Impacts associated with increased human activity on the site and competition from domestic animals would be considered potentially significant. The project would not intentionally introduce pests or exotic species to the site. The proposed trail and project alternative connects to the El Monte County Park Trail, located within El Monte County Park. A Resource Management Plan has been prepared for El Monte County Park, which identifies Area-Specific Management Directives aimed at preserving and enhancing biological resources within the Park. Ongoing maintenance and monitoring of the proposed trail will occur during implementation of the El Monte County Park RMP. The proposed trail will be patrolled by Park Rangers on a daily basis. The Park Rangers ~~who~~ will identify unauthorized trail use or other adverse effects associated with increased human use (e.g., trash). Such issues will be addressed through construction of fence segments, installation of signs, or other means to prevent ongoing impacts resulting from increased human use on the site or competition from domestic animals.

Thus, through project design considerations and mitigation measures, the project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community. Furthermore, no off-site impacts have been identified within or immediately adjacent to the riparian habitat and sensitive natural communities. Therefore, project impacts to any riparian habitat or sensitive natural community identified in the County of San Diego Resource Protection Ordinance, Natural Community Conservation Plan, Fish and Game Code, Endangered Species Act, Clean Water Act, or any other local or regional plans, policies or regulations, are considered less than significant.

Cumulative impacts to riparian habitat or other sensitive communities occurring in the project vicinity are not anticipated to be significant due to the lack of development and rural character of the adjacent properties. Many of these areas are in long-term Preserves that will be maintained and managed in perpetuity with the intent of minimizing development and protecting onsite sensitive biological resources. In addition, the proposed project's impacts to sensitive biological resources within the historic flume alignment are limited and would not be cumulatively considerable.

- 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

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pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: A total of 12 ephemeral drainage features were identified along the proposed alignment of the proposed trail, all of which were determined to be non-wetland waters under the joint jurisdiction of the USACE, CDFG, and RWQCB. These unnamed drainage features measure 2- to 5-feet wide and are likely direct tributaries to the San Diego River. Construction of the proposed project (project alternative) would result in a total of 340 (310) square feet of impacts to drainage features determined to be regulated as USACE non-wetland waters of the U.S., RWQCB waters of the state, and CDFG State Streambeds.

Potential impacts to the identified drainage features consist of foot, bicycle and equestrian traffic associated with the use of the proposed trail or project alternative in its finished condition. Such impacts would be significant and would require a CDFG section 1602 Streambed Alteration Agreement. However, since the proposed project will not involve discharge of dredged or fill material it would not be regulated under Section 404 of the Clean Water Act. In addition, since the drainage features lack wetland vegetation, the construction and presence of a trail through these features would not affect wetland vegetation; therefore construction of the proposed trail or project alternative would not result in the net loss of jurisdictional wetlands, and will not substantially alter the biological function and values of the streambeds. The construction of the trail will not alter topography or hydrology of the streambed, and will allow continued water flow through the area. Therefore, compensatory mitigation is not anticipated to be required.

Jurisdictional wetlands do not occur within the proposed project area. The proposed trail and project alternative crosses a total of 12 drainage features; however, all were determined to be USACE non-wetland waters of the U.S. and the project would not impact the functions and values of these drainage features. Therefore, no impacts will occur to wetlands or waters of the U.S. as defined by Section 404 of the Clean Water Act and under the jurisdiction of the Army Corps of Engineers.

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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Incorporated

Discussion/Explanation:

Less than Significant Impact: Wildlife movement corridors are areas that connect suitable wildlife habitat areas in a region otherwise fragmented by rugged terrain, changes in vegetation, or human disturbance. Natural features such as canyon drainages, ridgelines, or areas with vegetative cover provide corridors for wildlife movement. Wildlife movement corridors are important because they provide access to mates, food, and water; allow the dispersal of individuals away from high population density areas, and facilitate the exchange of genetic traits between populations. The proposed project and project alternative alignments are located in a relatively undeveloped area of San Diego County, occur within a mapped Pre-Approved Mitigation Area, and abut large preserve areas such as the Cleveland National Forest and the El Capitan Preserve. In addition, the project area occurs within the east–west trending upper San Diego River valley which provides local movement for a wide range of wildlife including mule deer, coyote, bobcat, and mountain lion. The project area is considered to be a part of a core area or regional linkage of importance.

The proposed project would not result in significant impacts because impacts would be limited to a 10-foot-wide area that generally follows the existing bench cut. These impacts would not preclude wildlife mobility, breeding, or reproduction. Total impacts to 3.08 acres of sensitive habitats (3.06 acres for the project alternative) and 0.06 acre of disturbed/developed lands in the existing bench cut would not impact wildlife mobility, and mitigation measures, such as avoiding work during the bird breeding season, will ensure that there will be no interference with a wildlife nursery site. These limited impacts would also not prevent or interfere with connectivity to adjacent preserve areas in the Cleveland National forest, the El Capitan Preserve or adjacent lower reaches of the San Diego River. The proposed project would not result in any significant impacts to wildlife corridors or linkages.

e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is located within the County of San Diego South County MSCP Subarea Plan Area. The proposed trail and project alternative have been found to be consistent with the provisions of the MSCP Subarea

Plan adopted in October 1997. The proposed multi-use trail is compatible with the "Public Access and Recreation" land uses allowed within the preserve as specified in Section 1.9.2 of the Subarea Plan. MSCP Conformance Findings dated July 26, 2012 have been prepared for the project.

V. CULTURAL RESOURCES -- Would the project:

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

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant with Mitigation Incorporated: Based on an analysis of records and surveys of the project site conducted on May 15 and 16, 2012 by archaeologist Robin Hoffman and Native American monitor Alisa Contreras, it has been determined that 15 historical resources are present within the project area. One of these resources is the previously recorded CA-SDI-11296H, the Flume itself, although the newly recorded portion within the project area was given a temporary number (ICF-FT-17) for purposes of recordation. The remaining fourteen were newly recorded. Ten of these resources are stacked cobble stabilization walls located on the downslope side of the Flume benchcut; one resource consists of a pair of redwood planks; one is a trestle footing cut into bedrock; and two are entrances to a tunnel (the same tunnel). All identified resources are associated with the Flume, and will be included in a site record update as individual contributing features to the site. A cultural resource technical report entitled, Cultural Resources Inventory and Impact Assessment for the County Flume Trail Project, San Diego County, California, prepared by ICF International, dated July 2012, evaluated the significance of the historical resources based on the California Register of Historical Resources (CRHR) significance criteria. It was determined that CA-SDI-11296H (San Diego Flume) is a significant historical resource eligible for listing on the CRHR under Criteria 1 and 3. Therefore, the historic resources are significant pursuant to the State of California Environmental Quality Act (CEQA) Guidelines, Section 15064.5.

The proposed trail alignment will result in direct impacts to ICF-FT-17, which is the Flume benchcut, a contributing element of CA-SDI-11296H. However, because of the surficial nature of the proposed vegetation clearing and minimal surface grading, construction and maintenance activities will not cause a substantial adverse change in the significance of ICF-FT-17. The alignment of the benchcut will not be altered or destroyed, and its physical expression, including the engineering feat it represents, will not be affected. Furthermore, the trail alignment as illustrated does not intersect with any of the other Flume features. However, these sites may be indirectly impacted by increased pedestrian and equestrian traffic on the trail. In combination with the project's

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designed avoidance of historical resources, the project will implement the following mitigation measures and project design elements which will reduce the project impacts with respect to historical resources to a level of less than significant:

- Prior to construction, DPR will relocate and place temporary fencing around all identified historical resources (elements of CA-SDI-11296H) within the project area for avoidance except for the benchcut (ICF-FT-17), and confirm in the field that the trail alignment avoids these resources.
- Prior to trail construction a professional archaeologist will provide cultural resources sensitivity training to construction personnel. Training will address both the types of resources that might be identified, as well as the procedures to be followed in the event of an unanticipated discovery of cultural resources. Any resources that might be found would likely be related to the historic-period flume (CA-SDI-11296H), and would be similar in kind to those already recorded, which include modified boulders, drainage crossing features consisting of natural cobble structures, and wood and other debris. Should cultural resources be encountered during construction, work will stop in the immediate vicinity of the find until a qualified archaeologist can assess the find and provide recommendations for avoidance (preferred) or further treatment, as required. Minimally, any newly identified features related to the flume shall be added to the site record form for CA-SDI-11296H as an update.
- DPR shall install interpretive signage along the trail, and specifically at the tunnel entrances (ICF-FT-10 and ICF-FT-11), to inform trail users of the presence and significance of historical resources along the trail and the importance of leaving the resources undisturbed. The signage should detail the significance of the historical resources along the trail and the importance of leaving the resources undisturbed.
- For the project alternative only, DPR will survey any portions of the trail, with a suitable buffer, that fall outside the survey area of the proposed trail. If cultural resources are identified, those resources will be avoided in trail design. Per the mitigation measure above, temporary fencing will be placed around the resources during construction. Avoidance of any newly identified resources will ensure there are no impacts to cultural resources.

Critical Project Design Elements

- DPR will ensure that trail maintenance is confined to the existing trail alignment and is conducted in such a manner as to avoid impacting historical resources within the project area.
- DPR will conduct annual condition monitoring of the historical resources along the trail for signs of vandalism or other alterations, such as unauthorized deviation from the trail, and take corrective measures to rectify potential impacts.

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Annual inspections of historical resources along the trail will ensure that DPR has accurate information on the condition of the resources and will allow for measures to be taken if impacts have occurred or are in danger of occurring.

