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**GAVIN NEWSOM, Governor**  
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August 10, 2020

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Governor's Office of Planning & Research

**Aug 11 2020**

**STATE CLEARINGHOUSE**

Dear Ms. Shearer-Nguyen:

City of San Diego Sanitation District: Stone Creek (PROJECT) **DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) Project No. 67943 / SCH# 2005091120**

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a DEIR from The City of San Diego (CITY) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

## **CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. The City participates in the NCCP program by implementing its approved City Multiple Species Conservation Program (MSCP) through implementation of the City of San Diego MSCP Subarea Plan (SAP).

## **PROJECT DESCRIPTION SUMMARY**

**Proponent:** Stone Creek Mira Mesa, LLC

**Objective:** The Project includes two main components: Conditional Use Permit (CUP)/Reclamation Plan Amendment and the Stone Creek Master Plan development and its associated actions:

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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An Amendment to the 1981 CUP and Reclamation Plan (RP 81-02-11) (1981 CUP/Reclamation Plan) is being processed to extend the expiration date for the CUP by 30 years from the date of project approval in order to allow mining of resources until depletion and to reclaim the mined land in a manner that is adaptable for the anticipated end use of the site; and,

The Stone Creek Master Plan, Master Planned Development Permit (PDP), Vesting Tentative Map (VTM), and associated actions identify future build-out of the Project. Implementation of the Project would result in the development of integrated, mixed-use, transit-oriented neighborhoods with residential, employment, commercial, hotel, and open space uses. At full build-out, Stone Creek would develop up to 4,445 residential units; up to 175 hotel guest rooms; approximately 174,000 square feet of commercial retail space; approximately 200,000 square feet of commercial office space; approximately 135,000 square feet of business park space; approximately 415,000 square feet of light industrial uses; and approximately 300,000 square feet of high technology uses. In addition, the project would develop approximately 104.31 acres of parks and open space, which includes approximately 3.68 acres of trails and identifies a potential site for a future public school. The Project will also include three stream crossings over Carrol Canyon Creek. Other actions associated with the Project include: an Amendment to the Mira Mesa Community Plan to incorporate the Stone Creek Master Plan; various rezones to allow development within Stone Creek consistent with land uses and development intensities proposed for the Stone Creek Master Plan and in accordance with the City's Land Development Code (LDC) as modified by the Master Plan; and, application of a Community Plan Implementation Zone-Type A (CPIOZ-Type A).

**Location:** The Project site is an on-going mining and resource extraction operation, operating under the 1981 CUP/Reclamation Plan. The site is situated north of Miramar Road, south of Mira Mesa Boulevard, east of Camino Santa Fe, and west of Black Mountain Road. Camino Ruiz runs through the Project site in a north-south direction, roughly bisecting the site into two halves. The I-15 freeway is located less than a mile to the east of the Project site, and I-805 is located approximately four miles to the west. The Project site is situated between existing residential development to the north and northwest and existing light industrial and business parks to the east and south. To the west is the Carroll Canyon Creek Business Park and the Hanson Mining operations, which was recently under environmental review as the 3 Roots Project. Black Mountain Road forms the Project site's eastern border. East of Black Mountain Road are San Diego Fire-Rescue Department Station 44 and light industrial and commercial uses. The Project is located within the City of San Diego's MSCP subarea and is adjacent to the MHPA on the southwestern corner of the Project site.

**Biological Setting:** The Project site is characterized by mining activities that have occurred on the approximately 293-acre site, operating under the 1981 Conditional Use Permit (CUP). Sensitive vegetation and cover types on-site include: southern willow scrub (4.68 acre), mule fat scrub (0.28 acre), riparian scrub (0.36 acre), freshwater marsh (0.22 acre), natural flood channel (1.48 acre), disturbed southern willow scrub (0.17 acre). Other cover types include eucalyptus woodland (Tier IV, 17.10 acre), disturbed land (Tier IV, 232.76 acre), developed (Tier IV, 4.09 acre), concrete channel (0.06 acre), open water (mining ponds, 32.02 acre).

The implementation of 1981 CUP Reclamation Plan anticipates impacts to sensitive habitats include 3.22 acre of southern willow scrub, 0.28 acre of mule fat scrub, 0.22 acre of freshwater marsh, 0.26 riparian scrub, 0.17 disturbed wetland, and 1.10 acre of natural flood channel, which would require state and federal permits for impacts to waters of both the State and United States, including a Lake Streambed Alteration Agreement (LSA; Fish & G. Code, § 1600 et seq.). The 1981 CUP Reclamation Plan will establish 10.5 acres of southern willow scrub as mitigation for impacts to waters and wetland habitats.

The Project DEIR uses a future baseline condition of implementation of the 1981 CUP Reclamation Plan for the analysis of impacts. After implementation of the 1981 CUP Reclamation Plan, the site would be comprised of eucalyptus woodland (Tier IV, 16.43 acre), ornamental plantings (Tier IV, 49.02 acre), hydroseeded areas, (212.59 acre), southern willow scrub (1.81 acre, preserved), southern willow scrub (10.50 acre,

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established), streambed (2.87 acre). The CUP/Reclamation Plan Amendment would occur within the original project footprint; the amended Reclamation Plan elements, including changed grading elevations and the realignment of Carroll Canyon Creek, would be implemented entirely within areas previously impacted by the implementation of the 1981 CUP/Reclamation Plan. As a result, DEIR states that the proposed CUP/Reclamation Plan Amendment is not expected to result in additional impacts to biological resources beyond those originally associated with the 1981 CUP/Reclamation Plan.

