

COASTAL CONSERVANCY

Staff Recommendation

March 14, 2019

**San Dieguito River Valley Fairbanks Ranch Riparian Restoration Project**

Project No. 18-050-01

Project Manager: Emely Lopez

**RECOMMENDED ACTION:** Authorization to disburse up to \$71,826 to the San Dieguito River Valley Conservancy to restore riparian habitat in the San Dieguito River Valley, San Diego County and adoption of findings under the California Environmental Quality Act.

**LOCATION:** San Dieguito River Valley, San Diego County

**PROGRAM CATEGORY:** Integrated Coastal and Marine Resources Protection

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**EXHIBITS**

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Initial Study-Mitigated Negative Declaration and Mitigation, Monitoring, and Reporting Plan](#)

Exhibit 3: [Site Photos](#)

Exhibit 4: [Project Letters](#)

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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31220 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed seventy-one thousand, eight hundred twenty-six dollars (\$71,826) to the San Dieguito River Valley Conservancy to restore approximately 2.5 miles of San Dieguito River’s riparian habitat, between the Fairbanks Ranch and the Rancho Santa Fe neighborhoods by removing invasive plant species and then revegetating with native plants.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy the following:

1. A detailed work program, schedule, and budget.

2. Names and qualifications of any contractors to be employed in carrying out the project.
3. A plan for acknowledgement of Conservancy funding and Proposition 1 as the source of that funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.
5. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain the project.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 5.5 of Division 21 of the Public Resources Code, regarding Integrated Coastal and Marine Resources Protection.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The San Dieguito River Valley Conservancy is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code and has purposes consistent with Division 21 of the Public Resources Code.
4. The Conservancy has independently reviewed and considered the *San Dieguito Watershed Invasive Non-native Plant Control Program Mitigated Negative Declaration* adopted by the San Dieguito River Park Joint Powers Authority on May 12, 2009 pursuant to the California Environmental Quality Act (“CEQA”) and attached to the accompanying staff recommendation as Exhibit 2. The Conservancy finds that the proposed project as designed and mitigated avoids, reduces, or mitigates the potentially significant environmental effects to a less-than-significant level, and that there is no substantial evidence based on the record as a whole that the project may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.”

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**PROJECT SUMMARY:**

Staff recommends that the Conservancy disburse \$71,826 to the San Dieguito River Valley Conservancy (SDRVC or “the grantee”) to implement the San Dieguito River Valley (SDRV) Fairbanks Ranch Riparian Restoration project (“the project”). The project will restore 94.9 acres of riparian habitat along a 2.5-mile stretch of the San Dieguito River between Fairbanks Ranch and Rancho Santa Fe. The 2.5-mile project site includes 1.2 miles of public property and 1.3 miles of private property. SDRVC began implementing the project in 2018 and has treated some areas within the publicly-owned portions of the project site. In this 2018-2019 phase, they will complete treatment and restoration of the public portions of the site and will treat and restore the remaining 1.3 miles of the project site that are privately owned. SDRVC will control invasive non-native species by clearing invasive plants, treating the site with aquatic approved herbicides,

and revegetating with native plants. SDRVC has obtained funding from Natural Resources Conservation Service to complete treatment and restoration of the public parcels of the project. SDRVC will use the Conservancy funds, along with matching funds and in-kind services, for the portions of the project located on the privately-owned parcels.

This project is a subset of the Invasive Plant Species Control Program that aims to restore riparian habitat in the San Dieguito River Watershed, led by San Dieguito River Park Joint Power Authority (JPA). The JPA, along with other partners, has already restored about 1,263 acres along the San Dieguito River Valley. SDRVC is partnering with the JPA to assist with the restoration of the San Dieguito River watershed.

The location of the project area is pivotal because the site is currently heavily impacted by non-native, invasive species such as giant reed, tamarisk, perennial pepperweed, pampas grass, palms, castor bean, and eucalyptus that are crowding out native plants. The invasive plants are also not typically utilized as a food resource by wildlife and have poor structure for nesting and shelter. These invasive plant species have reduced wildlife movement in the corridors, decreased water availability for the native riparian plants, and increased fire risk to the surrounding community.