The mitigation and critical project design elements identified above to address significant project-level impacts to historical resources would also adequately address cumulative historical resources impacts. More specifically, the application of criteria and measures provided in CEQA provides a framework for addressing impacts, both project-specific and cumulative. In accordance with CEQA, the significant historical resources within the proposed project (except the benchcut) would be preserved through avoidance. As required by CEQA, the resource sites determined to be significant would not be affected by development or other features of project implementation. Temporary fencing will be placed around all identified historical resources within the project area for avoidance except for the benchcut itself, and to confirm in the field that the trail alignment avoids these resources. The temporary fencing will reduce the likelihood of unforeseen impacts to historical resources from construction activities. In addition, a pre-construction training will be provided by a professional archaeologist to ensure the proper identification and treatment of any materials should they be encountered. Through preservation, temporary fencing, interpretive signage, and future monitoring, the potential for effects to the sites, and therefore for cumulative impacts, would be reduced to a level below significant.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: Based on an analysis of records and surveys of the property conducted on May 15 and 16, 2012 by archaeologist Robin Hoffman and Native American monitor Alisa Contreras, it has been determined that that while historical resources exist within the project site, no archaeological resources occur on site. Therefore, there will be no impact to archaeological resources. The results of the survey are provided in a cultural resources report titled, *Cultural Resources Inventory and Impact Assessment for the County Flume Trail Project, San Diego County, California*, prepared by ICF International, dated July 2012.

c) Directly or indirectly destroy a unique geologic feature?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

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Incorporated

Discussion/Explanation:

San Diego County has a variety of geologic environments and geologic processes which generally occur in other parts of the state, country, and the world. However, some features stand out as being unique in one way or another within the boundaries of the County.

Less than Significant Impact: A review of the data on San Diego County's geologic formations indicates that the project is located on geological formations that potentially contain unique geologic resources. Although there may be some soil disturbance associated with construction of the proposed trail, there will be no significant grading or excavation at depths greater than 10 feet below the existing ground level. Therefore, potential impacts would be less than significant.

d) Directly or indirectly destroy a unique paleontological resource or site?

- | | |
|--|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation
Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: A review of the County's Paleontological Resources Maps indicates that a portion of the project site is located on Upper Jurassic and Lower Cretaceous Marine and Non-Marine rock and has marginal potential for producing fossil remains. Although there may be some soil disturbance associated with construction of the proposed trail, there will be no significant grading or excavation at depths greater than 10 feet below the existing ground level. Therefore, potential impacts would be less than significant. The remaining portion of the project site is located on Cretaceous Plutonic rock and has no potential for producing fossil remains.

e) Disturb any human remains, including those interred outside of formal cemeteries?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation
Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact Based on an analysis of records and surveys of the property conducted on May 15 and 16, 2012 by archaeologist Robin Hoffman and Native American monitor

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Alisa Contreras, it has been determined that given the location and geology of the project area, there is minimal potential for the unanticipated discovery of human remains. In addition, the project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. The results of the survey are provided in a cultural resources report titled, *Cultural Resources Inventory and Impact Assessment for the County Flume Trail Project, San Diego County, California*, prepared by ICF International, dated July 2012.

VI. GEOLOGY AND SOILS -- Would the project:

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

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997, Fault-Rupture Hazards Zones in California, or located within any other area with substantial evidence of a known fault. Therefore, there will be no impact from the exposure of people or structures to adverse effects from a known fault-rupture hazard zone as a result of this project.

ii. Strong seismic ground shaking?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The *Uniform Building Code* (UBC) and the *California Building Code* (CBC) classifies all San Diego County with the highest seismic zone criteria, Zone 4. However, the proposed project is not located within five kilometers of the centerline of a known active-fault zone as defined within the *Uniform Building Code's Maps of Known Active Fault Near-Source Zones in California*. The project does not propose structures, only the construction of a trail. Therefore, the project will not

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expose people or structures to potential substantial adverse effects from strong seismic ground shaking.

iii. Seismic-related ground failure, including liquefaction?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is not within a “Potential Liquefaction Area” as identified in the County Guidelines for Determining Significance for Geologic Hazards. This indicates that the liquefaction potential at the site is low. In addition, the site is not underlain by poor artificial fill or located within a floodplain. Therefore, there will be a less than significant impact from the exposure of people to adverse effects from a known area susceptible to ground failure, including liquefaction. In addition, since liquefaction potential at the site is low, earthquake-induced lateral spreading is not considered to be a seismic hazard at the site and impacts would be considered less than significant.

iv. Landslides?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is located within a “Landslide Susceptibility Area” as identified in the County Guidelines for Determining Significance for Geologic Hazards. Landslide Susceptibility Areas were developed based on landslide risk profiles included in the *Multi-Jurisdictional Hazard Mitigation Plan, San Diego, CA* (URS, 2004). Landslide risk areas from this plan were based on data including steep slopes (greater than 25%); soil series data (SANDAG based on USGS 1970s series); soil-slip susceptibility from USGS; and Landslide Hazard Zone Maps (limited to western portion of the County) developed by the California Department of Conservation, Division of Mines and Geology (DMG). Also included within Landslide Susceptibility Areas are gabbroic soils on slopes steeper than 15% in grade because these soils are slide prone. However, the area does not show evidence of either pre-existing or potential conditions that could become unstable and result in landslides. The project is for the construction of a trail. No structures are proposed and there will be no landform modification (except for some small ground disturbance to build a trail approximately ten feet wide). Therefore, there will be no potentially significant impact

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from the exposure of people or structures to adverse effects from adverse effects of landslides.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

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Discussion/Explanation:

Less than Significant Impact: According to the Soil Survey of San Diego County, the soils on-site are identified as Cieneba-Fallbrook rocky sandy loams (30-65% slopes, eroded) and Cieneba coarse sandy loam (30-65% slopes, eroded). These soils have an erodibility rating of “high” to “very high” as indicated by the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973. However, the project will not result in substantial soil erosion or the loss of topsoil for the following reasons:

- The project will not result in unprotected erodible soils, will not alter existing drainage patterns, and will not develop steep slopes.
- The project will include Best Management Practices (BMPs) to ensure sediment does not erode from the proposed project site.

Due to these factors, it has been found that the project will not result in substantial soil erosion or the loss of topsoil on a project level.

In addition, the project will not contribute to a cumulatively considerable impact because all the of past, present and future projects included on the list of projects that involve grading or land disturbance are required to follow the requirements of: the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING); California Regional Water Quality Control Board (RWQCB), San Diego Region Order No. R9-2007-0001, NPDES No. CAS0108758, issued January 24, 2007; County Watershed Protection, Storm Water Management, and Discharge Control Ordinance (WPO) (Ord. No. 9926 revised March 2008); and County Storm Water Standards Manual adopted on February 20, 2002, and amended August 5, 2003 (Ordinance No. 9589). Refer to XVII. Mandatory Findings of Significance for a comprehensive list of the projects considered.

c) Will the project produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is not located on or near geological formations that are unstable or would potentially become unstable as a result of the project. Additionally, the project will not alter the land in any way as to create unstable conditions as the

Exhibit 7: Mitigated Negative Declaration

project does not propose landform alteration. For further information refer to VI. Geology and Soils, Question a., i-iv listed above.

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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site does not contain expansive soil as defined within Table 18-1-B of the Uniform Building Code (1994). The soils on-site are Cieneba-Fallbrook rocky sandy loams (30-65% slopes, eroded) and Cieneba coarse sandy loam (30-65% slopes, eroded). These soils have a shrink-swell behavior of low and represent no substantial risk to life or property. In addition, the project will not have any significant impacts because the project does not involve construction of structures. Therefore, the project will not create a substantial risk to life or property. This was confirmed by staff review of the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is for construction of a multi-use trail. The project does not propose any septic tanks or alternative wastewater disposal systems since no wastewater will be generated.

VII. GREENHOUSE GAS EMISSIONS – Would the project

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

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Discussion/Explanation:

No Impact: The project is proposing a recreational trail which would not result in the generation of any new vehicle trips or generate additional greenhouse gases in any way because the proposed trail will connect to the existing El Monte County Park trail providing additional trails to visitors of El Monte County Park.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is proposing a recreational trail which would not result in the generation of any new vehicle trips or generate additional greenhouse gases in any way, therefore the project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of GHG's.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project will not create a significant hazard to the public or the environment because it does not propose the storage, use, transport, emission, or disposal of Hazardous Substances, nor are Hazardous Substances proposed or currently in use in the immediate vicinity. In addition, the project does not propose to demolish any existing structures onsite and therefore would not create a hazard related to the release of asbestos, lead based paint or other hazardous materials from demolition activities.

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- b) 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is not located within one-quarter mile of an existing or proposed school, nor will it emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, the project will not have any effect on an existing or proposed school.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: Based on a site visit and records search, the project site has not been subject to a release of hazardous substances. The project site is not included in any of the following lists or databases: the State of California Hazardous Waste and Substances sites list compiled pursuant to Government Code Section 65962.5., the San Diego County Hazardous Materials Establishment database, the San Diego County DEH Site Assessment and Mitigation (SAM) Case Listing, the Department of Toxic Substances Control (DTSC) Site Mitigation and Brownfields Reuse Program Database ("CalSites" Envirostor Database), the Resource Conservation and Recovery Information System (RCRIS) listing, the EPA's Superfund CERCLIS database or the EPA's National Priorities List (NPL). Additionally, the project does not propose structures for human occupancy or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill, is not located on or within 250 feet of the boundary of a parcel identified as containing burn ash (from the historic burning of trash), is not on or within 1,000 feet of a Formerly Used Defense Site (FUDS), does not contain a leaking Underground Storage Tank, and is not located on a site with the potential for contamination from historic uses such as intensive agriculture, industrial uses, a gas station or vehicle repair shop. Therefore, the project would not create a significant hazard to the public or environment.