Implementation of the Stone Creek Master Plan will impact 0.08 acre of chaparral off-site for a sewer connection. The DEIR does not address any significant impacts to biological resources from the CUP/Reclamation Amendment, nor impacts occurring as a result of the Stone Creek Master Plan.

**Timeframe:** Project implementation will commence as mining operations are phased out and will proceed in an east to west direction across the site as dictated by the phasing plan. CUP Reclamation Plan Amendment will allow for continued mining on-site for 30 years from project approval.

## COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring and reporting program (Public Resources Code, § 21081.6 and CEQA Guidelines, § 15097).

### I. Environmental Setting and Related Impact Shortcoming

**Biological Technical Report for the Stone Creek Development Plan (BTR) Section # 7.0 Page # 36; Stone Creek Environmental Impact Report No. 67943 (DEIR) Section # 1.8.1, 3.5.2 and 5.4 Pages # 1-9, 3-19-25, and 5.4-17**

#### **Incorporation by Reference of Impact Analysis for 1981 CUP Reclamation Plan Riparian Impacts**

##### **COMMENT #: 1**

**Issue:** Documents, which are essential to CDFW's biological resources analysis, were not included with the DEIR. Due to contradictory statements in the BTR and the DEIR, it is not clear the location of streams, wetland, and riparian habitats that would be impacted as a result of the 1981 CUP Reclamation Plan.

**Specific impacts:** Although the 1981 CUP/Reclamation Plan is discussed throughout the EIR, the original 1981 CUP is not identified in the references or provided as an Appendix. The full Environmental Document associated with the original 1981 CUP, a conditional Negative Declaration (ND), is not provided, though it foundational for conclusions made in this DEIR.

The BTR states:

*"No significant impacts to biological resources would occur from implementation of the proposed Stone Creek Development Plan project as all impacts would occur as part of implementing the 1981 CUP/Reclamation Plan and would be mitigated as part of agency permits issued for that plan. Therefore, no mitigation beyond the standard City construction measures would be required."*

The DEIR states:

*"An application for a Streambed Alteration Agreement would be submitted*

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*following certification of the EIR. (Biological impacts, including impacts to wetland habitats, are addressed in Section 5.4, Biological Resources, of this EIR)."*

Section 3.5.2 1602 Streambed Alteration Agreement from CDFW states:

*"A Streambed Alteration Agreement would be submitted following certification of the DEIR due to the **project's** effect on the State jurisdictional area; and,"*

Section 5.4 the DEIR states:

*"The project would not impact any habitats that have been preserved or restored/enhanced under the 1981 CUP/Reclamation Plan. The implementation of that plan would create hydroseeded streambed, but the intent of the CUP/Reclamation Plan Amendment would be to realign the streambed to a more natural configuration and revegetate the creek corridor with native riparian species. Changes to the creek configuration would not result in additional impacts that have not been previously analyzed and mitigated."*

**Why impact would occur:** Without access to a complete analysis of impacts to streams, wetland, and riparian resources and associated mitigation, CDFW cannot determine if impacts to these resources are fully addressed. If the analysis of impacts to Carroll Canyon Creek was conducted previously, it is not provided in the DEIR. The DEIR includes the 1981 CUP Reclamation Plan Sheet, but this sheet does not contain any streams, wetlands, or riparian impact and mitigation analysis.

**Evidence impact would be significant:** Section 15150 of the CEQA Guidelines states:

*"Where an EIR or Negative Declaration uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. The relationship between the incorporated part of the referenced document and the EIR shall be described."*

The original 1981 CUP and the ND were provided to CDFW by the City upon request on July 30, 2020. In response to this ND, CDFW (formerly CDFG) provided formal comments (July 31, 1981) which, in part, stated:

*"We find that this Negative Declaration inadequately describes the project's impacts on biological resources, and we recommend that a focused EIR be prepared. Our reasons for this recommendation and our other comments as follows;*

- 1. There is no mention in the Negative Declaration of the plants and animals that exist on the subject property aside from the statement, "That vernal pools were found on the property containing rare and endangered species."*
- 2. The project applicant has agreed to pay 4,000 per acre for 17.60 acre of vernal pool habitat for a total of \$17,601 to be paid to the City of San Diego's Vernal Pool Fund. This is an insufficient amount to compensate for the loss of biological resources at the prevailing land prices in San Diego County. We believe that under CEQA the City must discuss implementation of mitigation measures for the loss of the vernal pool habitat other than contributing to the Vernal Pool Fund. Therefore, we believe an EIR should be prepared.*
- 3. In addition to the vernal pools, an EIR should discuss mitigation for the loss of other biological resources.*

*The City of San Diego and the project applicant should be advised that alteration within the high water mark of any streambed, whether it be permanent or intermittent, will require notification to the Department of Fish and Game pursuant to Section 1603 of the Fish and Game Code. This code section is applicable to*

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*Carroll Canyon, and the notification and subsequent agreement must be completed prior to commencement of the Streambed alteration.”*

The City’s response to these comments was that, “[r]emoval of site flora and fauna does not require additional discretionary review.” The conditional ND referred to the Initial Study (IS) for a project description, but this IS was not included with the ND. Without a complete discussion of the original 1981 CUP/Reclamation Plan’s impacts mitigation, and access to the ND’s IS/project description, CDFW cannot determine if all impacts were sufficiently mitigated, nor if changes to the plan would have additional unanalyzed impacts.

**Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming)**

**Mitigation Measure #1:**

**To reduce impacts to less than significant:** A copy of the Environmental Document (conditional ND) with responses to comments for the 1981 Conditional Use Permit and the original 1981 CUP and Reclamation Plan shall be provided as an Appendix to the Project EIR. Impacts to streams, riparian, and wetland habitats shall be discussed as part of the Amendment and shall be analyzed and discussed in this EIR. Previous analysis shall otherwise be incorporated by reference.

**COMMENT #2:**

**Use of Future Baseline for DEIR and the Informational Value of Current Conditions**

**Sections: EIR 5.4 Page # 5.4-1:**

**Issue:** Due to the use of a future baseline, impacts to riparian and wetland habitats are assumed to have been analyzed and mitigated previously when they have not been adequately addressed.

**Specific impact:** CDFW is concerned that use of the completed 1981 reclamation plan as a future environmental baseline undercuts the informational value of the DEIR as a document that is supposed to provide sufficient information to facilitate meaningful consideration of the proposed project’s potentially significant effects.

The DEIR states:

*“The Stone Creek project site is currently the location of a sand and gravel extraction mining operation. The entire site will undergo a considerable degree of modification because of the existing approved mining activities. Reclamation would leave the site as two large pads divided by Camino Ruiz and rimmed by mined slopes up to 112 feet in height in some areas. (See Figure 2-4, 1981 Reclamation Plan.) The eastern pad (east of Camino Ruiz) would be relatively flat; whereas, the western pad (west of Camino Ruiz) would slope up towards the northwest.*

*For purposes of analysis, the baseline conditions are the implemented 1981 CUP/Reclamation Plan represented by the reclaimed site (see Figure 2-4, 1981 Reclamation Plan). The evaluation of land use impacts assumes this baseline would not differ from the Existing Conditions as presented above”.*

**Why impact would occur:** CDFW understands the City as Lead Agency has the legal discretion to substitute a future baseline for existing conditions, but only if the document explains why an existing conditions analysis would be misleading or without informational value. The DEIR states that the use of current conditions would be misleading because of the constant change due to mining, but that negates the informational value that a full discussion of potential significant impacts to streams, riparian, and wetlands has to the public.

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Transition from the current project area conditions to the future baseline will require impacts to the on-site streams, wetlands, and riparian habitats that are not analyzed in the DEIR. Although mitigation for these impacts are discussed, they are not analyzed for the purpose of determining significance, nor the mitigation measures to minimize those impacts. The Project DEIR states on page 5.4-8 that the wetlands on-site are not under City Jurisdiction since impacts were permitted by the 1981 CUP; however, the CUP expired in December of 2006.

**Evidence impact would be significant:**

A Notice of Preparation for Stone Creek was published in 2005. Per Section 15125 (a)(2) of the CEQA Guidelines, the Lead Agency has the discretion to use a future baseline. The City uses a future baseline in the DEIR, which is the implementation of the 1981 CUP Reclamation Plan.

The City appears to justify the future-conditions baseline with mention that the City approved the Reclamation Plan in 1981. The DEIR implies that the 1981 ND considered all the environmental effects to complete the reclamation plan. The DEIR provides no information, however, about the biological resource effects considered by the city in the 1981. The DEIR also provides no information about whether the 40-year old negative declaration retains any informational value relevant to the proposed Project. The absence of that information in the DEIR undercuts meaningful consideration of the proposed Project, as well as the informational value of the DEIR for CDFW's Trustee and Responsible Agency review.

Although the DEIR makes an argument that use of current condition would be misleading due to the constant changing current mining operations, the use of a future baseline which assumes permit issuance (LSA) for stream impacts, negates the fact that impacts to the current conditions (i.e., the reclamation of streams on-site) has information value to the decision-makers and the public, including CDFW.

Finally, since the City is treating the proposed Project as a modification of the Project approved in 1981, the lack of information regarding the fish and wildlife effects considered at that time only strengthens the fair argument of potentially significant effects that the City as Lead Agency must analyze and disclose under CEQA in the EIR. Those effects are not discussed given the reliance on the EIR's future baseline. The analysis of fish and wildlife effects in the DEIR rests on comparisons that under-disclose the actual impacts of the proposed Project. The future baseline with little detail in the DEIR, accordingly, does not justify the lack of required environmental review of the proposed Project.

**Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)**

**Mitigation Measure #1:**

**To reduce impacts to less than significant:** A copy of the Environmental Document (conditional ND) with responses to comments for the 1981 Conditional Use Permit and the original 1981 CUP and Reclamation Plan shall be provided as an Appendix to the Project EIR. Impacts to streams, riparian, and wetland habitats shall be discussed as part of the Amendment and should be analyzed in this EIR, or the previous analysis shall otherwise be incorporated by reference.

**II. Project Description and Related Impact Shortcomings**

**COMMENT #3:**

**Inconsistency with Regional Plans**

**Sections: DEIR 3.4.3 and 5.4, Pages # 3-22, 5.4-17:**

**Issue:** The DEIR is not in alignment with the City's Carroll Canyon Master Plan nor the Mira Mesa Community Plan.

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**Specific impact:** The DEIR states:

*“...between the edge of the newly created wetlands of the enhanced creek corridor and the adjacent development would consist mainly of vegetated slopes varying in width between 30 feet and 250 feet.”*

Figure 3-19 shows three trails within the narrow Carroll Canyon Creek corridor in the Southeast section of the Project site within Stone Creek Central Park.

