



# County of San Diego

DEPARTMENT OF PARKS AND RECREATION  
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~~July 21, 2023~~ January 21, 2025

## MITIGATED NEGATIVE DECLARATION State Clearinghouse No. 2023070450

**Project Name:** Sycamore Canyon/Goodan Ranch County Preserve  
Resource Management Plan Update

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

This Mitigated Negative Declaration is composed of this form as well as the accompanying Environmental Initial Study, which includes the following:

- a. California Environmental Quality Act Initial Study Form and accompanying extended studies for biological resources, cultural resources, and air quality/greenhouse gas calculations~~Initial Study Form~~
- b. Response to Comments~~Attached extended studies for biological resources, cultural resources, and air quality/greenhouse gas calculations.~~
- b-c. Mitigation Monitoring and Reporting Program

### 1. California Environmental Quality Act 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**

**MM-BIO-1** Focused surveys for San Diego thorn-mint will be completed within areas of critical habitat during the blooming period for this species (April – May) prior to clearing and grubbing of the proposed Rock and Roll Trail (#22) segment improvements or reroutes. San Diego thorn-mint observed in the proposed impact area will be flagged and avoided during trail construction. A buffer shall be established with fencing and signage to protect the observed population. The buffer shall be 25 feet where feasible.

If impacts to San Diego thorn-mint individuals cannot be avoided, they shall be quantified and limited to no more than 20 percent of the total population in the area, consistent with the BMO Section 86.507.a.1, as determined during pre-construction surveys and documented in a letter report submitted by the County-approved biologist to DPR. The mapping of plant populations will extend beyond the impact area into the adjacent area that meets the species' habitat requirements, as determined by the County-approved biologist. DPR will review and approve the letter report and implement the mitigation according to the Mitigation Monitoring and Reporting Program for the project. Impacts shall be mitigated consistent with the BMO Section 86.507.a.1 at a 2:1 ratio if less than 10 percent of the total population is impacted, or 3:1 ratio if less than 20 percent of the total population is impacted. The proposed project will avoid impacting more than 20 percent of the total population.

Mitigation will consist of on- or off-site preservation, translocation, and/or restoration within a BRCA, with a preference for species salvage and transplantation on-site if feasible. Seed material will be sourced from within five miles of the Preserve, but if seed is not available, due to seasonality or a poor seeding year, seed collected from southeastern San Diego County may be used. Additionally, any trail or trail segment closure within areas of critical habitat for San Diego thorn-mint will include revegetation with species known as common associates to San Diego thorn-mint populations. If species are transplanted for mitigation, these species will be included in a plant salvage and translocation plan according to mitigation measure **BIO-2**.

**MM-BIO-2** Prior to vegetation clearing for the proposed Rock and Roll Trail (#22) segment improvements or reroutes, if San Diego thorn-mint is being impacted and translocation is selected as part of the mitigation package according to the letter report prepared under mitigation measure **BIO-1**, a plant salvage and translocation plan shall be prepared for San Diego thorn-mint impacted by the project. The plan shall, at a minimum, evaluate options for plant salvage and relocation, including native plant mulching, selective soil salvaging, and application/relocation of resources within the Study Area. Relocation efforts may include seed collection and/or transplantation to a suitable receptor site and will be based on the most reliable methods of successful relocation. The program shall contain a recommendation for method of salvage and relocation/application based on feasibility of implementation and likelihood of success. The program shall include, at a minimum, an implementation plan, maintenance and monitoring program, success criteria, estimated completion time, and any

relevant contingency measures. The resource salvage plan shall be prepared by a County-approved biologist and shall be implemented according to the Mitigation Monitoring and Reporting Program for the project.