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- d) 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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The proposed project is not located within an Airport Land Use Compatibility Plan (ALUCP), a Comprehensive Land Use Plan (CLUP), or within two miles of a public airport. Also, the project does not propose construction of any structure equal to or greater than 150 feet in height, constituting a safety hazard to aircraft and/or operations from an airport or heliport. Therefore, the project will not constitute a safety hazard for people residing or working in the project area.

- e) 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project is not within one mile of a private airstrip. As a result, the project will not constitute a safety hazard for people residing or working in the project area.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

The following sections summarize the project's consistency with applicable emergency response plans or emergency evacuation plans.

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i. OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

Less than Significant Impact: The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives and actions for each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. The project will not interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN

No Impact: The San Diego County Nuclear Power Station Emergency Response Plan will not be interfered with by the project due to the location of the project, plant and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of the plant is not within the jurisdiction of the unincorporated County and as such a project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

No Impact: The Oil Spill Contingency Element will not be interfered with because the project is not located along the coastal zone or coastline.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

No Impact: The Emergency Water Contingencies Annex and Energy Shortage Response Plan will not be interfered with because the project does not propose altering major water or energy supply infrastructure, such as the California Aqueduct.

v. DAM EVACUATION PLAN

No Impact: The Dam Evacuation Plan will not be interfered with because the project is not located within a dam inundation zone.

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- g) 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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The proposed project is within habitat that may be considered wildlands that have the potential to support wildland fires. However, the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because no habitable structures are proposed.

- h) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not involve or support uses that allow water to stand for a period of 72 hours (three days) or more (e.g., artificial lakes, agricultural irrigation ponds). Also, the project does not involve or support uses that will produce or collect animal waste, such as agricultural operations (e.g., chicken coops, dairies, etc.), solid waste facility or other similar uses. Therefore, the project will not substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies.

IX. HYDROLOGY AND WATER QUALITY -- Would the project:

- a) Violate any waste discharge requirements?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project will be required to implement site design measures and/or source control BMPs and/or treatment control BMPs to reduce

Exhibit 7: Mitigated Negative Declaration

potential pollutants to the maximum extent practicable from entering storm water runoff. The project design provides for minimal grading and will utilize the natural topography to maintain the existing drainage flow on site. Additionally, the native vegetation surrounding the trail will remain undisturbed and will act as a natural biofilter. BMPs will include, but are not limited to, stabilized construction entrance/exit areas, permeable surfaces (no impervious surfaces proposed), and silt fencing. Silt fences and fiber rolls would be specified to minimize surface transport of sediments. These measures will enable the project to meet waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (RWQCB Order No. R9-2007-0001), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP).

Finally, the project's conformance to the waste discharge requirements listed above ensures the project will not create cumulatively considerable water quality impacts related to waste discharge because, through the permit, the project will conform to Countywide watershed standards in the JURMP and SUSMP, derived from State regulation to address human health and water quality concerns. Therefore, the project will not contribute to a cumulatively considerable impact to water quality from waste discharges.

b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project lies within 907.15 El Monte hydrologic subarea within the San Diego River hydrologic area. According to the Clean Water Act Section 303(d) list, July 2003, a portion of this watershed at the Pacific Ocean and mouth of the San Diego River is impaired for coliform bacteria. Constituents of concern in the San Diego watershed include coliform bacteria, total dissolved solids, nutrients, petroleum chemicals, toxics, and trash. The project proposes the following activities that are associated with these pollutants: minimal amounts of ground disturbance associated with a trail. However, site design measures and/or source control BMPs and/or treatment control BMPs will be employed such that potential pollutants will be reduced in any runoff to the maximum extent practicable so as not to increase the level of these pollutants in receiving waters. BMPs will include, but are not limited to, features such as stabilized construction entrance/exit areas, permeable surfaces, and silt fencing. Silt fences and fiber rolls would be specified to minimize surface transport of sediments.

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The proposed BMPs are consistent with regional surface water and storm water planning and permitting process that has been established to improve the overall water quality in County watersheds. As a result, the project will not contribute to a cumulative impact to an already impaired water body, as listed on the Clean Water Act Section 303(d). Regional surface water and storm water permitting regulation for County of San Diego, Incorporated Cities of San Diego County and San Diego Unified Port District includes the following: California Regional Water Quality Control Board (RWQCB), San Diego Region Order No. R9-2007-0001, NPDES No. CAS0108758, issued January 24, 2007; County Watershed Protection, Storm Water Management, and Discharge Control Ordinance (WPO) (Ord. No. 9926 revised March 2008); and County Storm Water Standards Manual adopted on February 20, 2002, and amended August 5, 2003 (Ordinance No. 9589). The stated purposes of these ordinances are to protect the health, safety and general welfare of the County of San Diego residents; to protect water resources and to improve water quality; to cause the use of management practices by the County and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state; to secure benefits from the use of storm water as a resource; and to ensure the County is compliant with applicable state and federal laws. Ordinance No. 9926 (WPO) has discharge prohibitions, and requirements that vary depending on type of land use activity and location in the County. Ordinance No. 9589 is Appendix A of Ordinance No. 9926 (WPO) and sets out in more detail, by project category, what Dischargers must do to comply with the Ordinance and to receive permits for projects and activities that are subject to the Ordinance. Collectively, these regulations establish standards for projects to follow which intend to improve water quality from headwaters to the deltas of each watershed in the County. Each project subject to WPO is required to prepare a Stormwater Management Plan that details a project's pollutant discharge contribution to a given watershed and propose BMPs or design measures to mitigate any impacts that may occur in the watershed.

c) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The Regional Water Quality Control Board has designated water quality objectives for waters of the San Diego Region as outlined in Chapter 3 of the Water Quality Control Plan (Plan). The water quality objectives are necessary to protect the existing and potential beneficial uses of each hydrologic unit as described in Chapter 2 of the Plan.

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The project lies within the San Diego hydrologic unit that has the following existing and potential beneficial uses for inland surface waters, coastal waters, reservoirs and lakes, and ground water: municipal and domestic supply; agricultural supply; industrial process supply, industrial service supply; hydropower generation; contact water recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; wildlife habitat; commercial and sport fishing; estuarine habitat; marine habitat; migration of aquatic organisms; shellfish harvesting; and, rare, threatened, or endangered species habitat.

The project proposes construction of a trail. Site design measures and/or source control BMPs and/or treatment control BMPs will be employed to reduce potential pollutants in runoff to the maximum extent practicable, such that the proposed project will not cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses. BMPs will include, but are not limited to, features such as stabilized construction entrance/exit areas, permeable surfaces, and silt fencing. Silt fences and fiber rolls would be specified to minimize surface transport of sediments.

The proposed BMPs are consistent with regional surface water, storm water and groundwater planning and permitting process that has been established to improve the overall water quality in County watersheds. As a result, the project will not contribute to a cumulatively considerable exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses. Refer to Section VIII., Hydrology and Water Quality, Question b, for more information on regional surface water and storm water planning and permitting process.

d) 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project will not use any groundwater for any purpose, including irrigation, domestic or commercial demands. In addition, the project does not involve operations that would interfere substantially with groundwater recharge including, but not limited to the following: the project does not involve regional diversion of water to another groundwater basin; or diversion or channelization of a stream course or waterway with impervious layers, such as concrete lining or culverts, for substantial

Exhibit 7: Mitigated Negative Declaration

distances (e.g., ¼ mile). These activities and operations can substantially affect rates of groundwater recharge. Therefore, no impact to groundwater resources is anticipated.

e) 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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project proposes the construction of a trail. The proposed project will implement site design measures, source control, and/or treatment control BMPs to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable. The project design provides for minimal grading and will utilize the natural topography to maintain the existing drainage flow on site. Additionally, the native vegetation surrounding the trail will remain undisturbed and will act as a natural biofilter. BMPs are required during construction activities and will include, but are not limited to, features such as stabilized construction entrance/exit areas, permeable surfaces, and silt fencing. Silt fences and fiber rolls would be specified to minimize surface transport of sediments. These measures will control erosion and sedimentation and satisfy waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (RWQCB Order No. R9-2007-0001), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP). Due to these factors, it has been found that the project will not result in significantly increased erosion or sedimentation potential and will not alter any drainage patterns of the site or area on- or off-site. In addition, because erosion and sedimentation will be controlled within the boundaries of the project, the project will not contribute to a cumulatively considerable impact. For further information on soil erosion refer to VI., Geology and Soils, Question b.

f) 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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

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Discussion/Explanation:

Less than Significant Impact: The proposed project will not significantly alter established drainage patterns or significantly increase the amount of runoff for the following reasons:

- The project design utilizes the natural topography and will maintain the existing drainage flow on site.
- Drainage will be conveyed to natural drainage channels.
- Native vegetation surrounding the trail will remain undisturbed and will act as a natural biofilter.
- The project will not increase surface runoff exiting the project site equal to or greater than one cubic foot/second.

Therefore, the project will not 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. Moreover, the project will not contribute to a cumulatively considerable alteration or a drainage pattern or increase in the rate or amount of runoff, because the project will not substantially increase water surface elevation or runoff exiting the site, as detailed above.

g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: There are no existing or planned storm water drainage systems proposed by the project, nor does the project require such systems.

h) Provide substantial additional sources of polluted runoff?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project does not propose polluted runoff. To ensure that sediment does not leave the site, the following site design measures and/or source control BMPs and/or treatment control BMPs will be employed such that

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potential pollutants will be reduced in runoff to the maximum extent practicable: stabilized construction entrance/exit areas, use of permeable surfaces, and silt fencing. Refer to VIII Hydrology and Water Quality Questions a, b, c, for further information.