The Carroll Canyon Creek Master Plan states, on Page 26, that the minimum buffer width is 50 ft, and that there should be only be a trail on one side of the creek:

*“The creek channel shall vary in width using 200 feet as a minimum standard. Portions of Carroll Canyon may be less than 200 feet if the Planning Director determines, through the master plan process, that future right-of-way widths required to construct Carroll Canyon Road and the trolley line make the 200-foot minimum infeasible...”*

*A 50-foot minimum buffer shall be provided on each side of the creek channel. The buffer may include the bicycle and pedestrian trail on one side of the creek. This will ensure compatibility for both pedestrian activities and wildlife movement.”*

The Mira Mesa Community Plan states:

*“Preserve (or restore if disturbed) riparian areas in Carroll and Rattlesnake Canyons to the full width of the floodplain. In order to foster conditions that allow for healthy ecological functioning and provide for adequate wildlife movement, upland habitat such as Coastal Sage Scrub, Grasslands and Maritime Chaparral shall be preserved or restored adjacent to the riparian area wherever possible to provide a buffer with a minimum width of 100 feet. The buffer may be reduced in width to accommodate the construction of Carroll Canyon Road and the future trolley alignment.”*

**Why impact would occur:** The DEIR is inconsistent with the underlying Carroll Canyon Creek Master Plan and Mira Mesa Community Plan, which requires a 200-foot minimum creek channel, 50/100-foot buffer and trail only on one side of the creek. The Project in section 3.4.3 of the EIR, discusses the Mira Mesa Community Plan and amendments that are proposed, but it does not address these inconsistencies stated above.

**Evidence impact would be significant:** The Project would create multiple stream crossings that would traverse the riparian area, two for internal streets, one for a pedestrian bridge and one for the intersection of Camino Ruiz and Carroll Canyon Creek Road (which is provided for in the planning documents), as well as three trails adjacent to the creek on both sides in the Stone Creek Central Park. Encroachment into the stream corridor once created, would have significant direct and indirect impacts on wildlife resources that were not assessed in this DEIR or previous environmental analysis, and are not consistent with other planning documents that discuss this area (discussed above).

### **Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)**

#### **Mitigation Measure #2:**

**To reduce impacts to less than significant:** The DEIR shall provide a map that clearly shows where the Enhanced Creek Corridor reclamation and areas that are covered by the proposed CE occur in relation to other project features, such as crossings and trails. The width of the creek should be delineated, and associated buffers should be demarcated on the map. The number of trails in the Enhanced Creek Corridor shall be reduced to one as recommended by the Carroll Canyon Master Plan,

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to allow for wildlife movement. Buffer widths shall be increased to a minimum of 50 feet, 100 feet where feasible, and the creek width shall be 200 feet unless reduced for the Carroll Canyon Creek Road alignment. Both direct (i.e., creek crossings) and indirect impacts (i.e., trails adjacent to the creek) to the creek corridor shall be analyzed for significance.

**COMMENT #4:**

**Conservation Easement Description**

**Sections: DEIR 5.4 Page # 5.4-22, BTR 6.2.5.2, Page # 36**

**Issue:** The description and discussion of the Conservation Easement (CE) that would be created as part of the mitigation for riparian impacts is incomplete.

**Specific impact:** The DEIR states:

*“Management of the CE protecting the enhanced Carroll Canyon Creek corridor would be provided by a third-party entity such as an owners’ association or a non-profit Conservation Organization. The management entity chosen would be responsible for the long-term maintenance and management of the areas covered under the CE, and would establish the requirements for the management and monitoring reports. The long-term management of the CE would be funded by one of the following means: the establishment of an endowment or a Community Facilities District. The amount of funding for endowment would be established through the preparation of a Property Analysis Record or other similar method. The management of the CE would conform to the general management directives outlined in the City’s Subarea Plan (City of San Diego 1997), as described below. Public Access, Trails, and Recreation – Any proposed public access, trails, or recreation would be confined primarily to established parks adjacent to the areas covered under the CE. Encroachment into areas covered by the CE would be discouraged by the placement of barriers and signage.”*

This language does not prohibit trails in the CE. If lands within the CE are used for mitigation for impacts to riparian habitat, associated with wetland permitting, trails should be prohibited in these areas. All crossings and trails should be located away from the CE with an appropriate buffer. These buffers and the placement of barriers, as mentioned in the DEIR, should be clearly delineated on a map in relation to the CE. Furthermore, the EIR should identify the long-term manager that will have responsibility for the site.

**Why impact would occur:** Without clearly marking the CE and related protections together on Project mapping, there may be additional indirect impacts from the Project on the habitats preserved by the CE that are not fully assessed. CDFW recommends that a non-profit Conservation Organization or the City take over long term management of the CE; and does not support the use of an owner’s association for long term management of a CE used for compensatory mitigation. Potential CDFW and the U.S. Fish and Wildlife Service (known collectively as the Wildlife Agencies) approved non-profit Conservation Organizations should be identified, and fee title holder, easement holder, and third-party beneficiary status should be discussed in the EIR.

**Evidence impact would be significant:** Page 104 of the SAP states, “[t]he mitigation plan for any proposed project must include provisions for protection and preservations and management (including responsibility) of the mitigation areas.”

To be consistent with the SAP, the responsibility for long term management should be identified in the EIR.

**Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)**

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**Mitigation Measure #3:**

**To reduce impacts to less than significant:** All Conservation Easements (CEs) shall be mapped in relation to project impacts. The long-term management organization will be identified in the Resource Management Plan for the CE. The Wildlife Agencies shall have the opportunity to review and comment on the Resource Management Plan for the CE.