The SDRVC will eradicate the non-native invasive plants through physical removal and application of foliar herbicide that is approved for aquatic use. Non-native plant control methods will be used to avoid impacts to non-target native vegetation. These methods include: preparing target plants for herbicide application by separating them from native vegetation, using targeted foliar application of herbicide by crews on foot, using highly qualified contractors who have experience treating nonnative plants in sensitive riparian habitat, and using herbicides that are approved for use in wetlands, which have no negative impact on wildlife species. Following the control of the invasive native species, the site will be revegetated with native plants of all growth types: trees, shrubs, half shrubs, vines, and perennial herbs. The bulk of control and revegetation activities will occur between September 15th and March 15th in order to avoid impacts to Least Bell's Vireo and Southwestern willow flycatcher, and to take advantage of the rainy season to aid in establishment of native vegetation.

The SDRVC will apply the "Bradley Method" to this project, a method that enables rapid responses to threats posed by invasive species at lower costs and without the detrimental effects of more intensive methods. The Bradley Method involves controlling invasive species in sections and starting specifically in areas with fewer invasive species. After controlling the invasive species in areas with fewer invasive species, the method recommends to proceed slowly to control weeds in areas with progressively worse infestations. The method is based on modeling work that indicates that the rate of spread of small satellite populations is generally significantly higher than that of older and larger populations. Containing the outliers saves time and effort in the long run. This technique minimizes the damage to native plants and disturbance to the soil so that the natives can thrive and defend against reinvasion.

SDRVC has already obtained Right of Entry (ROE) permits from private landowners to execute the project, and to monitor and maintain the area after project completion. This riparian restoration project is an integrated multi-benefit project designed to enhance native vegetation communities, wildlife habitat, improve water quality and resource values along a future segment of the Coast to Crest Trail. For instance, the project will increase SDRV water flows that would

otherwise be absorbed by the tamarisk and giant reed, improving downstream water quality, including in the San Dieguito Lagoon. Revegetation of native species will also reduce wildfire risk because the eucalyptus and giant reed are not fire-resistant plant species. The migratory corridor will be improved between protected areas inland and the San Dieguito Lagoon, increasing and improving habitat for federally-listed species such as the gnatcatcher, cactus wren, least Bell's vireo, southwestern willow flycatcher, and the arroyo toad. In addition, it will improve recreational resource values along a future segment of the Coast-to-Crest Trail, a 70-mile-long planned trail on the San Dieguito River Valley. Forty-five miles of the Coast-to-Crest Trail is complete with some gaps remaining. In 2005, the Conservancy granted funding to the JPA for construction of a portion of the Coast-to-Crest trail.

**Site Description:**

The project site includes 2.5 contiguous miles of the SDRV including the active river channel, surrounding floodplains, and terraces near the neighborhoods of Fairbanks Ranch and Rancho Santa Fe in the County of San Diego (Exhibit 1). The SDRV stretches east to west and originates near Santa Ysabel, in the Cuyamaca Mountains and eventually discharges to the Pacific Ocean near the communities of Del Mar and Solana Beach. There is riparian habitat along most of the SDRV, and its tributaries are not channelized with concrete banks and bottoms, retaining many of its natural, unmodified characteristics. The SDRV also hosts threatened and endangered animal species in the project area include California gnatcatcher, cactus wren, arroyo toad, least Bell's vireo, and southwestern willow flycatcher. The SDRV supports wildlife movement and migration corridors of regional significance, including migration routes for mammals (e.g. deer, coyote, and bobcat). The river also supports populations of bird species that use both coastal and inland habitats (e.g. least Bell's vireo, yellow warbler, gnatcatcher, cactus wren).

Sensitive vegetation types in the project area include southern willow scrub, mule fat scrub, freshwater marsh, Diegan coastal sage scrub, and native grassland. The proposed treatment areas are dominated by the invasive plants described in the project summary section above.

**Grantee Qualifications:** The San Dieguito River Valley Conservancy is a 501(c)(3) non-profit organization with 30 plus years of experience working in the San Dieguito River. SDRVC projects range from protecting and acquiring land, restoring habitat, and establishing education programs. SDRVC also partners with the San Dieguito River Park Joint Powers Authority, an agency that designs, improves, operates, manages and maintains the San Dieguito River Park.