- i) 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, including County Floodplain Maps?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not involve the placement of housing.

- j) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: No structures are proposed and, therefore, no impact will occur.

- k) Expose people or structures to a significant risk of loss, injury or death involving flooding?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is for the construction of a trail and does not propose structures and thus will not expose people to a significant risk of loss, injury or death involving flooding.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
|---|---|

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- Less than Significant with Mitigation Incorporated No Impact

Discussion/Explanation:

No Impact: The project site lies outside a mapped dam inundation area for a major dam/reservoir within San Diego County, and is not located immediately downstream of a minor dam that could potentially flood the property. Additionally, the project is for the construction of a trail and, therefore, the project will not expose people to a significant risk of loss, injury or death involving flooding.

m) Inundation by seiche, tsunami, or mudflow?

- Potentially Significant Impact Less than Significant Impact
 Less than Significant with Mitigation Incorporated No Impact

Discussion/Explanation:

i. SEICHE

No Impact: The project site is not located along the shoreline of a lake or reservoir; therefore, could not be inundated by a seiche.

ii. TSUNAMI

No Impact: The project site is located more than a mile from the coast; therefore, in the event of a tsunami, would not be inundated.

iii. MUDFLOW

No Impact: Mudflow is type of landslide. The site is rated as generally susceptible to a landslide zone. However, the project proposes minimal land disturbance that will expose a small amount of unprotected soils and it is not anticipated that the project will expose people or property to inundation due to a mudflow.

X. LAND USE AND PLANNING -- Would the project:

a) Physically divide an established community?

- Potentially Significant Impact Less than Significant Impact
 Less than Significant with Mitigation Incorporated No Impact

Discussion/Explanation:

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No Impact: The project does not propose the introduction of new infrastructure such as major roadways or water supply systems, or utilities to the area. Therefore, the proposed project will not significantly disrupt or divide the established community.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The proposed project is subject to the “Semi-Rural” and “Rural” General Plan Regional Land Use Categories and Land Use Designations Open Space (Recreation) 36, Specific Plan Area 22, and Semi-Rural 4 and 10. Zoning for the project site is A70 and A72, Agricultural; S80, Special Purpose; and RR, Residential. The project is consistent with the General Plan because recreational trails are considered compatible with open space (recreation) areas, specific plan areas, and semi-rural areas and are therefore permitted within lands under the 13, 17, 36, and 22 Land Use Designations. In addition, the General Plan commits to continue to provide and expand the variety of trail experiences, and provide connections to other public trail systems pursuant to Countywide Trail Policies 1.1 and 1.3.

The project, specifically the 20-foot wide trail easement held by the County, falls within the designated Los Coches Hills and Quail Canyon Estates Specific Planning Areas. The trail easement is located within the prior biological open space easement areas of both the Los Coches Hills and Quail Canyon Estates Specific Planning Areas and multi-use, non-motorized trails are allowed within these easements. The entire project site is subject to the policies of the Lakeside Community Plan. The Lakeside Community Plan includes goals, policies and recommendations to preserve natural resources and open space for outdoor recreational uses. Therefore, the proposed project is consistent with the policies of the Lakeside Community Plan.

APN 390-061-06 of the project site is zoned as A72 Agricultural which permits a residential density of one dwelling unit per 10 acres and APN 393-022-10 of the project site is zoned as A70 Agricultural which permits a residential density of one dwelling unit per 4 acres. The A70 and A72 zoning is intended to create and preserve areas intended primarily for agricultural crop production and raising animals; however the proposed trail is considered an “essential service” as listed under the permitted uses.

The 20-foot wide trail easement held by the County immediately adjacent to the southern boundary of the historic flume alignment is zoned as S80 Special Purpose and RR Rural Residential. The S80 Special Purpose zoning is intended for recreation areas

and permits projects with minimal impact on the natural environment pursuant to The Zoning Ordinance Section 2800. The RR Rural Residential zoning is intended for family residential uses pursuant to The Zoning Ordinance Section 2180; however, the County held easement allows for trails. Therefore, the proposed project is consistent with plan and zone. Additionally, the project adheres to the Lakeside Trails and Pathway Plan and community-specific trail design guidelines contained within the Community Trails Master Plan.

XI. MINERAL RESOURCES -- Would the project:

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site has been classified by the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997) as an area of “Potential Mineral Resource Significance” (MRZ-3). However, the project does not entail any paving, construction, or other features that would result in future preclusion of mineral extraction. Therefore, there is no impact.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project site is not considered to be an Extractive Use Zone (S-82) nor does it have an Impact Sensitive Land Use Designation (24) with an Extractive Land Use Overlay (25) (County Land Use Element, 2000). The site has not been delineated as a locally important resource recovery site nor will the construction of a trail result in a loss of availability of locally important resources. Therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan will occur as a result of this project.

XII. NOISE -- Would the project result in:

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project is for construction of a trail and does not support any noise-generating equipment. Additionally, temporary noise as a result of trail construction will be achieved with machinery that does not generate noise levels in excess of County noise standards. Therefore, the project will not expose people to or generate any noise levels that exceed the allowable limits of the County of San Diego Noise Element of the General Plan or Noise Ordinances, and other applicable local, State, and Federal noise control regulations.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not propose any of the following land uses that can be impacted by groundborne vibration or groundborne noise levels.

1. Buildings where low ambient vibration is essential for interior operation, including research and manufacturing facilities with special vibration constraints.
2. Residences and buildings where people normally sleep including hotels, hospitals, residences and where low ambient vibration is preferred.
3. Civic and institutional land uses including schools, churches, libraries, other institutions, and quiet office where low ambient vibration is preferred.
4. Concert halls for symphonies or other special use facilities where low ambient vibration is preferred.

Also, the project does not propose any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels on-site or in the surrounding area.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project consists of the construction of a trail and does not support any noise-generating equipment. Therefore, the project would not result in a substantial permanent increase in existing ambient noise levels in the project vicinity.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project consists of the construction of a trail and will not support any noise-generating equipment. Also, any temporary increase over existing ambient levels when equipment is used to construct the trail is not expected to exceed the noise limits of the County of San Diego Noise Ordinance (Section 36-410). Equipment operations will occur only during permitted hours of operation pursuant to Section 36-410. Also, the project will not operate equipment in excess of 75 dB for more than 8 hours during a 24-hour period. Therefore, the project would not result in a substantial temporary or periodic increase in existing ambient noise levels in the project vicinity.

- 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project is not located within a Comprehensive Land Use Plan (CLUP) for airports or within 2 miles of a public airport or public use airport.

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Therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project is not located within a one-mile vicinity of a private airstrip; therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels.

XIII. POPULATION AND HOUSING -- Would the project:

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project will not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area including, but limited to the following: new or extended infrastructure or public facilities; new commercial or industrial facilities; large-scale residential development; accelerated conversion of homes to commercial or multi-family use; or regulatory changes including General Plan amendments, specific plan amendments, zone reclassifications, sewer or water annexations; or LAFCO annexation actions.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

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Discussion/Explanation:

No Impact: The proposed project will not displace any existing housing since the site is currently vacant.

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project will not displace a substantial number of people since the site is currently vacant.

XIV. PUBLIC SERVICES

a) 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 service ratios, response times or other performance objectives for any of the public services:

- i. Fire protection?
- ii. Police protection?
- iii. Schools?
- iv. Parks?
- v. Other public facilities?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not involve the construction of new or physically altered governmental facilities including but not limited to fire protection facilities, sheriff facilities, schools, or parks in order to maintain acceptable service ratios, response times or other performance service ratios or objectives for any public services. Therefore, the project will not have an adverse physical effect on the environment because the project does not require new or significantly altered services or facilities to be constructed.

XV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not propose any residential use, included but not limited to a residential subdivision, mobile home park, or construction for a single-family residence that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not propose any residential use, included but not limited to a residential subdivision, mobile home park, or construction for a single-family residence that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity. The project itself is an expansion of existing recreational uses.

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

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

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

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Discussion/Explanation:

The County of San Diego Guidelines for Determining Significance for Traffic and Transportation (Guidelines) establish measures of effectiveness for the performance of the circulation system. These Guidelines incorporate standards from the County of San Diego Public Road Standards and Mobility Element, the County of San Diego Transportation Impact Fee Program and the Congestion Management Program.

No Impact: Because the proposed trail will connect to the existing El Monte County Park trail providing additional trails to visitors of El Monte County Park, it is not anticipated to generate any additional vehicle trips and will not alter the surrounding circulation system in anyway. Therefore, the proposed project would not conflict with any applicable plan, ordinance or policy establishing measures of the effectiveness of the circulation system.

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

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

Discussion/Explanation:

The designated congestion management agency for the San Diego region is SANDAG. SANDAG is responsible for preparing the Regional Transportation Plan (RTP) of which the Congestion Management Program (CMP) is an element to monitor transportation system performance, develop programs to address near- and long-term congestion, and better integrate land use and transportation planning decisions. The CMP includes a requirement for enhanced CEQA review applicable to certain large developments that generate an equivalent of 2,400 or more average daily vehicle trips or 200 or more peak hour vehicle trips. These large projects must complete a traffic analysis that identifies the project's impacts on CMP system roadways, their associated costs, and identify appropriate mitigation. Early project coordination with affected public agencies, the Metropolitan Transit System (MTS) and the North County Transit District (NCTD) is required to ensure that the impacts of new development on CMP transit performance measures are identified.