**MM-BIO-3** Grading or clearing of Diegan coastal sage scrub during the breeding season of the coastal California gnatcatcher (March 1 to August 15) shall be avoided to the extent feasible. If grubbing, clearing, ~~or grading,~~ and/or revegetation activities would occur during the breeding season, a pre-construction survey shall be conducted by a qualified biologist no more than three days prior to the commencement of activities to determine if active bird nests are present in the affected areas. If there are no nesting birds (includes nest building or other breeding/nesting behavior) within 500 feet of the survey area, clearing, grubbing, ~~and grading,~~ and/or revegetation shall be allowed to proceed in that area. If active nests or nesting birds are observed within 500 feet of the survey area, the biologist shall flag a buffer around the active nests, and clearing, grubbing, ~~or grading,~~ and/or revegetation activities shall not occur within 500 feet of active nests until nesting behavior has ceased, nests have failed, or young have fledged as determined by a qualified biologist. If the qualified biologist determines that the species will not be impacted with a reduced buffer, potentially with the implementation of avoidance measures to reduce noise, as necessary, and/or the qualified biologist monitors the active nest during clearing, grubbing, ~~or grading,~~ and/or revegetation to ensure no impacts to the species occur, these activities may occur outside the reduced buffer during the breeding season, as long as the species is not impacted.

**MM-BIO-4** Grubbing or clearing of vegetation during the general avian breeding season (February 15 – September 15) or raptor breeding season (January 15 – July 15) shall be avoided to the extent feasible. If grubbing, clearing, ~~or grading,~~ and/or revegetation would occur during the general avian breeding season, a pre-construction survey shall be conducted by a qualified biologist no more than three days prior to the commencement of grubbing, ~~or clearing,~~ and/or revegetation activities to determine if active bird nests are present in the affected areas. If there are no nesting birds (includes nest building or other breeding/nesting behavior) within this area, clearing, grubbing, ~~and grading,~~ and/or revegetation shall be allowed to proceed. Furthermore, if ~~construction~~ activities are to resume in an area where they have not occurred for a period of seven or more days during the breeding season, an updated survey for avian nesting will be conducted. If active nests or nesting birds are observed within the area, the biologist shall flag the active nests and ~~construction activities~~ clearing, grubbing, grading, and/or revegetation shall avoid active nests until nesting behavior has ceased, nests have failed, or young have fledged. An initial buffer distance of 500 feet for raptor nests and 300 feet for nests of general avian species shall be provided. If the qualified biologist determines that the species will not be impacted with a reduced buffer, potentially with the implementation of avoidance measures to reduce noise, as necessary, and/or the qualified biologist monitors the active nest during clearing, grubbing, ~~or grading,~~ and/or revegetation to ensure no impacts to the species occur, these activities may

occur outside the reduced buffer during the breeding season, as long as the species is not impacted.

**MM-BIO-5** Because the Preserve is a Biological Resource Core Area (BRCA), mitigation for impacts to 3.0 acres of Diegan coastal sage scrub and coastal sage-chaparral transition, Tier II habitats, shall occur at a 1.5:1 ratio through preservation, revegetation/restoration, or purchase of Tier II mitigation credits from an approved mitigation bank within the South County MSCP Subarea Plan per Attachment M of the BMO. The mitigation site will meet the criteria for a BRCA in order to use a 1.5:1 ratio, as the impacted land meets the criteria for BRCA. Otherwise, the mitigation ratio will be 2:1 if the mitigation site does not meet the criteria for BRCA. Some or all of the mitigation for impacts to 3.0 acres of Tier II habitat could occur as part of the revegetation of existing trail segments to be closed. Revegetation will be accomplished by a combination of barricade and sign installation, soil decompaction (where needed), and native seed application (see also MM-BIO-6). Seed material will be sourced from within five miles of the Preserve, but if seed is not available, due to seasonality or a poor seeding year, seed collected from southeastern San Diego County may be used. Revegetation efforts will be monitored by a qualified biologist and maintained for a period of three years following implementation. Maintenance will be conducted by a qualified contractor with experience in native habitat restoration and will include control of non-native plant species and remedial measures, such as re-seeding and installation of additional barricades and signage, to help ensure the success of the revegetation efforts. Closed trail segments to be revegetated within occupied QCB habitat will be revegetated with passive methods that would avoid impacts to QCB and their larval host plants.

**MM-BIO-6** Trail segments to be closed and revegetated will incorporate native species in seed mixes that will enhance sensitive species documented within the Preserve, including San Diego thorn-mint and habitat that supports QCB. Revegetation will be accomplished by a combination of barricades (fences, rocks, etc.), sign installation, or through other natural means, as well as soil decompaction (where needed) and native seed application. Revegetation of trail segments within areas of critical habitat for San Diego thorn-mint will include seeding with native geophytes (i.e., wild onion [*Allium* spp.] and goldenstar [*Bloomeria crocea*]) known to occur with San Diego thorn-mint on gabbro soils. Revegetation of trail segments within areas of suitable habitat for QCB will include host plant species (i.e., dot-seed plantain) and nectar resources. A qualified biologist shall flag sensitive resources, including habitat suitable for Hermes copper butterfly and Quino checkerspot butterfly, for avoidance prior to implementation/installation of revegetation.