**Project History:** In 2009, the San Dieguito River Park Joint Powers Authority (JPA) initiated the Invasive Plant Species Control Program to restore riparian habitat in the San Dieguito River Watershed, focusing on removing giant reed, pampas grass, tamarisk, perennial, eucalyptus, and palms and planting native species. The JPA obtained a watershed-wide Technical Assistance Letter from the U.S. Fish and a Wildlife Service Streambed Alteration Permit from the CA Department of Fish and Wildlife and authorizing the JPA to conduct invasive species control projects. To accelerate the restoration process, the JPA partners with other entities and allows them to carry out invasive species removal under permits held by the JPA. To date, the JPA, along with other partners, has restored approximately 1,263 acres in the San Dieguito River Valley. The SDRVC is authorized conduct work to target invasive non-native plant species, using mechanized equipment and application of herbicide under the JPA's permits. The JPA also

requires SDRVC to monitor and provide annual reporting to ensure permit conditions are followed.

The SDRVC submitted a proposal for the project to the Conservancy’s Proposition 1 grant round in June 2018.

**PROJECT FINANCING**

<b>SDRVC Private Donors</b>	<b>\$6,000</b>
<b>Rancho Santa Fe Garden Club</b>	<b>\$7,000</b>
<b>Patagonia</b>	<b>\$10,000</b>
<b>U.S. Fish and Wildlife Service</b>	<b>\$55,000</b>
<b>Natural Resources Conservation Service</b>	<b>\$83,000</b>
<b>22nd Ag District</b>	<b>\$51,570</b>
<b><u>Coastal Conservancy</u></b>	<b><u>\$71,826</u></b>
<b>Project Total</b>	<b>\$217,396</b>

The expected source of funding for \$71,826 of this authorization is the fiscal year 2019 appropriation to the Conservancy from the “Water Quality, Supply, and Infrastructure Improvement Act of 2014” (Proposition 1, Division 26.7 of the Water Code, § 79700 et seq.). Funds appropriated to the Conservancy derive from Chapter 6 of Proposition 1 and may be used “for multi-benefit water quality, water supply, and watershed protection and restoration projects for the watersheds of the state” (Section 79731). Section 79732(a) identifies the specific purposes of Chapter 6, of which the following pertain to this project: protect and increase the economic benefits arising from healthy watersheds, fishery resources and in-stream flows (subsection (a)(1)); implement watershed adaptation projects in order to reduce the impacts of climate change on California’s communities and ecosystems (subsection (a)(2)); protect and restore aquatic, wetland, and migratory bird ecosystems, including fish and wildlife corridors and the acquisition of water rights for instream flow (subsection (a)(4)); protect and restore coastal watersheds, including, but not limited to, bays, marine estuaries, and nearshore ecosystems. (subsection (a) (10)); reduce pollution or contamination of rivers, lakes, streams, or coastal waters, prevent and protect or restore natural system functions that contribute to water supply, water quality, or flood management (subsection (a) (11)); and assist in the recovery of endangered species by improving watershed health, instream flows, and fish passage (subsection (a) (12)).

As required by Proposition 1, the proposed project provides multiple benefits. By completing designs for streambank stabilization, and native revegetation, the project will help restore the water quality and health of the SDRV, aid in the recovery of an endangered species, and aid in

the restoration of the local fishery, which will provide economic benefit to the coastal communities around the San Dieguito watershed.

The project was selected through the tenth-round competitive grant process under the Conservancy's *Proposition 1 Grant Program Guidelines* adopted in June 2015 (see section 79706(a)). The proposed project meets each of the evaluation criteria in the Proposition 1 Guidelines as described in further detail in this "Project Financing" section, the "Project Summary" section and in the "Consistency with Conservancy's Project Selection Criteria & Guidelines" section of this report.

In 2018, the SDRVC received funding from the U.S. Fish and Wildlife Service (\$50,000), Patagonia (\$10,000), and the Rancho Santa Fe Garden Club (\$7,000) to remove invasive species in the area of the project site. These funds were expended in 2018.

For 2019's funding, the Natural Resources Conservation Service will provide \$83,000 to restore habitat in public lands of the project site, see Exhibit 1. The U.S. Fish and Wildlife Service is contributing \$5,000 for project management. In addition, the SDRVC obtained \$51,570 in settlement agreement funds from a coastal violation by the 22nd Ag District, and \$6,000 from private donors, which are match funds for restoration of the 2.5 miles.