No Impact: Because the proposed trail will connect to the existing El Monte County Park trail providing additional trails to visitors of El Monte County Park, it is not anticipated to generate any additional ADTs. Therefore, the proposed project will not conflict with level of service standards, travel demand measures or other standards

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established by the county congestion management agency for designated roads or highways.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project is located outside of an Airport Influence Area and is not located within two miles of a public or public use airport; therefore, the project will not result in a change in air traffic patterns.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project will not alter traffic patterns, roadway design, place incompatible uses (e.g., farm equipment) on existing roadways, or create or place curves, slopes or walls which impede adequate sight distance on a road.

e) Result in inadequate emergency access?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project will not result in inadequate emergency access. The project is for a multi-use trail and does not require emergency access.

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

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- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project is for the development of a multi-use trail. Project implementation will not result in the construction of any road improvements or new road design features that would interfere with the provision of public transit, bicycle or pedestrian facilities. In addition, the project will not generate sufficient travel demand to increase demand for transit, pedestrian or bicycle facilities. Therefore, the project will not conflict with policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

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

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not involve any uses that will discharge any wastewater to sanitary sewer or on-site wastewater systems (septic). Therefore, the project will not exceed any wastewater treatment requirements.

- 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project does not include new or expanded water or wastewater treatment facilities. In addition, the project does not require the construction or expansion of water or wastewater treatment facilities. Therefore, the project will not require any construction of new or expanded facilities, which could cause significant environmental effects.

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

Discussion/Explanation:

No Impact: The project does not include new or expanded storm water drainage facilities.

- 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project does not involve or require water services from a water district. The project is for a multi-use trail that does not rely on water service for any purpose.

- 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The proposed project is for the development of a trail and will not produce any wastewater; therefore, the project will not interfere with any wastewater treatment providers' service capacity.

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

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- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: It is unlikely that implementation of the project will generate solid waste. However, all solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440 et seq.). There are five, permitted active landfills in San Diego County with remaining capacity. Therefore, in the event removal of trash and/or debris is required to implement the project, there is sufficient existing permitted solid waste capacity to accommodate the project's solid waste disposal needs.

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

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Implementation of the project may generate solid waste associated with the removal of trash and debris from the proposed trail. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440 et seq.). The project will deposit all solid waste at a permitted solid waste facility and, therefore, will comply with Federal, State, and local statutes and regulations related to solid waste.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range

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of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant with Mitigation Incorporated: Per the instructions for evaluating environmental impacts in this Initial Study, 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 were considered in the response to each question in sections IV and V of this form. In addition to project specific impacts, this evaluation considered the project's potential for significant cumulative effects. Resources that have been evaluated as significant would be potentially impacted by the project, particularly biological and cultural resources. However, avoidance and minimization measures and mitigation has been included that clearly reduces these effects to a level below significance. These avoidance and minimization measures and mitigation includes pre-construction trainings to avoid sensitive resources during construction activities; avoidance of the bird breeding seasons; trail alignment shall avoid County Group A and B plant species; purchase of mitigation credits within an approved mitigation bank or preservation of habitat in accordance with Board Policy I-138 to offset impacts to habitat; prior to construction placement of temporary fencing around all identified historical resources for avoidance, installation of interpretive signs; and management of the proposed trail in accordance with the El Monte County Park Resource Management Plan. As a result of this evaluation, there is no substantial evidence that, after mitigation, significant effects associated with this project would result. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

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Discussion/Explanation:

The following list of past, present and future projects were considered and evaluated as a part of this Initial Study:

PROJECT NAME	PERMIT NUMBER
Quail Canyon Estates	558718 (TM)
Blossom Valley Estates	3500 00-079
El Monte Valley Nature Park	691966 (MUP)

No Impact: Per the instructions for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each question in sections I through XVII of this form. In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there is no substantial evidence that there are cumulative effects associated with this project or project alternative. Therefore, the proposed project and project alternative have been determined not to meet this Mandatory Finding of Significance.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

- Potentially Significant Impact
- Less than Significant Impact
- Less than Significant with Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less than Significant Impact: In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections: I. Aesthetics, III. Air Quality, VI. Geology and Soils, VIII. Hazards and Hazardous Materials, IX. Hydrology and Water Quality, XII. Noise, XIII. Population and Housing, and XVI. Transportation and Traffic. As a result of this evaluation, there is no substantial evidence that there are adverse effects on human beings associated with this project or project alternative. Therefore, this project and project alternative have been determined not to meet this Mandatory Finding of Significance.

XVIII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

All references to Federal, State and local regulations are available on the Internet. For Federal regulations refer to <http://www4.law.cornell.edu/uscode/>. For State regulations

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refer to www.leginfo.ca.gov. For County regulations refer to www.amlegal.com. All other references are available upon request.

Biological Resources Letter Report for the Flume Trail Project, ICF International, July 23, 2012.

Cultural Resources Inventory and Impact Assessment for the County Flume Trail Project, San Diego, California. ICF International, July 2012.

Jurisdictional Delineation Report for the Flume Trail Project. ICF International, July 2012.

Community Trails Master Plan (January 12, 2005)
(http://www.co.san-diego.ca.us/reusable_components/images/parks/doc/tocrev.pdf)

AESTHETICS

California Street and Highways Code [California Street and Highways Code, Section 260-283. (<http://www.leginfo.ca.gov/>)

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**LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES
THAT COMMENTED ON THE DRAFT MITIGATED NEGATIVE DECLARATION
FOR THE FLUME TRAIL PROJECT**

A draft version of the Mitigated Negative Declaration was circulated for public review from July 26, 2012 to August 25, 2012.

The following is a listing of the names and addresses of persons, organizations, and public agencies that commented during this public review period.

	NAME	ADDRESS
	FEDERAL AGENCIES	
1	U.S. Fish & Wildlife Service Carlsbad Fish & Wildlife Office (Joint Letter with CDFG)	Eric Porter 6010 Hidden Valley Rd., Suite 101 Carlsbad, CA 92011
	STATE AGENCIES	
2	California Department of Fish and Game South Coast Region (Joint Letter with USFWS)	Paul Schlitt 3883 Ruffin Road San Diego, CA 92123
3	Native American Heritage Commission	Dave Singleton 915 Capitol Mall, Room 364 Sacramento, CA 95814
	COUNTY, CITY, AND OTHER LOCAL AGENCIES	
	None	
	INDIVIDUALS	
4	Mildred C. Digenan	kdigenan@gmail.com
5	Hartung Family Trust	goonsugar@wildblue.net

Memorandum

TO: File
FROM: Megan Hamilton, Project Manager
SUBJECT: Flume Trail Project Draft Mitigated Negative Declaration
STAFF RESPONSE TO COMMENTS
DATE: August 31, 2012

This letter includes staff's response to comments received during the public review period for the Draft Mitigated Negative Declaration for Flume Trail Project, dated July 26, 2012. The Draft Mitigated Negative Declaration was circulated for public review from July 26, 2012 to August 25, 2012 (30-day review period).

Response to USFWS and CDFG (Wildlife Agencies) comments dated August 24, 2012

- A-1 The County acknowledges that the mitigation obligations for Blossom Valley Estates included dedicating 286 acres in fee title to a land management entity, and the Center for Natural Lands Management now owns and manages the property. No changes were made to the Mitigated Negative Declaration (MND).
- A-2 Comment noted. A figure identifying the Blossom Valley Habitat Conservation Area (BVHCA) will not be included in the Initial Study (IS) or technical appendices because the IS states the surrounding land uses including the BVHCA as adjacent "open space". In addition, the El Monte County Park Resource Management Plan includes Figure 3, which shows the BVHCA. No changes were made to the MND.
- A-3 Comment noted. As is stated in the Critical Project Design Elements section of the MND, potential edge effects to biological resources within the BVHCA when the trail is open for recreational use will be reduced through daily Park Ranger patrols of the trail and preventative measures including construction of fence segments along the trail and installation of signage to deter off-trail use. In addition, the portion of the BVHCA adjacent to the proposed trail is very steep, so off-trail use on the property is not anticipated. No changes were made to the MND.
- A-4 Comment noted. The project does not propose introduction of invasive species to the site and will not significantly impact the adjacent BVHCA. In addition, a trail system was analyzed in the Blossom Valley Estates CEQA document and a 20-foot-wide trail easement on the boundary of the BVHCA and immediately adjacent to the southern boundary of the historic flume alignment parcel. This trail easement was dedicated to the County of San Diego and portions of the current proposed trail meander into this easement. That is, a trail was always considered and has been previously analyzed in approximately the same location. No changes were made to the MND.

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- A-5 Comment noted. Park Rangers will patrol the proposed trail on a daily basis. Section IV. Biological Resources (b) of the IS has been revised as follows:

“The proposed trail will be patrolled by Park Rangers on a daily basis. The Park Rangers who will identify unauthorized trail use or other adverse effects associated with increased human use (e.g., trash).”

- A-6 Comment noted. Section IV. Biological Resources (b) of the IS has been revised as follows:

“Based on the capacity of the staging area within El Monte County Park, allowing parking for five horse trailers and ten cars, anticipated trail usage is estimated to consist of a maximum of up to 10 equestrians and 20 hikers twice a day. Only a small number of bicyclists are expected to utilize the proposed trail due to the steepness of initial access.”

Indirect impacts to adjoining biological open space (BVHCA) is not expected from trail usage because the ongoing maintenance and monitoring of the proposed trail will occur during implementation of the El Monte County Park Resource Management Plan including daily patrols of the proposed trail by Park Rangers. Unauthorized trail use or other adverse effects associated with increased human use will be identified during the patrols. Such issues will be addressed through construction of fence segments, installation of signs, or other means to prevent ongoing impacts resulting from increased human use on the site or competition from domestic animals.

In addition, a trail system was analyzed in the Blossom Valley Estates CEQA document within the 20-foot-wide trail easement immediately adjacent to the southern boundary of the historic flume alignment. This trail easement was dedicated to the County of San Diego and portions of the current proposed trail meander into this easement. Sensitive biological resources documented on the BVHAC are similar to those documented for this project. As stated in the Initial Study, potential offsite impacts are reduced to less than significant through implementation of the Resource Management Plan which includes Park Ranger patrols. Additionally, potential impacts to adjoining biological open space were analyzed in the Blossom Valley Estates CEQA document. The Center for Natural Lands Management (CNLM) who is managing the Blossom Valley Habitat Conservation Area is aware of the 20-foot trail easement along the northern portion of their Property and of the County’s proposed Flume Trail project. The CNLM coordinates as needed with the County and reports annually to the County in accordance with their Resource Management Plan. No additional changes were made to the MND.

- A-7 The County acknowledges mitigation measures discussed in the IS/MND and MSCP Conformance Findings include an option to mitigate for impacts to sensitive habitat per Board Policy I-138. In addition to Board Policy I-138, the IS/MND and MSCP Conformance Findings include the option of an approved mitigation bank to mitigate for impacts to sensitive habitat. Crestridge Ecological

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Reserve has been identified as having available mitigation credits for the proposed trail and in this case the County will not be relying on Policy I-138. No changes were made to the MND.

- A-8 Comment noted. The project description in the IS did not identify whether fencing would be necessary, because fencing would only be constructed if unauthorized trail use was identified along the proposed trail during Park Ranger patrols. However, in response to comments received during the public review period for the Draft Mitigated Negative Declaration, a request was made for installation of fencing to prevent off-trail use on adjacent private property (see response to comment D-1 below). The project description of the IS has been revised to add the following:

“Approximately 1,050 to 2,100 feet of fencing will be installed along the northern border of the proposed trail alignment in the vicinity of tunnel #4 of the historic flume.”

- A-9 The County acknowledges that the Biological Resources Letter Report states the proposed trail alignment would cross 12 ephemeral drainages and these drainages provide corridors for wildlife movement. Locations of fencing are not included in the MSCP Conformance Findings or the Biological Resources Letter Report because fencing would only be constructed if unauthorized trail use was identified along the proposed trail during Park Ranger patrols. Fencing will not be installed to cross any of the 12 ephemeral drainages. Based on comments received fencing is proposed in one area (see above). Fence design will allow for wildlife movement and will likely be three strand wire fencing.
- A-10 Comment noted. Refer to response to comment A-8 above. A figure will not be provided in the IS to show the location of the fence, only the description of the location.
- A-11 The County acknowledges that the Biological Resources Letter Report (BRLR), Attachment 4, lists moderate potential for Hermes Copper to occur within the survey area. It should be noted that the Attachment 4 lists Hermes Copper twice. The second listing rates the potential as low. This is more accurate based on subsequent discussions with the biologist who conducted the surveys. There is no corresponding discussion provided under the Special Status Species heading in the Biological Resources Letter Report regarding Hermes Copper Butterfly because only species with high potential to occur are discussed, in accordance with the County’s Report Format and Content requirements for Biological Resources. No changes were made to the BRLR.
- A-12 Comment noted. The IS rating of low potential to occur for Hermes Copper was based on the BRLR and subsequent discussions with the biologist to clarify.
- A-13 The County acknowledges there are County Guidelines for Hermes Copper Butterfly including surveying for the butterfly, mapping habitat, assessing impacts, and mitigating for projects within the County’s jurisdictions.

Exhibit 7: Mitigated Negative Declaration

A-14 Based on additional information received from the biologist that conducted the fieldwork, there was no potential Hermes copper habitat to be surveyed for the Hermes as it did not meet the requirement that California buckwheat be within 15 feet of woody (mature) spiny redberry shrub. This is documented in the BRLR: “Spiny redberry within the survey area is sparsely distributed and does not occur adjacent to suitable nectar sources.” No additional changes were made to the BRLR. Section IV(a) of the IS was revised to state:

“The project site is within the range of two sensitive invertebrate species, Quino checkerspot butterfly (*Euphydryas editha quino*) and Hermes copper (*Lycaena hermes*). However, based on a habitat assessment and historical data, the potential for Quino to occur onsite is low. The potential for Hermes was also rated as low because even though host plant spiny redberry (*Rhamnus crocea*) was observed within the survey area, ~~not proposed trail alignment,~~ the habitat assessment for Hermes copper, conducted during vegetation mapping, found spiny redberry present as an uncommon occurrence within the survey area and did not find California buckwheat (*Eriogonum fasciculatum*) present within 15 feet of any spiny redberry. Habitat containing spiny redberry without nearby California buckwheat nectar sources does not require Hermes copper surveys, per Attachment B of the County’s Report Format and Content Requirements for Biological Resources (2010) ~~is sparsely distributed and does not occur adjacent to suitable nectar sources.~~”

A-15 Comment noted. Construction equipment and materials will be staged in the paved areas of El Monte County Park. These areas will be flagged off. The Project Description of the IS has been revised to state:

“Construction staging and access to the project will occur in the developed portion of El Monte County Park.”

A-16 Comment noted. Please refer to response to comment A-15 above. There will be no impacts associated with project staging (or access) as it will occur within developed paved portions of El Monte County Park.

A-17 Comment noted. Section 2, Mitigation Measures, A. Biological Resources of the Mitigated Negative Declaration has been revised as follows:

5. In order to comply with the State Regulations for non-wetland waters of the U.S., the following agency permit shall be obtained.
 - a. A Section 1602 Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances to any streambed.

A-18 Comment noted. The Biological Resources Letter Report states, “...if avoidance is not feasible, impacts to County List A and B species will not exceed 20% of the population on-site...” This conclusion was reached because if avoidance of individual plants is not feasible, the seed banks will remain intact, as no offsite fill or compaction is proposed. In addition, the Biological Resources Letter Report

Exhibit 7: Mitigated Negative Declaration

states, "...the potential minimal impacts resulting from the proposed project would not impact the regional long-term survival of these species. Populations of delicate clarkia have been observed at El Monte County Park along the San Diego River. In addition, it is feasible that the final trail alignment can avoid impacts to all special-status species within the project area if trail construction is implemented at a time when delicate clarkia plants are observable."

A-19 Comment noted. In addition to Mitigation Measure A.2., "Conduct pre-construction training for construction crews to inform them of sensitive species that occur or have potential to occur along the proposed trail", a Critical Project Design Element in the MND addresses avoidance of delicate clarkia a County Group A species, "Avoid impacts to County Group A and B plant species, to the extent feasible, through construction methodology. No offsite fill is allowed." Construction methodology includes minimal ground disturbance and no impact to the seed bank. Flagging of delicate clarkia may not be possible as construction may not occur during the blooming period of the plant, April 23 – June 13. However, based on this comment the Critical Project Design Elements of the MND was revised to state:

- "Avoid impacts to County Group A and B plant species, to the extent feasible, through construction methodology and flagging of the species by a biologist if it is in bloom and can be identified. No offsite fill is allowed."

Response to Native American Heritage Commission dated August 3, 2012

B-1 Comment noted. Correspondence with the Native American Heritage Commission (NAHC) was initiated on May 11, 2012 and correspondence with those Native American contacts provided by NAHC was initiated on May 14, 2012. This letter included a project description including location, identified the NAHC results, and reiterated an invitation to comment, question, or review the project. One response was received, in an email dated June 19, 2012 Viejas Band of Kumeyaay Indian Environmental Coordinator Julie Hagen requested that a Viejas monitor be present during all ground-disturbing activities associated with the Project. A specific mitigation measure was not included in the Mitigated Negative Declaration for a Native American monitor during trail construction because 1) all identified resources within the project site are historic period; 2) there will only be minor ground disturbance during trail construction; and 3) there is very minimal potential for buried cultural resources, or buried human remains, along the proposed trail.

Copies of all correspondence are provided in Appendix B of the *Cultural Resources Inventory and Impact Assessment for the County Flume Trail Project, San Diego County, California*, prepared for the County of San Diego Department of Parks and Recreation by ICF International dated July 2012.

Additionally, representing the Kumeyaay, Red Tail Monitoring and Research, Inc., was retained to provide Native American monitoring services for the field survey. No changes were made to the MND.

Exhibit 7: Mitigated Negative Declaration

- B-2 The County acknowledges that items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code Section 6254(r). No changes were made to the MND.
- B-3 Comment noted. Please refer to response to comment B-1 above. No changes were made to the MND.
- B-4 Comment noted. As stated in the *Cultural Resources Inventory and Impact Assessment for the County Flume Trail Project, San Diego County, California*, prepared for the County of San Diego Department of Parks and Recreation by ICF International dated July 2012, no Native American cultural resources were identified during the field surveys of the proposed project. No changes were made to the MND.
- B-5 Comment noted. The proposed project is not under the jurisdiction of the statutes and regulations of the National Environmental Policy Act. No changes were made to the MND.
- B-6 Comment noted. Section 3.2 of the *Cultural Resources Inventory and Impact Assessment for the County Flume Trail Project, San Diego County, California*, prepared for the County of San Diego Department of Parks and Recreation by ICF International dated July 2012 provides an historical research context of the project area. No changes were made to the MND.
- B-7 Comment noted. Confidential appendices of *Cultural Resources Inventory and Impact Assessment for the County Flume Trail Project, San Diego County, California*, prepared for the County of San Diego Department of Parks and Recreation by ICF International dated July 2012 are not made available to the public. No changes were made to the MND.
- B-8 Comment noted. As stated in the *Cultural Resources Inventory and Impact Assessment for the County Flume Trail Project, San Diego County, California*, prepared for the County of San Diego Department of Parks and Recreation by ICF International dated July 2012, "Given the location and geology of the project area, there is very minimal potential for the unanticipated discovery of human remains. However, in the unlikely event that human remains are encountered, specific actions must take place pursuant to CEQA Guidelines Section 15064.5e, Public Resources Code (PRC) Section 5097.98, and Section 87.429 of the County of San Diego Grading, Clearing and Watercourses Ordinance. Should Native American human remains be identified during ground disturbing activities related to the proposed project, whether during construction, maintenance, or use, State and County mandated procedures shall be followed for the treatment and disposition of those remains." No changes were made to the MND.
- B-9 Comment noted. Please refer to response to comment B-1 above. No changes were made to the MND.

Exhibit 7: Mitigated Negative Declaration

- B-10 Comment noted. As stated in the *Cultural Resources Inventory and Impact Assessment for the County Flume Trail Project, San Diego County, California*, prepared for the County of San Diego Department of Parks and Recreation by ICF International dated July 2012, "As a result of the survey fifteen historical resources, all historic-period, were identified within the project area." In addition, "Given the location and geology of the project area, there is minimal potential for buried cultural resources. For the same reasons, there is very minimal potential for the unanticipated discovery of human remains." No changes were made to the MND.

Response to Mildred C. Digenan dated August 22, 2012

- C-1 If feasible, based on topography, DPR will install and maintain a fence at the eastern terminus of the proposed trail alignment to prevent the public from accessing APN 390-07-101, owned by John and Mildred Digenan. Additionally signs will be posted indicating the terminus of the trail and no trespass allowed. No changes were made to the IS or MND. These actions will be implemented in accordance with the Resource Management Plan for the El Monte County Park.
- C-2 The County acknowledges that the danger of fire in the County is a major concern. No open flames (e.g., campfires and smoking) are allowed within Park facilities including the proposed trail per County ordinance 41.118. In addition, the area of the proposed trail alignment is currently recovering from the 2003 Cedar Fire and is anticipated to be fire-resistant for the next 10 to 15 years. The proposed trail can serve as an access route for emergency vehicles in the event of a fire. No compensation in the event of fire would be provided. No changes were made to the MND.
- C-3 The proposed trail alignment is primarily located within the existing 10-foot wide bench cut of the 50-foot-wide, County-owned parcel of the historic flume alignment with some deviations into the County-owned 20-foot-wide trail easement immediately adjacent to the southern boundary of the historic flume alignment to minimize crossings of steep drainage areas. There will be no new trail construction, only clearing and grubbing of vegetation within the existing bench-cut and trail easement. Trails will be designed and maintained to minimize erosion. The project includes Best Management Practices (BMPs) to ensure sediment does not erode from the proposed project site. Silt fences and fiber rolls would be specified to minimize surface transport of sediments. Compensation for erosion damages is not anticipated. No changes were made to the MND.
- C-4 Comment noted. The proposed trail will be multi-use allowing hikers, bikers, and equestrians. Motorized vehicles will not be allowed on the trail. The proposed trail will be located within a 10-foot-wide bench cut which provides sufficient room for multi-use.
- C-5 Comment noted. The proposed trail alignment will connect to the existing El Monte County Park Trail allowing emergency personnel access.

Exhibit 7: Mitigated Negative Declaration

- C-6 Comment noted. The El Monte County Park Trail currently has low use because there were no trail connections available. The proposed Flume Trail will provide this connection. In the future, with the continuation of the development of the San Diego River Trail, the proposed Flume Trail will connect via the El Monte County Park Trail and staging area.
- C-7 Comment noted. The Flume Trail will be located within a bench cut with a grade under 10% with most areas under 5%. The access trail, El Monte County Park Trail, does have a steep incline; however, switchbacks have been incorporated to alleviate the difficulty level.

Response to Hartung Family Trust dated August 22, 2012

- D-1 Comment noted. It is expected that natural steep topography along with compliance with trail use regulations will limit offsite trail use. However, approximately 1,050 to 2,100 feet of fencing will be installed along the northern border of the proposed trail alignment in the vicinity of tunnel #4 of the historic flume. The proposed fencing will be placed along the trail adjacent to APN 390-060-09 where topography is less steep. The IS project description has been revised. Please refer to response to comment A-8 above.
- D-2 Comment noted. At the eastern terminus of the proposed trail the terrain is too steep to access El Monte Road and the likelihood of trail users to do so is low. In addition, access to El Monte Road is provided by the existing El Monte County Park Trail. DPR will install and maintain a fence and signage at the eastern terminus of the proposed trail alignment to prevent the public from entering private property. Please refer to response to comment C-1 above.
- D-3 Comment noted. Park Rangers will patrol the proposed trail on a daily basis (please also refer to response to comment A-5 above). The proposed trail is a multi-use (hiking, biking, and equestrian) trail and will be posted as such. The proposed trail can only be accessed through trailheads at El Monte County Park Trail or Blossom Valley Estates that contain existing gates and controls to prevent off-road vehicle use. Daily Park Ranger patrols will ensure that off-road vehicle use does not occur.
- D-4 Comment noted. The proposed trail will have a width of ten feet which allows sufficient room for equestrians and their horses to avoid the steep slopes to the north of the trail. The height of the fence to be installed along the segment of trail discussed in response to comment D-1 above will only serve to prevent off-trail use while allowing for wildlife movement.
- D-5 Comment noted. The proposed trail will be open during the operation hours of the El Monte County Park, 9:30AM to sunset, closed Christmas day.

Exhibit 7: Mitigated Negative Declaration



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FAX 760-431-9618



California Department of Fish and Game
South Coast Region
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San Diego, California 92123
858-467-4201
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In Reply Refer To:
FWS/CDFG-SDG-12B0325-12TA0537

AUG 24 2012

Ms. Megan Hamilton
County of San Diego
Department of Parks and Recreation
5500 Overland Avenue, Suite 410
San Diego, California 92123-1666

Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for the Flume Trail Project (SCH# 2012071084)

Dear Ms. Hamilton:

The U.S. Fish and Wildlife Service (Service) and California Department of Fish and Game (Department), collectively referred to as the Wildlife Agencies, have reviewed the Notice of Intent to Adopt a Mitigated Negative Declaration (MND), dated July 26, 2012, for the Flume Trail project. The comments provided herein are based on information provided in the draft MND and associated Multiple Species Conservation Program (MSCP) Conformance Statement; Biological Resources Letter Report (BRLR) for the Flume Trail Project (dated July 23, 2012) prepared by ICF International; our knowledge of sensitive and declining vegetation communities in the County of San Diego; and our participation in regional conservation planning efforts.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCP) developed under section 10(a)(1) of the Act. The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; §§ 15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the State's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (Fish and Game Code § 2050 *et seq.*) and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning (NCCP) program. The County of San Diego (County) participates in the NCCP program by implementing its approved Multiple Species Conservation Program Subarea Plan (SAP).

The Flume Trail project would involve constructing 2.5 miles of multi-use trail for hiking, biking, and equestrian users within an existing 10-foot wide bench cut associated with the existing historic San Diego Flume. Two alternative trail alignments were evaluated for this proposed project. The Flume Trail would connect to the southern terminus of the recently constructed El Monte County

Ms. Megan Hamilton (FWS/CDFG-SD-12B0325-12TA0537)

Park Trail approximately 3.5 miles northeast of the intersection of El Monte Road and Lake Jennings Park Road, within the community of Lakeside, an unincorporated portion of San Diego County.

The Flume Trail occurs within the Metro-Lakeside-Jamul segment of the County's SAP. The project area is mapped as Pre-Approved Mitigation Area (PAMA) and is considered a Biological Resource Core Area (BRCA) due to its proximity to PAMA lands. Preserve lands associated with the Blossom Valley Habitat Conservation Area (BVHCA) are directly south of the trail alignment. Construction of the trail would impact approximately 1.78 acres of coastal sage scrub, 0.09 acre of coast live oak woodland, 0.91 acre of southern mixed chaparral, and 0.30 acre of non-native grassland. Potential impacts for the alternative alignments include 1.76 acres of coastal sage scrub, 0.08 acre of coast live oak woodland, 0.93 acre of southern mixed chaparral, and 0.30 acre of nonnative grassland. The MND identifies that habitat impacts are proposed to be mitigated either through either purchase of mitigation credits within an approved mitigation bank or preservation of habitat in accordance with Board Policy I-138 at the following ratios: 1.5:1 for Diegan coastal sage scrub; 1:1 for southern mixed chaparral, and 0:5:1 for nonnative grassland.

The Wildlife Agencies offer the following comments and recommendations to assist the County in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources and to ensure that the project is consistent with, and does not adversely affect, ongoing regional habitat conservation planning efforts.

1. The Initial Study referenced that Blossom Valley Estates (TM 5108) was evaluated as part of the mandatory findings of significance. The mitigation obligations for Blossom Valley Estates included dedicating 286 acres in fee title to a land management entity, and the Center for Natural Lands Management now owns and manages the property. Although the Initial Study acknowledges dedicated open space is located to the south of the project site, a corresponding figure identifying the BVHCA was not provided in the Initial Study or technical appendices. Because the proposed trail would extend along the northern boundary of the BVHCA, we are concerned with potential detrimental edge effects to biological resources that could result when trail is open for recreational use. Neither the Initial Study nor BRLR specifically addresses concerns on potential effects to the sensitive biological resources within the abutting BVHCA (e.g., control and spread on invasive species to adjoining property).

A-1

A-2

A-3

A-4

The Initial Study identifies that County Park Rangers would patrol the trail to identify unauthorized trail use; however, the discussion does not identify the amount of patrols necessary at the outset of opening the trail versus trail monitoring presences later on. The Initial Study should include a discussion on the anticipated level of trail use (e.g., amount of foot, bicycle, or equestrian use). The analysis should address the type of sensitive biological resources documented on BVHCA, particularly in relationship to the trail alignment and whether the County has coordinated with the BVHCA land managers in an effort to identify the potential impacts to adjoining biological open space and to ensure avoidance and minimization measures are included into this project for the long-term.

A-5

A-6

2. The mitigation measures discussed in the Initial Study/MND and MSCP Conformance Findings include an option to mitigate for impacts to sensitive habitat per Board of Supervisors' Policy I-138. The Wildlife Agencies previously commented on the applicability of Policy I-138 in association with the Dictionary Hill Rezone Project (dated September 16, 2011), relative to existing MSCP requirements for establishing conservation banks. Namely, the establishment of formal banking agreements consistent with "*The Official Policy on Conservation Banks, adopted April 17, 1995 by the California Resources Agency and CalEPA*" as stated in Board of Supervisors Policy-117 (Mitigation Bank Policy). In our letter, we requested that the County refrain from utilizing Policy I-138 until such time the Wildlife Agencies and the County resolved this issue. It is our understanding that a meeting will be scheduled in the immediate future to discuss this matter. Until such time this issue is resolved, we recommend that the County not rely on Policy I-138 to mitigate project impacts.

A-7

3. The BRLR identified that unauthorized trail use would be addressed through construction of fence segments, installation of signs, other means to prevent ongoing impacts; however, the project description in the Initial Study did not identify whether any fencing would be necessary. According to the BRLR, the proposed trail alignment would cross 12 ephemeral drainages. The BRLR mentions that natural features such as canyon drainages provide corridors for wildlife movement. Depending of the severity of the surrounding topography, these drainages may serve as important movement routes for various types of wildlife. Neither the MSCP Conformance Findings nor the BRLR discuss the extent of fencing needed for this project or potential effects of such fencing to wildlife movement. Supplemental discussion should be provided in the Initial Study on whether any type of fencing would be erected along the trail alignment and where it would be specifically placed with corresponding Figures.

A-8

A-9

A-10

4. Attachment 4 of the BRLR identified a moderate potential for Hermes copper (*Lycaena hermes*) to occur within the project area; however, no corresponding discussion was provided under the Special Status Species heading for areas that could support Hermes copper. The Initial Study acknowledges this issue; however, it identifies a low potential for Hermes copper to occur within the area. The County Guidelines for Hermes copper provides specific guidance on this subject, including surveying for the butterfly, mapping habitat, assessing impacts, and mitigating for projects within the County's jurisdictions. Given that Attachment 2 of the BRLR identifies spiny redberry (*Rhamnus crocea*) and California buckwheat (*Eriogonum fasciculatum*) within the project survey area, at a minimum, the BRLR should be amended to include a specific discussion on assessment measures conducted for Hermes copper, including habitat mapping for the total number for spiny redberry or California buckwheat occurring within the project area.

A-11

A-12

A-13

A-14

5. The Initial Study does not include information on whether a construction staging area is required for the materials and construction equipment (e.g., small machinery). Should a construction staging area be located outside of the trail impact footprint, the impact analysis should be revised to account for that additional area impacted and commensurate mitigation provided depending on the type of habitat impacted.

A-15

A-16

Ms. Megan Hamilton (FWS/CDFG-SD-12B0325-12TA0537)

4

6. The Initial Study identifies a 1602-Streambed Alteration Agreement would be required under the subject heading "Other public agencies whose approval is required." However, that condition was not provided within the Mitigation Measure language. The mitigation measure provided in the MND should be amended to include the following condition:

"prior to the project applicant's commencement of any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake that the project applicant shall submit a complete Lake or Streambed Alteration Program notification package and fee to the California Department of Fish and Game."

A-17

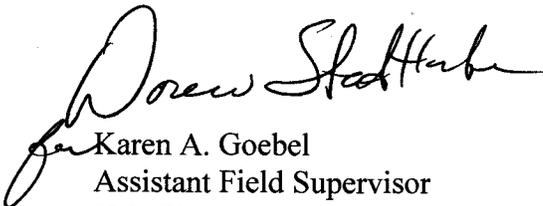
7. The BRLR acknowledges that the full-extent of the population of delicate clarkia (*Clarkia delicate*) within the project area is not known, yet 10 individuals observed within the proposed alignment could be removed because of vegetation removal. Lacking information on overall population numbers for delicate clarkia, we are unclear for the conclusions provided in the BRLR that impacts would be potentially minimal or impact to County List A and B species will not exceed 20% of the population on-site. In contrast, the impact analysis provided in the Initial Study cites that impacts to delicate clarkia would be avoided during final trail design and construction. However, the mitigation measure provided in the MND on this subject is limited to stating, "conduct pre-construction training for construction crews to inform them of sensitive species that occur or have potential to occur along the proposed trail." The MND's mitigation measure should be amended to include a specific condition that "All occurrences of delicate clarkia shall be flagged and avoided during trail construction."

A-18

A-19

We appreciated the opportunity to comment on the draft MND for this project and to assist the County in further minimizing and mitigating project impacts to biological resources. If you have any questions or comments regarding this letter, please contact Eric Porter of the Service at 760-431-9440, extension 285 or Paul Schlitt of the Department at 858-637-5510.

Sincerely,



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



Stephen M. Juarez
Environmental Program Manager
California Department of Fish and Game

cc:
State Clearinghouse via fax
David Mayer, DFG, San Diego

NATIVE AMERICAN HERITAGE COMMISSION

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ds_nahc@pacbell.net



August 3, 2012

Ms. Megan Hamilton, Environmental Planner

County of San Diego Department of Parks and Recreation

5500 Overland Avenue, Suite 410
San Diego, CA 92123

Re: SCH#2012071084 CEQA Notice of Completion; proposed Mitigated Negative Declaration for the "Flume Trail Project;" located in the Lakeside area; San Diego County, California.

Dear Ms. Hamilton:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3 *et seq.*

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that the lead agency request that the NAHC do a Sacred Lands File search as part of the careful planning for the proposed project. This area is known to the NAHC to be very culturally sensitive.

B-1

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

B-2

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural

B-3

Exhibit 7: Mitigated Negative Declaration

significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

B-3 cont.

B-4

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

B-5

B-6

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

B-7

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

B-8

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

B-9

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

B-10

Exhibit 7: Mitigated Negative Declaration

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contact

Exhibit 7: Mitigated Negative Declaration
San Diego County
August 3, 2012

Barona Group of the Capitan Grande
Edwin Romero, Chairperson
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Viejas Band of Kumeyaay Indians
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This list is current only as of the date of this document.

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This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012071084; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the Flume Trail Project; located in the Lakeside area; San Digo County, California.

Native American Contact

Exhibit 7: Mitigated Negative Declaration
San Diego County
August 3, 2012

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Kumeyaay Cultural Repatriation Committee
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(KCRC is a Colation of 12
Kumeyaay Governments

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Exhibit 7: Mitigated Negative Declaration

From: kathleen digenan [<mailto:kdigenan@gmail.com>]
Sent: Wednesday, August 22, 2012 11:53 AM
To: Hamilton, Megan
Subject: el monte flume trail

Dear Megan,

I am writing to express my concerns of the proposed trail on the flume trail. As a property owner these are my concerns:

If the trail is approved, it must be fenced to keep traffic from our property. The fence must be maintained by the county from damages from rolling boulders, dirt and mudslides, and holes cut in the fence.

C-1

The fire danger is a major concern. Fire danger is year round. Sparks from exhaust pipes and flicked cigarettes are very real concerns. As we know fires in this dry steep area spread swiftly are hard to fight and cause significant property damage and loss of life. Up the slope from this trail (where the fire would travel the fastest) are many homes that a fire would be on top of in a matter of minutes. Would we as property owners be compensated for losses incurred.

C-2

The proposed trail crosses many very steep canyons. How will the potential and eventual erosion down the hillside be stopped. If damages to our property occurs will we be compensated and the damage repaired?

C-3

Bicycles, motorized vehicles, horses and hikers do not mix well in a relatively narrow corridor. Rescuing an injured person would not be easy or swift from this area.

C-4

C-5

There was a lot of money spent on the trail at El Monte Park. This trail is used by very few citizens. Why spend more money on another trail that is obviously strenuous for humans and horses.

C-6

Sincerely,

Mildred C. Digenan

Exhibit 7: Mitigated Negative Declaration

August 22, 2012

Ms. Megan Hamilton
Project Manager
County of San Diego, Dept. of Parks and Recreation
5500 Overland Avenue, Suite 410
San Diego, CA 92123

Re: Public comment on Notice of Intent to Adopt a Mitigated Negative Declaration

Dear Ms. Hamilton:

This letter is in response to the County of San Diego, Parks and Recreation Department Draft Mitigated Negative Declaration for the proposed Flume Trail project that will connect with the El Monte County Park Trail.

Under the Critical Project Design Elements, it is stated that the trail will be patrolled by Park Rangers who will identify unauthorized trail use or other adverse effects and that such issues will be addressed through construction of fence segments, etc. We believe that in order to keep surrounding private property unaffected, the entire northern edge of the proposed Flume Trail where it meets APN 390-060-09 needs to be fenced. Also, since the proposed trail would end at the El Cajon Rancho Grant line boundary, the temptation to hike, bike or ride down to El Monte Road across private property would become a trespass enforcement issue and a liability to the property owner. How often would the Park Rangers be patrolling the trail and what preventive measures will there be to keep off-road vehicles from accessing the trail?

D-1

D-2

D-3

An additional concern would be that the fence be constructed at a height that would protect horses/riders from falling down the steep slopes and cliffs below the proposed Flume Trail.

D-4

What hours will the proposed trail be open for use?

D-5

Sincerely,

Hartung Family Trust