

MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATED NEGATIVE DECLARATION

FOR

MAPLEVIEW STREET GREEN STREETS PROJECT

State Clearinghouse #

Prepared for:

County of San Diego
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Capital Improvements Project
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MITIGATION MONITORING AND REPORTING PROGRAM MAPLEVIEW STREET GREEN STREETS PROJECT

Mitigation measures have been identified in the Mitigated Negative Declaration for the Mapleview Street Green Streets Project to reduce or eliminate potential environmental impacts. The County of San Diego (County) is required to implement all adopted mitigation measures. In order to ensure compliance, the following mitigation monitoring program has been formulated. This program consists of a checklist followed by a detailed description of the mitigation measures.

These water quality improvements will benefit the public by implementing structural best management practices such as biofiltration basins, cobble swales, and dispersion areas along Mapleview Street located in the unincorporated community of Lakeside, to treat wet weather flows to improve stormwater conveyance and water quality within the project area and downstream.

A mitigation checklist has been prepared for the project. Table 1 summarizes the mitigation measures for the Riverside Drive Flood Control Channel Water Quality Improvement Project. Information contained within the checklist clearly identifies the mitigation measure, delineates the monitoring schedule, and defines the conditions required to verify compliance. Following is an explanation of the seven columns that constitute the checklist.

Column 1 **Mitigation Measure:** An inventory of each mitigation measure is provided with a brief description.

Column 2 **Type:** Each mitigation measure is classified as Project Design Mitigation (PD), Ongoing Mitigation (OM), or Long-Term Mitigation (LT) based upon the following definitions:

- Project Design Mitigation - mitigation that has been incorporated into the project design (e.g., dust control measures, traffic control plan, landscape plan);
- Ongoing Mitigation - mitigation associated with the project over a period of time (e.g., success of revegetation);
- Long-Term Mitigation - mitigation which requires monitoring over a greater period of time (e.g., five year revegetation monitoring program).

Column 3 **Monitor:** Identifies the County department or other public agency that is responsible for determining compliance with the mitigation measure and for informing DPW about compliance.

Column 4 **Schedule:** The monitoring schedule depends upon the progression of the overall project. Therefore, specific dates are not used within the "Schedule" column. Instead, scheduling describes a logical succession of events (e.g., prior to

construction, annual) and if necessary, delineates a follow-up program.

Column 5 **Compliance Action:** The monitor can easily determine a mitigation measure's completion by referring to "Compliance Action". Upon satisfaction of the requirement listed in this column, the mitigation measure is considered complete.

Column 6 **Verification of Compliance:** The monitor verifies completion of the particular mitigation measure by initialing and dating in this column. Where the "Schedule" column indicates annual or other ongoing mitigation measures, verification of compliance may not occur until completion of the project. Provision of all required signatures within the Verification of Compliance column signifies conclusion of the monitoring program.

Column 7 **Remarks:** The status of ongoing and cumulative mitigation measures is to be documented during each visit. The space provided for remarks is obviously too small for the inclusion of the remarks. It is intended that this space be used to indicate whether there are specific comments pertaining to the status of the mitigation measure. If there are additional comments they are to be attached to the checklist. Progress reports are required for the revegetation program. Information provided within progress reports will be helpful in the development of future mitigation programs.

This program is to be adopted by the lead and responsible agencies upon formulation of findings in order to comply with the requirements set forth by Assembly Bill 3180 (Public Resources Code Section 21081.6).

Table 1. Mitigation Measures for Mapleview Street Green Streets Project

	Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		
						Initial	Date	Remarks
BIOLOGICAL RESOURCES								
	Mitigate for impacts to a sensitive vegetation community	OM	DPW Project Biologist	Concurrent with, or post construction	Temporary impacts to 0.82 acres of non-native grassland and permanent impacts to 0.16 acres of non-native grassland will be mitigated consistent with the Biological Mitigation Ordinance; the mitigation ratio applied would be either 1:1 or 0.5:1 dependent on if the mitigation site is a biological resource core area (BRCA; the project site is not BRCA). Mitigation can be accomplished through on-site preservation, restoration or creation of non-native grassland (or a biologically equivalent habitat type); or preservation, restoration or creation of non-native grassland (or a biologically equivalent habitat type) offsite within a County habitat preserve. Mitigation could also be accomplished via payment of fees into an authorized private mitigation/conservation bank.			
	Avoidance and minimization of impacts to nesting raptors and migratory birds	PD	DPW Project Biologist	Prior to and during construction	If construction initiation occurs between January 15 and September 1, a pre-construction nesting bird and raptor survey of the project area and an appropriate buffer of up to 500 feet shall be completed by a qualified biologist prior to vegetation removal. If any active nests are detected, an avian specialist would be consulted to determine the appropriate buffer and other avoidance measures to ensure the project does not affect the success of the nest. The area will be flagged and mapped on construction plans along with a buffer as recommended by the qualified biologist. The buffer area(s) established by the qualified biologist will be avoided until the nesting cycle is complete			

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					or it is determined that the nest is no longer active. The qualified biologist shall be a person familiar with bird breeding behavior and capable of identifying the bird species of San Diego County by sign and sound and determining alterations of behavior as a result of human interaction. Buffers will be based on local topography and line of sight, species behavior and tolerance to disturbance, and existing disturbance levels.			
	Avoidance and minimization of impacts to roosting bats	PD	DPW Project Biologist	Prior to and during construction	If construction initiation occurs between June and August, a pre-construction roosting bat survey of palm trees within 100 feet of the project area shall be completed by a qualified biologist. The survey will involve a visual inspection for signs of bat presence, such as guano, insect parts, and staining. If signs of bat presence are detected, buffer area(s) shall be established by the qualified biologist and avoided until September or until roosting bats are no longer present.			
CULTURAL RESOURCES								
	Avoidance of impacts to previously undiscovered cultural resources	PD	DPW Project Archaeologist	During construction	A Kumeyaay Native American monitor and on-call archaeologist will be provided during initial project-related ground disturbing activities. If inadvertent discoveries of cultural resources are made, the County, project archaeologist, and appropriate Native American representative shall divert or temporarily halt ground disturbance operations in the area of discovery to assess the significance of the resources and confer regarding the appropriate treatment (i.e., preservation,			

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					avoidance, and/or mitigation for the resources). As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency shall make provisions for historical or unique archaeological resources inadvertently discovered during construction. Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for cultural resources. Work could continue in other parts of the project site while historical or unique archaeological resource mitigation takes place. The project archaeologist, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the archaeologist and approved by the County staff archaeologist, then carried out using professional archaeological methods.			
	Avoidance of impacts to previous undiscovered human remains	PD	DPW Project Archaeologist	During construction	A Kumeyaay Native American monitor and on-call archaeologist will be provided during initial project-related ground disturbing activities. If human remains are encountered, consistent with California Health and Safety Code Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin of the remains. Further, consistent with			

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					<p>California Public Resources Code Section 5097.98(b), human remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made.</p> <p>If the County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) shall be contacted within twenty-four (24) hours. The NAHC shall immediately identify the "most likely descendant(s)" (MLD) and notify them of the discovery. The MLD shall make recommendations within forty-eight (48) hours after being allowed access to the site, and engage in consultations with the landowner concerning the treatment of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further construction activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed.</p>			
PALEONTOLOGICAL RESOURCES								
	Mitigate the potential significant impacts to previously undiscovered paleontological resources to a level below significance	PD	DPW Project Engineer	During construction	A monitoring program implemented by the excavation/grading contractor will be required. Equipment operators and others involved in the excavation should watch for fossils during the normal course of their duties. In accordance with			

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					<p>the Grading Ordinance, if a fossil or fossil assemblage of greater than twelve inches in any dimension is encountered during excavation, all excavation operations in the area where the fossil or fossil assemblage was found shall be suspended immediately, the Resident Engineer and the County’s Environmental Planning Manager shall be notified, and a Qualified Paleontologist shall be retained by the applicant to inspect the find to determine if it is significant. A Qualified Paleontologist is a person who has:</p> <ul style="list-style-type: none"> • A Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.); • Demonstrated knowledge of southern California paleontology and geology; and • Documented experience in professional paleontological procedures and techniques. <p>If the Qualified Paleontologist determines that the fossil or fossil assemblage is significant; a mitigation program involving salvage, cleaning, and curation of the fossil(s) and documentation shall be implemented. If no fossils or fossil assemblages of greater than 12 inches in any dimension are encountered during excavation, a “No Fossils Found” letter will be submitted to the</p>			

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					County Department of Public Works identifying who conducted the monitoring and that no fossils were found. If one or more fossils or fossil assemblages are found, the Qualified Paleontologist shall prepare a report documenting the mitigation program, including field and laboratory methodology, location and the geologic and stratigraphic setting, list(s) of collected fossils and their paleontological significance, descriptions of any analyses, conclusions, and references cited.			