



County of San Diego

DEPARTMENT OF GENERAL SERVICES

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DRAFT MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Pediatric Mental and Behavioral Health Campus (MBH) Project

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) Technical Studies and Reports as referenced

1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find on the basis of the whole record that there is no substantial evidence that the proposed project will have a significant effect on the environment. Consider the Mitigated Negative Declaration on file with the Department of General Services together with the comments received during public review and adopt it, finding that it reflects the independent judgment and analysis of the Board of Supervisors.

Adopt the Mitigation and Monitoring Program as incorporated into the project conditions of approval pursuant to CEQA Guidelines section 15074(d).

2. Required Mitigation Measures:

Refer to the attached Initial Study for the rationale for requiring the following mitigation measures (MMs):

A. BIOLOGICAL RESOURCES: Implementation of the following mitigation measures would reduce potential impacts to biological resources to less than significant levels:

MM BR-1 – Vegetation removal shall occur from September 16 through January 31, outside the breeding season for birds, as feasible. Should vegetation removal need to occur within the breeding season (February 1 through September 15), a qualified

biologist¹ shall perform nesting bird surveys of all vegetation within the Project area prior to removal. At a minimum, nesting bird surveys shall include two survey efforts: (1) one survey 7 to 14 days prior to vegetation removal and (2) another no more than three days prior to vegetation removal. If nests protected by the Migratory Bird Treaty Act (MBTA) are found, no vegetation removal shall occur until (1) the nest is determined by a qualified biologist to no longer be active or (2) the Applicant and biologist consult with the California Department of Fish and Wildlife (CDFW) regarding the appropriate buffer that should be established. The Applicant and biologist shall provide the field monitoring notes when consulting with CDFW. If nesting birds are not detected during the surveys or vegetation removal occurs outside the breeding season, then no further action is required.

¹ A qualified biologist is defined as having a bachelor's degree in biology or a closely related field with sufficient local field experience in identification of avian species.

MM BR-2 – Implement the following Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines:

Drainage. All new and proposed parking lots and developed areas must not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials, and other elements that might degrade or harm the natural environment or ecosystem processes within the MHPA. This can be accomplished using a variety of methods including natural detention basins, grass swales, or mechanical trapping devices. These systems should be maintained approximately once a year, or as often as needed, to ensure proper functioning. Maintenance should include dredging out sediments if needed, removing exotic plant materials, and adding chemical-neutralizing compounds (e.g., clay compounds) when necessary and appropriate.

Toxics. Land uses, such as recreation and agriculture, that use chemicals or generate by-products such as manure that are potentially toxic or impactful to wildlife, sensitive species, habitat, or water quality, need to incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. Such measures should include drainage/detention basins, swales, or holding areas with non-invasive grasses or wetland-type native vegetation to filter out the toxic materials. Regular maintenance should be provided. Where applicable, this requirement should be incorporated into leases on publicly owned property as leases come up for renewal. During construction, the contractor should install construction best management practices (BMPs) such as silt fencing, sandbags, and others to prevent potentially toxic substances from entering the MHPA area.

Lighting. Lighting of all developed areas adjacent to the MHPA should be directed away from the MHPA. Where necessary, development should provide adequate

shielding with noninvasive plant materials (preferably native), berming, and/or other methods to protect the MHPA and sensitive species from night lighting.

Project design should avoid the addition of permanent lighting or nighttime construction that would require temporary lighting adjacent to the MHPA area. If lighting adjacent to the MHPA is necessary, the lighting should be shielded and focused away from the MHPA.

Noise. Uses in or adjacent to the MHPA should be designed to minimize noise impacts. Berms or walls should be constructed adjacent to commercial areas, recreational areas, and any other use that may introduce noises that could impact or interfere with wildlife utilization of the MHPA. Excessively noisy uses or activities adjacent to breeding areas must incorporate noise reduction measures and be curtailed during the breeding season of sensitive species. Adequate noise reduction measures should also be incorporated for the remainder of the year.

To avoid impacts to sensitive avian and MBTA species, pre-construction nesting surveys would be conducted; and active nests would be identified and flagged for avoidance.

Barriers. New development adjacent to the MHPA may be required to provide barriers (e.g., noninvasive vegetation, rocks/boulders, fences, walls, and/or signage) along the MHPA boundaries to direct public access to appropriate locations and reduce domestic animal predation.

Invasives. No invasive, non-native plant species shall be introduced into areas adjacent to the MHPA.

Grading/Land Development. Manufactured slopes associated with site development shall be included within the development footprint for projects within or adjacent to the MHPA.

B. CULTURAL RESOURCES: Implementation of the following mitigation measure would reduce potential impacts to cultural resources to less than significant levels:

- MM CR-1 –** To avoid potential impacts to unknown (i.e., buried) historic or cultural resources, mitigation in the form of monitoring during construction shall be required. Monitoring shall be performed by qualified archaeological monitors and a Kumeyaay Native American monitor. In the event that previously unidentified potentially significant historic or cultural resources are discovered, the monitor shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery until such time that the sensitivity of the resource can be determined. If Native American resources are identified during construction, the resources shall be reburied onsite within a designated 5-foot by 5-foot area.

RCHSD shall provide evidence that a County-certified monitor has been contracted to implement a Grading Monitoring Program. RCHSD shall complete and submit a final report that documents the results, analysis, and conclusions of all phases of the Grading Monitoring Program to the satisfaction of the Director of the County Department of General Services.

A Monitoring Discovery and Historic Property Treatment Plan shall be prepared and implemented to the satisfaction of the County Director of the Department of General Services. The Monitoring Discovery and Historic Properties Treatment Plan shall apply to the treatment of cultural and historic resources once they are discovered. For cultural and historic resources determined to be of significance, a Data Recovery Program to mitigate Project impacts shall be prepared by the consulting archaeologist and approved by the County, then carried out using professional archaeological methods.

C. LAND USE: Implementation of MM BR-2 would reduce potential impacts to land use policy to less than significant levels.

D. TRANSPORTATION: Implementation of the following mitigation measure would reduce potential impacts to transportation to less than significant levels:

MM TR-1 Implement the following Vehicle Miles Travelled Reduction Measures:

- provide an on-site bicycle repair station
- install five electric bicycle charging stations
- provide short-term bicycle parking spaces, at least 10 percent beyond minimum requirements

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and the above California Environmental Quality Act findings made by the County Board of Supervisors on DATE: XXXXXXX, 2023

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Director, Department of General Services