**Table 4a**  
**Mitigation Ratios – Tier I**

<b>Tier I</b>	<b>Impacted Land</b>	
<b>Mitigation Site</b>	<b>Within BRCA</b>	<b>Outside BRCA</b>

<b>Within BRCA</b>	2:1	1:1
<b>Outside BRCA</b>	3:1	2:1

**Table 4b**  
**Mitigation Ratios – Tier II**

<b>Tier II</b>	<b>Impacted Land</b>	
	<b>Within BRCA</b>	<b>Outside BRCA</b>
<b>Mitigation Site</b>		
<b>Within BRCA</b>	1.5:1	1:1
<b>Outside BRCA</b>	2:1	1.5:1

**Table 4c**  
**Mitigation Ratios – Tier III**

<b>Tier III</b>	<b>Impacted Land</b>	
	<b>Within BRCA</b>	<b>Outside BRCA</b>
<b>Mitigation Site</b>		
<b>Within BRCA</b>	1:1	0.5:1
<b>Outside BRCA</b>	1.5:1	1:1

**MM-BIO-7** Mitigation for permanent impacts to Potential Hermes Copper Butterfly Habitat ~~within~~ shall occur at a 1:1 ratio within the South County MSCP Subarea, within a BRCA, or at the ratios identified in the BMO. Permanent impacts to Potential Hermes Copper Butterfly Habitat are expected to be 0.05 acre. Mitigation shall occur through one or a combination of the following: on- and/or off-site preservation, restoration, and/or purchase of mitigation credits at an approved mitigation bank.

**MM-BIO-8** The following Hermes Copper Butterfly conservation measures apply along the Hermes Copper Butterfly Avoidance Area on Figure 8b of the proposed project's BRTR. Additional Hermes Copper Butterfly surveys will be conducted prior to construction, in order to ensure that potential habitat is delineated to the greatest extent feasible. This mitigation would be expanded to any additional area where Hermes Copper Butterfly is identified during preconstruction surveys.

**Step 1: Survey**

- Prior to initiating work within the Hermes Copper Butterfly Avoidance Area, a qualified biologist shall complete protocol flight season surveys for the Hermes Copper Butterfly in accordance with the survey guidelines outlined in Attachment B of the County's Report Format and Content Requirements for Biological Resources (County 2010a).
- During host plant mapping, host plant patches will be mapped using GPS, so they can be flagged prior to construction.

### ***Step 2: Avoidance and Minimization Measures***

- Following flight season surveys and host plant mapping, realign or leave potential impact areas unimproved, as needed, to avoid direct impacts to host plants (Spiny redberry plants that are within 15 feet of buckwheat) as much as possible.
- All construction within mapped Hermes Copper Butterfly habitat, including buckwheat within 15 feet of Spiny redberry, will be prohibited during the flight season (defined as the third full week of May through the first full week of July).
- A qualified biologist will monitor construction within the Hermes Copper Butterfly Avoidance Area to ensure that all flagged and mapped host plant locations planned for avoidance are avoided.
- The qualified biologist will conduct environmental awareness training for all personnel entering the site during the construction of the proposed project.
- Following trail installation, maintenance activities in areas supporting Hermes Copper Butterfly host plants within the Hermes Copper Butterfly Avoidance Area shall either occur outside of the Hermes Copper Butterfly flight season or be monitored, as appropriate, by a qualified biologist.
- Install signs and/or fencing along the avoided host plants stating, “Environmentally sensitive area. Please stay on trail,” or similar language.

### ***Step 3: Compensatory Mitigation***

If the flight season surveys conducted in Step 1 are positive and the proposed project cannot be redesigned to avoid impacts to all Hermes Copper Butterfly host plant patches, then in addition to the surveys and avoidance and minimization measures in Steps 1 and 2 above, the impacts to Occupied Hermes Copper Butterfly host plant patches will be mitigated at a 3:1 ratio through one or a combination of the following: on- and/or off-site preservation, restoration, and/or purchase of mitigation credits at an approved mitigation bank.

- MM-BIO-9** The following QCB conservation measures apply along the Rock and Roll Trail (#22) segment, shown as QCB Avoidance Area on Figure 8b of the proposed project’s BRTR. Additional QCB host plant mapping will be conducted prior to construction when host plants are blooming, in order to ensure host plant patches are delineated to the greatest extent feasible. This mitigation would be expanded to any additional area where QCB host plants are identified during preconstruction plant mapping.

### ***Step 1: Survey***

- Additional QCB host plant mapping will be conducted prior to construction when host plants are blooming, in order to ensure host plant patches are delineated to the greatest extent feasible.
- During host plant mapping, host plant patches will be mapped using GPS, so they can be flagged prior to construction.

### ***Step 2: Avoidance and Minimization Measures***

- Following host plant mapping, realign or leave potential impact areas unimproved, as needed, to avoid direct impacts to host plants as much as possible.
- All construction within mapped QCB host plant patches will be prohibited during the QCB flight season (defined as the third week of February through the second Saturday in May).
- A qualified biologist will monitor construction within the QCB Avoidance Area to ensure that all flagged and mapped host plant locations planned for avoidance are avoided.
- The qualified biologist will conduct environmental awareness training for all personnel entering the site during the construction of the proposed project.
- Following construction, maintenance activities in areas supporting QCB host plants within the QCB Avoidance Area shall either occur outside of the QCB flight season or be monitored, as appropriate, by a qualified biologist.
- Install signs and/or fencing along the avoided host plants stating, "Environmentally sensitive area. Please stay on trail," or similar language.

### ***Step 3: Compensatory Mitigation***

If the proposed project cannot be redesigned to avoid impacts to all QCB host plant patches, then in addition to the surveys and avoidance and minimization measures in Steps 1 and 2 above, consultation with USFWS will be required. Mitigation may consist of one or a combination of on- or off-site planting of host plants, providing long-term maintenance of existing host plants, preserving occupied QCB habitat, or similar measures to the satisfaction of the USFWS.

- MM-BIO-10** Focused surveys for western spadefoot toad will be completed by a qualified biologist prior to clearing and grubbing of the proposed trail segment improvements or reroutes. Occupied western spadefoot toad habitat observed in the proposed impact area will be flagged and avoided during trail construction until the qualified biologist determines that western spadefoot toad are no longer using the habitat.

- MM-BIO-11** To help ensure errant impacts to sensitive vegetation communities and jurisdictional waters outside of the impact footprint are avoided during construction, environmental exclusionary fencing, where determined necessary by the qualified biologist, would be installed at the edges of the impact limits prior to initiation of grading. All construction staging shall occur within the approved limits of construction. A qualified biologist will monitor the installation of environmental fencing wherever it would abut sensitive vegetation communities. The biologist also will conduct a pre-construction environmental awareness training for construction personnel prior to all phases of construction to inform personnel of the sensitive biological resources on-site and avoidance measures to remain in compliance with project approvals. The biologist will periodically monitor the limits of construction operations to ensure that avoidance areas are delineated with temporary fencing and that fencing remains intact.
- MM-BIO-12** Because the Preserve is a BRCA, mitigation for impacts to 0.1 acre of open coast live oak woodland, a Tier I habitat, shall occur at a 2:1 ratio through on-site preservation of open or dense coast live oak woodland, on- or off-site revegetation of open or dense coast live oak woodland, or purchase of Tier I mitigation credits from an approved mitigation bank within the South County MSCP Subarea Plan per Attachment M of the BMO. The mitigation site will meet the criteria for a BRCA in order to use a 2:1 ratio, as the impacted land meets the criteria for BRCA. Otherwise, the mitigation ratio will be 3:1 if the mitigation site does not meet the criteria for BRCA. Some or all of the mitigation for impacts to 0.1 acre of open coast live oak woodland could occur as part of the revegetation of 5.6 acres of existing trail segments to be closed. Revegetation will be accomplished by a combination of barricade and sign installation, soil decompaction (where needed), and native seed application (see also MM-BIO-6). Seed material will be sourced from within five miles of the Preserve, but if seed is not available, due to seasonality or a poor seeding year, seed collected from southeastern San Diego County may be used. