



# County of San Diego

**JEFF MONEDA**  
DIRECTOR

DEPARTMENT OF PUBLIC WORKS  
5510 OVERLAND AVENUE, SUITE 410  
SAN DIEGO, CA 92123-1237  
(858) 694-2212  
[www.sdcounty.ca.gov/dpw/](http://www.sdcounty.ca.gov/dpw/)

## MITIGATED NEGATIVE DECLARATION

June 17, 2020

Project Title:

County of San Diego Sanitation District: Los Coches Sanitary Sewer Improvements from Maintenance Hole LSMH0555 to LSMH0599 Project

Project Number(s): 1023359

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

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

- a. Initial Study – Environmental Checklist Form
- b. Attached technical studies for biological resources and cultural resources.

1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period, and; on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project will have a significant effect on the environment.

2. Required Mitigation Measures:

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

### A. BIOLOGICAL RESOURCES

1. In-kind mitigation for 0.01 acre of permanent impacts to southern riparian forest and 0.02 acre of permanent impacts to herbaceous wetland shall occur at a 1:1

ratio. Temporary impacts to 0.21 acre would occur to mule fat scrub, herbaceous wetland, southern riparian forest, and southern coast live oak riparian forest. Compensatory mitigation may occur via onsite restoration/habitat creation or off-site through preservation or purchase of mitigation credits at an approved mitigation bank. Mitigation for impacts to permanently- and temporarily-impacted sensitive vegetation communities shall occur via the restoration of these impact areas to their pre-impact conditions.

2. A total of 0.024 acre of permanent impacts would occur to Wetland Waters of the U.S./State and an additional 0.003 acre of permanent impacts would occur to Wetland Waters of the State. Permanent impacts to Non-wetland Waters of the U.S./State would total 0.015 acre and 100 linear feet. A total of 0.027 acre of temporary impacts would occur to Wetland Waters of the U.S./State and an additional 0.183 acre of temporary impacts would occur to Wetland Waters of the State. Temporary impacts to Non-wetland Waters of the U.S./State would total 0.105 acre and 344 linear feet. Impacts to jurisdictional waters may be authorized by the USACE through the Section 404 Permit Program, by the CDFW through a 1602 Streambed Alteration Agreement, and by the RWQCB through a 401 State Water Quality Certification. Approved impacts to USACE, CDFW, and RWQCB jurisdictional waters require mitigation through habitat creation, enhancement, and/or credits in a mitigation bank to achieve a no-net loss of jurisdictional waters.
3. Temporary impacts as a result of vegetation trimming and permanent impacts as a result of trenching to a combined total of 0.21 acre of suitable habitat types has potential to result in significant direct impacts to Cooper's hawk and yellow warbler. Additionally, increased noise levels due to construction during the breeding seasons for these species (January 15 to July 15) for Cooper's hawk and February 1 to August 31 for yellow warbler) could result in indirect impacts to any individuals determined to be nesting within the habitats adjacent to the project impact areas. In order to avoid direct impacts to potentially nesting individuals of sensitive bird species, a qualified biologist should conduct a survey prior to the start of construction activities. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). If an active bird nest is found, additional measures should be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. With implementation of these measures, the project is expected to avoid significant direct and indirect impacts to Cooper's hawk and yellow warbler, as well as species protected by the MBTA or California Fish & Game Code (CFGF).
4. Direct impacts to roosting western red bats could occur during any vegetation trimming of trees with potential to support this species day-roosting. In order to avoid direct impacts to any potentially roosting western red bats, a biological monitoring shall survey any trees with potential to support this species that are proposed for trimming immediately prior to the trimming activities. If any trees are occupied by western red bat, additional avoidance/mitigation measures shall be

implemented as recommended by the biological monitor. The biological monitor shall be present during all vegetation removal and tree trimming at the occupied habitat. With the implementation of these measures, the project is expected to avoid significant direct impacts to western red bat.

Nesting bird species covered under the MBTA or CFGC 3503 also have potential to be directly impacted by the temporary impacts as a result of vegetation trimming and permanent impacts as a result of trenching.

3. Critical Project Design Elements That Must Become Conditions of Approval:

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

**A. BIOLOGICAL RESOURCES**

1. To avoid impacts to sensitive vegetation communities outside of the project footprint during construction, temporary environmental fencing would be installed prior to construction activities.
2. The project would be required to implement applicable site design measures and/or source control BMPs and/or treatment control BMPs during construction to reduce potential pollutants to the maximum extent practicable from entering stormwater runoff. These measures may include inlet filter rolls, silt fencing, gravel bags, and erosion control recompacting and revegetation post-construction. These measures would enable the project to meet waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (SDRWQCB Order No. R9-2007-0001), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP).

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

\_\_\_\_\_ on \_\_\_\_\_

Cynthia Curtis, Land Use/Environmental Planning Manager  
DPW Environmental Services Unit