CalFire will provide in-kind services through their Chainsaw Sawyer Training program that provides young foresters with hands-on training and best management practices for removing eucalyptus and giant reed using chainsaws. A similar program, the American Conservation Experience, will also provide in-kind services by bringing young foresters to cut eucalyptus and giant reed. Both programs will not only help with restoration on the SDRV, but it will also provide experience and knowledge to youth in San Diego County.

Pompanio Ranch, a private landowner in the project area, is providing \$38,000 of in-kind services for restoration work on their property.

#### **CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

This project is undertaken pursuant to Chapter 5.5 of the Conservancy's enabling legislation, Public Resource Code Section 31220, regarding Integrated Coastal and Marine Resources Protection. Section 31220(a) authorizes the Conservancy to award grants for projects that improve and protect coastal and marine water quality and habitats, including through coastal watershed protection and restoration. Such projects must achieve one or more of the objectives identified in Section 31220(b). The area of the proposed restoration project is within the San Dieguito River, a coastal watershed. Consistent with Section 31220(b), the project will achieve the following objectives: (1) restore fish and wildlife habitat within a coastal watershed (31220(b)(2)), (2) reduce threats to coastal fish and wildlife (31220(b)(3)), and (3) restore coastal wetlands, riparian areas, floodplains, and other sensitive watershed lands, including watershed lands draining to sensitive coastal or marine areas (31220(b)(6)). As Section 31220(c) requires, the proposed project is consistent with local and state watershed plans, as discussed below under "Consistency with Local Watershed Management Plan/State Water Quality Control Plan."

Consistent with §31220(a), staff has consulted with State Water Resources Control Board (SWRCB) in the development of the project to ensure consistency with the Clean Beaches Program, Chapter 3 (commencing with §30915) of Division 20.4 of the Public Resources Code.

**CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#)  
GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 5, Objective B** of the Conservancy's 2018-2022 Strategic Plan, the project will enhance coastal habitats by removing non-native invasive species and revegetating with native species.

Consistent with **Goal 5, Objective D** of the Conservancy's 2018-2022 Strategic Plan, the project will enhance a coastal watershed and floodplain by removing non-native invasive plants from the riparian corridor and floodplain on the San Dieguito River, a coastal watershed.

Consistent with **Goal 5, Objective G** of the Conservancy's 2018-2022 Strategic Plan, the project will improve water quality to benefit coastal and ocean resources. Removing invasive tamarisk and giant reed, which soaked up a large amount of water, will increase instream flows thereby enhancing water quality downstream.

**CONSISTENCY WITH CONSERVANCY'S  
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

**Required Criteria**

- 1. Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
- 2. Consistency with purposes of the funding source:** See the "Project Financing" section above.
- 3. Promotion and implementation of state plans and policies:**
  - a. *California Wildlife Action Plan* – The Least Bell's vireo is listed as a Species of Greatest Conservation Need (see Table 5.5-3) in the California Wildlife Action Plan. The importance of maintaining habitat connectivity, such as that provided by the project, is listed as Goal 2.1 of the plan. Additionally, the project helps implement the following conservation strategy for the American Southwest Riparian Forest and Woodland, which is a conservation target of the South Coast region: "Manage invasive species, with focus on reducing the extent of invasive species (particularly giant reed and tamarisk) and improving structural diversity of native vegetation" (p. 5.5-28)
  - b. *California Water Action Plan* (California Natural Resources Agency, California Environmental Protection Agency, and California Department of Food and Agriculture, 2014). Goal #4, "Protect and Restore Important Ecosystems," will be

- addressed through riparian habitat restoration and improve water quality into the San Dieguito Lagoon. Goal #5, “Manage and prepare for dry periods,” will be addressed by increasing infiltration and water-holding capacity in the channel and on floodplains. For Goal #6, “Expand water storage capacity and improve groundwater management,” this project will enhance infiltration and water-holding capacity of riparian areas, a major groundwater recharge location.
- c. *California Climate Adaptation Strategy/Safeguarding California: Reducing Climate Risk Plan*: The Safeguarding California Plan identifies actions needed to safeguard biodiversity and habitats. This project will advance Action 1: Improve habitat connectivity and protect climate refugia. Restoration along San Dieguito River will both improve instream and riparian habitat and provide habitat connectivity between upstream and downstream habitat areas.
  - d. *California @ 50 Million: The Environmental Goals and Policy Report*. The report recognizes the need to steward and protect natural landscapes and specifically discusses that key ecosystems provide essential habitat for the State’s native species and provide migration corridors and access to additional habitat and food (p 21). The project advances two actions recommended by the report. By enhancing a 2.5 miles reach of the SDRV as part of a watershed scale effort, the project advances Action 1: “Support landscape-scale approaches to conservation and mitigation that account for multiple benefits.” It also helps implement Action 6: “Build resilience into natural systems and prioritize natural and green infrastructure solutions.” The project’s benefits include habitat for endangered species, reduction in wildfire risk, and reduction of flooding risk. The project uses natural and green infrastructure by restoring native vegetation to the area.
  - e. *California Aquatic Invasive Species Management Plan*. This plan prioritizes control of tamarisk and giant reed, two of the several non-native vegetation species targeted for eradication in this project. Tamarisk is mentioned specifically with Action 1B4 which calls for continued and expanded participation in localized eradication efforts and task forces.
- 4. Support of the public:** The project has widespread public support, including the Rancho Santa Fe and Fairbanks Ranch Homeowners' Associations, U.S. Fish and Wildlife Service, San Diego Audubon Society, California Native Plant Society, San Diego Canyonlands, Del Dios Habitat Protection League, San Diego Natural History Museum, Rancho Santa Fe, Fire Protection District, Rancho Santa Fe Association, Fairbanks Ranch Association, and Urban Corps of San Diego. See Exhibit 3 for Project Letters.
- 5. Location:** The project is in the San Dieguito River Valley, a coastal-draining watershed, between Fairbanks Ranch and Rancho Santa Fe neighborhoods in San Diego County, California. The project is adjacent to the coastal zone and will benefit the water quality downstream into the Pacific Ocean.
- 6. Need:** SDRVC has obtained funding that can only be used for the enhancement of public lands in the project area. Conservancy funds are needed to complete the portion of the



restoration project on private lands . Without the Conservancy’s funding, the privately-owned parcels would also be isolated from one another, and the goal of an enhanced and connected riparian corridor would not be achieved.

7. **Greater-than-local interest:** The SDRV provides a critical wildlife movement corridor for a wide variety of wildlife, including mammals, reptiles, amphibians, and birds (including migratory and threatened and endangered species (e.g. the State and Federally-listed least Bell’s vireo). Upland and wetland vegetation communities prioritized in State and federal plans, including riparian woodlands, freshwater marsh, and coastal sage scrub, would benefit from implementation of the proposed project.
8. **Sea level rise vulnerability:** The project is not located in an area close to a shoreline that is vulnerable to sea level rise.

#### **Additional Criteria**

9. **Urgency:** Planning and permitting for various aspects of the project are underway. Right of Entry permits have already been obtained for restoration on private land, providing easy access for restoration. However, landowners’ agreements can change, costs can increase, and project partners can experience changes in funding, staffing, or workload, so it is important to proceed with project activities expeditiously when all the conditions are aligned as they are now.
10. **Resolution of more than one issue:** This project is an integrated multi-benefit project designed to enhance native vegetation communities, wildlife habitat, improve water quality and resource values along a future segment of the Coast to Crest Trail.
11. **Leverage:** See the “Project Financing” section above.
12. **Innovation:** The project will use the Bradley Method as described in the project Summary section above. Adaptive management of the restoration areas treated via the Bradley Method enables rapid responses to threats posed by invasive species at lower costs and without the detrimental effects of more intensive methods.
13. **Readiness:** SDRVC has acquired the necessary permits. The project can begin as soon as funding is secured.
14. **Cooperation:** The project benefits from partnership with Rancho Santa Fe Fire Protection District, Rancho Santa Fe Fire Safe Council, California Native Plant Society, Urban Core of San Diego, Citizen Science project, and San Diego’s Natural History Museum.
15. **Vulnerability from climate change impacts other than sea level rise:** The project Area is expected to experience more significant floods, more heat, more variable streamflow, and new invasive species as a result of climate change. Recent trends indicate that persistent drought in the southern California region is lowering water tables surrounding streams and rivers and increasing stress on stream-dependent riparian plant communities. By reducing the competition for soil moisture and eliminating the rapid evapotranspiration caused by invasive plant species (often many times higher than the evapotranspiration rates of native riparian vegetation), the proposed project will enhance and restore the health of riparian plant communities in the face of climate change-related persistent drought.

This project will increase infiltration in the water tables surrounding the streams and rivers through the removal of invasive species (giant reed and tamarisk) that consume large amounts of water. This is critical with recent trends indicating persistent drought in the southern California region. The drought is lowering water tables surrounding streams and rivers and increasing stress on stream-dependent riparian plant communities. As a result, the project will enhance and restore the health of riparian plant communities in the face of climate change-related persistent drought. SDRVC uses a diverse mix of native species in riparian restoration projects to improve the project's resilience climate change impacts. The project's healthier riparian habitat will be able to adapt to climate change and provides more reliable habitat for fish and wildlife.

Recent trends and most data-driven models indicate that the fire regimes of southern California's wildlands are shifting and as a result, southern California is experiencing longer duration fire seasons with more intense, frequent wildfires affecting natural communities and human communities located along the urban - wildland interface. The project will reduce fuel loads by removing fire-prone invasive species including eucalyptus, palm trees, and giant reed, leading to fewer ignitions, slower growth of fires, and easier fire suppression.

**16. Minimization of greenhouse gas emissions:** The project was designed to include measures to avoid or minimize greenhouse gas emissions to the extent feasible and consistent with the project objectives, such as by keeping equipment tuned and maintained to minimize emissions. Native plants and trees installed over the course of the project will mitigate for any loss of vegetation and carbon sequestration provided by invasive plants removed during the project.

**CONSISTENCY WITH LOCAL WATERSHED MANAGEMENT PLAN/  
STATE WATER QUALITY CONTROL PLAN:**

The project is consistent with the *San Dieguito River Watershed Management Area Water Quality Improvement Plan* (September 2015). The project furthers the following goals of the Plan:

- Prevent further degradation of water quality in the San Dieguito River WMA and sub watersheds to protect creeks and beaches from pollution. (page 16) This project will restore the rivers functional integrity including increasing infiltration on the SDRV floodplains, preventing erosion from high flows, and increasing the presence of native biological communities, that ultimately leads to the improvement of water quality.
- Expand public outreach to educate homeowners and community groups about the Water Quality Improvement Plan's requirements and to share information about incentives (page 16) The SDRVC has outreach for the support of various local community members and the home owners, see support of the public section, on the SDRV watershed to improve wildlife habitat, conserve water, and create fire safe landscapes.

SDRVC also host volunteer training day to inform the local San Diego community about water quality testing, animal tracking, and student trail safety.

**CEQA COMPLIANCE:**

Staff has independently evaluated the *San Dieguito Watershed Invasive Non-native Plant Control Program Mitigated Negative Declaration* adopted by San Dieguito River Park JPA on May 12, 2009 and concurs with the JPA's findings that, with the incorporated Mitigation, Monitoring and Reporting Plan (Exhibit 2), there is no substantial evidence that the proposed project will have a significant effect on the environment. Staff therefore recommends that the Conservancy find that the project as mitigated avoids, reduces or mitigates the possible significant environmental effects to a level of less-than-significant and that there is no substantial evidence that the project will have a significant effect on the environment as that term is defined by the California Code of Regulations, title 14, section 15382.

Upon approval of the project, Conservancy staff will file a Notice of Determination.

MND indicates that the potential impacts of the project will be mitigated to a less than significant level as a result of mitigation measures, as summarized below.

**BIOLOGICAL RESOURCES:**

The project could impact three federally listed species: least Bell's vireo, southwestern willow flycatcher and the arroyo southwestern toad. However, the potential impacts are temporary resulting from implementation of the project. Once completed, the project will provide improved habitat for these species. The FWS Technical Assistance letter and DFG section 1600 permits outline specific impact minimization and avoidance measures to protect these listed species. Both agencies conclude that the project is a net benefit and does not cause a significant adverse effect.

The following avoidance and minimization measures are in place to assure that there will be less than significant impacts to these species due to the utilization of a methodology that avoids impacts:

- A biologist will oversee work activities to assure that conditions of DFW and FWS permits are being followed.
- No heavy equipment will be used during the designated breeding season for the two endangered bird species occurring in the project area. The two federally listed species in the project area, least Bell's vireo and southwestern willow flycatcher, are migratory and are usually not present in the habitat during most of the restoration activities (from September 15th to March 15th).
- To avoid impacts to the arroyo southwestern toad (only for upper San Dieguito Watershed):
  - a) Giant reed, tamarisk and eucalyptus control work will only occur between September 15th and March 15th.
  - b) No soil movement/disturbance, or bank/channel modifications will occur.

- c) No heavy equipment (>20,000 lbs.) will be used.
- d) Any biomass removal in toad habitat areas, will be done by hand and taken to staging areas where it will be chipped/reduced and spread over compacted disturbed soils (parking lots, shoulders, trails, etc.) or taken to a green waste facility.
- e) No biomass compacting or reducing of invasive non-native species will occur in arroyo toad habitat, sites may be checked by FWS and determined to be 'unsuitable habitat'
  
- f) Crews will avoid walking through flowing channel areas. Crew sizes will be limited to less than 15 individuals working in small teams.

- No native plants are endangered within the project areas; candidate species will be avoided during work activities. Only target invasive non-native plants will be treated.
- All mixing of herbicides and maintenance of equipment will occur only in areas that are devoid of native vegetation, that are adjacent to existing roads, and have compacted disturbed soils. These areas are not sensitive species habitat, they are not adjacent to the river channel, and they have no cover of native woody vegetation. Annual reports documenting work and compliance are provided to regulatory agencies that have issued permits: US Army Corps of Engineers, California Department of Fish and Wildlife, and US Fish and Wildlife Service. All permits clearly indicate work conditions, and minimization & avoidance measures. Regulatory agencies, county project managers and the project biologist assure compliance with these conditions. Any violations would result in termination of active work and possible fines or a request for compensatory mitigation.

**NOISE:**

The project could impact noise levels. However, the noise levels will be temporary and only during work hours. The most significant noise impacts will be during the removal of the invasive species. The revegetation phase of the project should have minimal noise impacts. Once the restoration project is implemented, there will be no significant noise levels.

Work occurs in wildland and open space areas. Standard types of equipment are used (tractors, chainsaws, etc.). The proposed restoration activities will occur between 7:30 a.m. and 4:30 p.m. on Mondays through Saturdays from September 15th to March 15th. All project work would fall within normal working hours. Restoration activities will be conducted during the non-breeding season, thus avoiding noise impacts to endangered species and nesting birds. Noise levels will comply with City and County standards. Noise generated from the restoration activities are insignificant due to their short duration and low levels in comparison to highway noise and surrounding land uses. In addition, most activities are within undeveloped open space areas with limited public use/access.

**HAZARDS:**

Fuel and herbicides (glyphosate, imazapyr) will be transported and used on site during habitat restoration that could potentially impact the native species like the southern willow scrub, mule fat scrub, freshwater marsh, Diegan coastal sage scrub, and native grassland. However, SDRVC will implement strict protocols to prevent any fuel or herbicides from reaching the native habitat and herbicides to be used have very low toxicity and are approved for use in aquatic areas.

The following best management practices will be in place to ensure that there are no significant impacts to the environment:

- Non-native plant control methods will be used that avoid impacts to non-target native vegetation. These methods include: preparing target plants for herbicide application by separating them from native vegetation, using targeted foliar application of herbicide by crews on foot, using highly qualified contractors who have experience treating nonnative plants in sensitive riparian habitat, and using herbicides that are approved for use in wetlands (aquatic approved formulations of glyphosate and imazapyr) which have no negative impact on wildlife species.
- The transport of hazardous materials is regulated by the State and the transport of such materials to the site will comply with these regulations.
- During restoration activities contractors will employ best management practices for spill control and prevention. With prevention and management in place, any spills of hazardous materials are considered less than significant.
- Restoration equipment storage and maintenance will be conducted in non-wetland areas (degraded staging areas such as road sides, shoulders, parking lots, and areas with bare compacted soil. All mixing of herbicides and maintenance of equipment will occur only in areas that are devoid of vegetation and that are adjacent to existing roads (staging areas as described above).
- No disposal of materials will occur at project sites.
- No more than three crews will be active on the watershed at the same time and crews will not exceed 16 individuals- and not more than 5 people will be working at given spot. For each team, one-person cuts and the other team members pull haul, and stack invasive shrubs.
- Site preparation is carried out prior to treatment of invasive species. Preparation entails separating or creating a space between strands of Arundo and native vegetation. This allows the Arundo to be treated without affecting the native woody vegetation.
- Foliar spaying will not occur when ambient wind exceeds 5 miles per hour.
- A marking dye will be used to assure that drift or overspray onto non-targeted vegetation is not occurring.