**COMMENT #5:**

**Project Mapping Deficiencies**

**Sections: EIR 5.4., Figure 5.4-5 Page # 5.4-36, 5.4-45:**

**Issue:** There is a discrepancy between Project mapping in Figure 5.4-5, which shows ornamental planting adjacent to the MHPA on the southwest corner, and the text of the DEIR, which states:

*“...the planting palettes for the Stone Creek Development Plan do not include any invasive or nonnative plant species adjacent to the MHPA area. Additionally, according to City of San Diego standards for brush management, the BMZ 2 buffer along the site must only include native plants.”*

**Specific impact:** It is unclear from the information provided what will be planted adjacent to the MHPA.

**Why impact would occur:** Ornamental plantings could introduce nonnative and possibly invasive species into the MHPA, which is located directly downstream of the project site. CDFW is concerned about the spread of invasive and nonnative plants in proximity to adjoining open space areas. Use of native plants in landscaping not only avoids spread of invasive species, but also provides additional benefits such as the attraction of native pollinators and reduced water consumption. Therefore, it is required by the City’s SAP that appropriate native plants should be used specifically in areas adjacent to the MHPA, and CDFW recommends that native plants be used to the greatest extent feasible in landscaped areas. The project proponent should not plant, seed, or otherwise introduce invasive exotic plant species to landscaped areas. Exotic plant species not to be used include those species listed on the California Invasive Plant Council’s (Cal-IPC) Invasive Plant Inventory, which is available online at <http://www.cal-ipc.org>. This list includes (but is not limited to) the following: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom. In addition, landscaping should not contain plants that require extensive irrigation, fertilizers, or pesticides. Therefore, the EIR should include a plant palette which does not contain non-native invasive species.

**Evidence impact would be significant:** Section 1.4.3. of the Land Use Adjacency Guidelines in the SAP states, “[n]o invasive non-native plant species shall be introduced into areas adjacent to the MHPA.” Although the DEIR states that this will be the case, the mapping provided is not in alignment with this statement. Nonnative species could have a deleterious effect on willow monardella which is located directly adjacent to property, which could be significant if not addressed as noted above, as well as have other negative effects on riparian resources.

**Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)**

**Mitigation Measure #4:**

**To reduce impacts to less than significant:** Project mapping shall be updated to reflect native plants next to the MHPA on the southwestern corner in Figure 5.4-5, and in any other Project mapping, to be consistent with the DEIR and adjacency guidelines

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in the City's SAP. The planting palette for the Project shall follow Cal-IPC recommendations.

### III. Mitigation Measures and Related Impact Shortcomings

#### COMMENT #6:

#### City Construction Measures as Deferred Mitigation Measures

#### Sections: 5.4 Page # 5.4-17:

**Issue:** The City maintains that avian measures would be required as part of the CUP. Without suitable avoidance measures identified during the public review process in the DEIR, CDFW cannot ascertain if the measures will be adequate for the protection of sensitive resources within and adjacent to the project.

**Specific impact:** The DEIR states:

*“Because implementation of the CUP/Reclamation Plan Amendment would involve the realignment and enhancement of Carroll Canyon Creek, it is plausible that when the Stone Creek project begins, the site could support habitat that would be conducive to wildlife use and movement. Thus, preconstruction avian surveys would be required as a condition of the permit.”*

The DEIR correctly identifies that wildlife could be using the habitat created by the reclamation when the Stone Creek portion of the Project goes to construction, but then stops short of identifying impacts to wildlife from the implementation of the Project. Least Bell's vireo (*Vireo bellii pusillus*; CESA- and ESA-listed) and coastal California gnatcatcher (*Polioptila californica californica*; ESA-listed) have been identified adjacent to the Project area on the 3 Roots parcel directly downstream, and hawks, including red-shouldered hawk (*Buteo lineatus elegans*) and Red-tailed hawks (*Buteo jamaicensis*) have been identified using the site.

**Why impact would occur:** The impact would occur because avoidance and minimization measures were not described in the DEIR for this Project, and conditions of Permit approval do not have public review and may not be sufficient to protect sensitive resources.

The City maintains that avian measures would be required as part of the CUP. Without suitable avoidance measures identified during the public review process in the DEIR, CDFW cannot ascertain if the measures will be adequate for the protection of sensitive resources within and adjacent to the project.

**Evidence impact would be significant:** It is foreseeable that vireo would use habitat created by the reclamation of the creek, hawks would be nesting in suitable Eucalyptus trees surrounding the site, and/or gnatcatchers may be present directly adjacent to the site in the MHPA during construction of Stone Creek. As written, the DEIR implies an impact from the Project without fully acknowledging it as an impact that requires avoidance and minimization.

#### **Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)**

The DEIR should fully consider possible impacts to nesting birds and provide avoidance and minimization measures in the DEIR.

CDFW recommends that indirect impacts from construction on nesting birds be discussed as part of the EIR. CDFW also recommends pre-construction avian surveys be included as avoidance and minimization measures. If raptors or other nesting birds are present, and the Project proposes to continue, CDFW requests to review and approve a nest avoidance plan. We also recommend that a biological monitor be present, who can halt construction if the birds appear to be agitated.

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**Mitigation Measure #5:**

To avoid any indirect impacts to any species identified as listed, candidate, sensitive, or special status in the MSCP, or other nesting birds covered by Section 3503 of the Fish and Game Code, please include this measure which is modified from BTR.

**To reduce impacts to less than significant:** Removal of habitat that supports nesting birds in and around the proposed area of disturbance should occur outside of the breeding season for these species (January 15 to September 15). For this project, sensitive bird species that may occur on the site includes Cooper's hawk. If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a preconstruction survey to determine the presence or absence of nesting for sensitive bird species on the proposed area of disturbance and in areas within 500 feet of suitable adjacent habitat, a qualified biologist should conduct a survey prior to the start of construction activities. The preconstruction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the preconstruction survey to the City's Development Services Department (DSD) for review and approval prior to initiating any construction activities. If nesting activities for any of the above-mentioned three sensitive bird species are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable state and federal law (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. Measures shall include but are not limited to a no-work buffer around the nest (100-500 ft depending on the species), a biological monitor to be present during construction with the ability to halt construction if needed. The report or mitigation plan shall be submitted for review and approval to the City with concurrence of the Wildlife Agencies and implemented to the satisfaction of the City. The City's MMC Section or Resident Engineer, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

**IV. Additional Biological Resources Concerns**

**COMMENT #7:**

**Willow Monardella Occurrence Adjacency**

**Sections: DEIR 3.0 and 5.4, Page # 3-14, 5.4-31; BTR Attachment 3,**

**Issue:** The DEIR states:

*The design of the creek enhancement plan addresses the creek's hydrology and hydraulic constraints. In order to slow the velocity of seasonal flows, hydraulic features are proposed to be constructed within the creek so as to moderate changes in creek speed. These features, such as boulder crossings, are used along the restored Carroll Canyon Creek and are designed as natural elements that would be planted to integrate with adjacent creek enhancements and more formal park treatments within Stone Creek Central Park. For the portion of Carroll Canyon Creek east of Camino Ruiz, bank protection (such as riprap) is proposed where necessary to prevent scouring by flood waters. For the creek corridor west of Camino Ruiz, riprap bank protection is proposed to reflect the style and type installed on the southern bank by the adjacent existing development. Channel banks are designed with varying slope ratios to appear natural and to reflect the native character of the creek corridor.*

Then in section 5.4, the DEIR states:

*"Willow Monardella (Monardella viminea) is ... [n]ot observed on-site, however this species was observed offsite to the south of this property in a restored drainage. Would have been observable on-site during the survey."*

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**Specific impact:** Willowy monardella, a CESA-listed and MSCP-covered species, is located directly adjacent to the site but not discussed in sufficient detail in the DEIR. The implementation of the 1981 CUP Reclamation Plan Amendment may have indirect impacts to this species that were not addressed in the DEIR or previous environmental analysis.

**Why impact would occur:** CDFW is concerned that hydrological changes may have adverse effects on populations of willow monardella. According to the City's MSCP SAP, urban runoff and water quality are major factors that impact willow monardella. The entire U.S. distribution of this species is currently restricted to an area approximately 14-miles wide by 6.8-miles long in coastal San Diego County; an extant native occurrence is located directly adjacent to south of the Project area. Willow monardella favors coastal rocky drainages, occupying sandy benches immediately outside of the streambed. Affinity for this microhabitat increases susceptibility of this species to changes in storm water and hydrological patterns.

**Evidence impact would be significant:** Page 21 of the City's published CEQA thresholds states that, in regard to biological analysis for significance, *"a survey should identify which biological resources are present on the site and its immediately surrounding area, and the number and extent of each type."* The Land Development Manual - Biology Guidelines report format requirements on page 83 states, *"[i]ndicate locations of sensitive plants as points or polygons as appropriate."*

The maps provided in the DEIR and BTR do not include the approximate locations of sensitive plants as points. On page 95 the report format guidelines states that they map should include:

*"[l]imits of [d]isturbance, [v]egetation [m]ap overlain by the development proposal, [v]egetation map (with ESL delineated) showing habitat, area(s) of impact with habitat and plant species, Multi-Habitat Planning Area (MHPA) delineated / MHPA Map (SANGIS) and any other species to which any impacts may be considered significant under CEQA."*

Without these features clearly mapped, CDFW cannot ascertain if the Project will have significant adverse impacts on adjacent sensitive resources.

On Page 24 of the City's published CEQA thresholds states that indirect impacts include, *"[a]lteration of a dynamic portion of a system, such as stream flow characteristics."*

Although the willow monardella is not located on site, it can still be impacted by changes to hydrology upstream and adjacent, and this is not discussed in the DEIR. The only mention of the species in the BTR Attachment 3 and the Table 5.4-4. Sensitive Plant Species Observed or with the Potential for Occurrence on the Stone Creek Project Site. There may be significant adverse indirect impacts to this occurrence as a result of implementation of the Project that should be discussed in this EIR.

**Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)**

Since relocating sections of Carroll Canyon Creek may have reasonably foreseeable temporary or permanent indirect effects on the adjacent willow monardella occurrence as a result of implementation of the Project; it should be analyzed for significance in the Project EIR.

Additionally, because of its limited range and proliferation in a microhabitat sensitive to hydrological events, the DEIR should consider and include a discussion of how the implementation of the 1981 Reclamation Plan Amendment and Stone Creek Master Plan will indirectly impact adjacent sensitive resources as well as those downstream in the MHPA. The location of sensitive resources should be located on a map that

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overlays Project impacts with willow monardella polygons to ensure there is an appropriate buffer between this species and construction impacts.

Finally, the City of San Diego Subarea Plan in Appendix A, states for willow monardella, “[a]rea Specific Site Directive must include measures to protect detrimental edge effects.” These measures should be included as avoidance and minimization measures to ensure significant impacts do not occur as result of the Project.

**Mitigation Measures #6 & 7:**

**To reduce impacts to less than significant:** The EIR shall include a discussion of indirect impacts to willow monardella from anticipated changes in drainage patterns and runoff volumes, include a site layout with regard to sensitive resources (including willow monardella locations) and off-site native habitat in GIS format, and also include mitigation measures and Best Management Practices (BMPs) that provide avoidance of impact to downstream or adjacent populations of willow monardella from increased erosion or siltation. All BMPs should be contained within the project footprint.

**To minimize significant impacts:** The Stone Creek Development Plan, where possible, will use Low Impact Developments (LIDs), to reduce runoff. This will include the use of pervious surfaces (crushed aggregate, turf block, unit pavers, pervious concrete and asphalt) as alternatives to impervious surfaces, and roof spout designs used for the Project shall empty over pervious surfaces.

**COMMENT #8:**

**Large Wildlife Movement in Carroll Canyon**

**Sections: 5.4 Page #:5.4-7,8**

**Issue:** The DEIR first acknowledges that mule deer are present but does not acknowledge that they could be moving through the Project area.

**Specific impact:** The DEIR states:

*“The southern mule deer [Odocoileus hemionus fuliginata] is an MSCP covered species that ranges from western Canada south through the western United States.... This species is threatened by loss or fragmentation of habitat, resource competition with range and wild animals, and overpopulation due to habitat loss and loss of natural predators.*

*Southern mule deer were observed on-site.*

Then on the next page states:

*This project site does not function as a wildlife corridor for large mammals due to the high level of surrounding disturbance and active mining operation*

The Mira Mesa Community Plan states:

*Impacts to wildlife crossings shall also be considered in the determination of design speeds for new or realigned roadways. This is especially important for Carroll Canyon Road and Camino Santa Fe—the two remaining major roads to be built in Mira Mesa that will require crossing floodplains and sensitive habitat area—but also for lower classification local roads that will provide interior circulation for development projects.”*

**Why impact would occur:** Mule deer are present, but the Project does not require the necessary specifications for a wildlife corridor that provides safe passage for them. As a result significant indirect impacts may occur to southern mule deer that have not been analyzed by the Project DEIR.

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**Evidence impact would be significant:** The DEIR states:

*The Stone Creek project would not negatively affect local wildlife movement in the area. Impacts to the existing configuration of the local wildlife movement corridor along Carroll Canyon Creek are not considered significant. The project as designed would accommodate local wildlife movement associated with the realigned and enhanced creek corridor implemented under the CUP/Reclamation Amendment. This creek corridor would support native riparian vegetation for cover and habitat for wildlife and would provide a native habitat link to Carroll Canyon Creek downstream of the project. As stated above, enhancement of the creek is expected to potentially improve wildlife movement previously restricted by intensive mining activities and a narrow creek configuration.*

**Significance of Impacts**

CUP/Reclamation Plan Amendment

*The project site is currently being mined and is surrounded by urban development. The project site does not currently function as a wildlife corridor. The CUP/Reclamation Plan Amendment would not result in a significant impact to wildlife movement corridors.*

The Stone Creek Project

*The Stone Creek project would not significantly impact wildlife movement or corridors. The project would result in enhancing the Creek Corridor thereby potentially improving wildlife movement.*

*Significant adverse impacts would not occur.*

**Mitigation Measures**

*No mitigation measures are required.*

This analysis assumes mule deer are using the site, but not as part of a corridor, and does not provide an explanation. The DEIR acknowledges that there is a lack of habitat on-site and the presence of mule deer but dismisses that they are and would use Carroll Canyon Creek on-site as a wildlife corridor. It also assumes no impact from multiple crossings of the creek and increased human use due to multiple trails in the corridor as proposed by the Project.

**Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)**

Since there are native resident mule deer in the area, the DEIR should analyze the potential for significant and unavoidable impacts to wildlife movement.

**Mitigation Measure #8:**

**To reduce impacts to less than significant:** Stream crossings, roads, and trails shall be analyzed in the EIR for significant impacts to the wildlife corridor, especially for mule deer. Stream crossings and bridges shall be designed to allow for line of site to allow for safe passage of mule deer, and fencing shall be used to deter deer from the roadways within the creek corridor, and wildlife crossings shall also be considered in the determination of design speeds for new or realigned roadways for the Project. Trails shall only occur on one side of the stream. Speed limit reductions on Camino Ruiz, Carroll Canyon Road, and other internal streets shall be in alignment with the Mira Mesa Community Plan.

**Editorial Comments and Suggestions**

The Wildlife Agencies request to review and comment on the Habitat, Mitigation, and Monitoring Plan that will accompany the mitigation site. As noted above, the Project site is adjacent to the MHPA and other sensitive resources, in addition it is also adjacent to the 3 Roots project. Although CDFW acknowledges that there are different circumstances in the development history of both projects, there are many similarities in the on-site

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biological resources which are present. CDFW recommends mitigation commensurate with that of the adjacent property and encourages Wildlife Agency coordination, as well as coordination with the adjacent long-term manager.

CDFW also recommends that mapping and tables that are referred to throughout the text of section 5.4 be located within the text and not at the end of the section.

## ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB\\_FieldSurveyForm.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf). The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).

## FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

## CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Elyse Levy, Senior Environmental Scientist at [Elyse.Levy@wildlife.ca.gov](mailto:Elyse.Levy@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
B6E58CFE24724F5...  
Erin Wilson-Olgin  
Environmental Program Manager  
South Coast Region

Attachments:

Attachment A: Recommended Mitigation Measures

cc: Office of Planning and Research, State Clearinghouse, Sacramento

## REFERENCES

1. California Office of Planning and Research. 2019 or current version. CEQA: California Environmental Quality Act. Statutes and Guidelines, CEQA Guidelines § 15064, §15125, §15126, §15127, §15150, Appendix G
2. Prince 2009. The relationship of *Monardella viminea* to closely related taxa based on analyses of ISSRs. USFWS, Carlsbad, CA Office.  
[nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=24524](http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=24524)

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3. City of San Diego Planning Department. 1981. Conditional Negative Declaration for Conditional Use Permit 10-315-2
4. California Department of Fish and Game. 1981. Comments in Response to Conditional Negative Declaration
5. City of San Diego Planning Commission. 1971. Planning Commission Resolution No. 3410: Granting Conditional Use Permit No. 10-315-2
6. City of San Diego. 1997. Multiple Species Habitat Conservation Program MSCP Plan Subarea Plan, Appendix A
7. City of San Diego. 2016. California Environmental Quality Act Significance Determination Thresholds
8. City of San Diego. 2012. Land Development Code- Biology Guidelines,
9. California Invasive Plant Council. CAL-IPC Inventory. accessed July of 2020 <https://www.cal-ipc.org/plants/inventory/>
10. Fish & Game Code §3503
11. Helix Environmental Planning. 2019. 3Roots San Diego Project Habitat Reclamation Plan and Mitigation Plan
12. City of San Diego. 2020. 3Roots San Diego Project Environmental Impact Report SCH No. 2018041065; Project No. 587128 Appendix G: Biological Technical Report

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### Attachment A: Recommendations and Mitigation Measures

<b>Mitigation Measures #1:</b>	A copy of the Environmental Document (conditional ND) with responses to comments for the 1981 Conditional Use Permit and the original 1981 CUP and Reclamation Plan shall be provided as an Appendix to the Project EIR. Impacts to streams, riparian, and wetland habitats shall be discussed as part of the Amendment and shall be analyzed and discussed in this EIR. Previous analysis shall otherwise be incorporated by reference.
<b>Mitigation Measure #2</b>	The DEIR shall provide a map that clearly shows where the Enhanced Creek Corridor reclamation and areas that are covered by the proposed CE occur in relation to other project features, such as crossings and trails. The width of the creek should be delineated, and associated buffers should be demarcated on the map. The number of trails in the Enhanced Creek Corridor shall be reduced to one as recommended by the Carroll Canyon Master Plan, to allow for wildlife movement. Buffer widths shall be increased to a minimum of 50 feet, 100 feet where feasible, and the creek width shall be 200 feet unless reduced for the Carroll Canyon Creek Road alignment. Both direct (i.e., creek crossings) and indirect impacts (i.e., trails adjacent to the creek) to the creek corridor shall be analyzed for significance.
<b>Mitigation Measure #3:</b>	All Conservation Easements (CEs) shall be mapped in relation to project impacts. The long-term management organization will be identified in the Resource Management Plan for the CE. The Wildlife Agencies shall have the opportunity to review and comment on the Resource Management Plan for the CE.
<b>Mitigation Measure #4:</b>	Project mapping shall be updated to reflect native plants next to the MHPA on the southwestern corner in Figure 5.4-5, and in any other Project mapping, to be consistent with the DEIR and adjacency guidelines in the City's SAP. The planting palette for the Project shall follow Cal-IPC recommendations.
<b>Mitigation Measure #5:</b>	Removal of habitat that supports nesting birds in and around the proposed area of disturbance should occur outside of the breeding season for these species (January 15 to September 15). For this project, sensitive bird species that may occur on the site includes Cooper's hawk. If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a preconstruction survey to determine the presence or absence of

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	<p>nesting for sensitive bird species on the proposed area of disturbance and in areas within 500 feet of suitable adjacent habitat, a qualified biologist should conduct a survey prior to the start of construction activities. The preconstruction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the preconstruction survey to the City's Development Services Department (DSD) for review and approval prior to initiating any construction activities. If nesting activities for any of the above-mentioned three sensitive bird species are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable state and federal law (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. Measures shall include but are not limited to a no-work buffer around the nest (100-500 ft depending on the species), a biological monitor to be present during construction with the ability to halt construction if needed. The report or mitigation plan shall be submitted for review and approval to the City with concurrence of the Wildlife Agencies and implemented to the satisfaction of the City. The City's MMC Section or Resident Engineer, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.</p>
<p><b>Mitigation Measure #6:</b></p>	<p>The EIR shall include a discussion of indirect impacts to willowy monardella from anticipated changes in drainage patterns and runoff volumes, include a site layout with regard to sensitive resources (including willowy monardella locations) and off-site native habitat in GIS format, and also include mitigation measures and Best Management Practices (BMPs) that provide avoidance of impact to downstream or adjacent populations of willowy monardella from increased erosion or siltation. All BMPs should be contained within the project footprint.</p>
<p><b>Mitigation Measure #7:</b></p>	<p>The Stone Creek Development Plan, where possible, will use Low Impact Developments (LIDs), to reduce runoff. This will include the use of pervious surfaces (crushed aggregate, turf block, unit pavers, pervious concrete and asphalt)</p>

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	as alternatives to impervious surfaces, and roof spout designs used for the Project shall empty over pervious surfaces.
<b>Mitigation Measure #8:</b>	Stream crossings, roads, and trails shall be analyzed in the EIR for significant impacts to the wildlife corridor, especially for mule deer. Stream crossings and bridges shall be designed to allow for line of site to allow for safe passage of mule deer, and fencing shall be used to deter deer from the roadways within the creek corridor, and wildlife crossings shall also be considered in the determination of design speeds for new or realigned roadways for the Project. Trails shall only occur on one side of the stream. Speed limit reductions on Camino Ruiz, Carroll Canyon Road, and other internal streets shall be in alignment with the Mira Mesa Community Plan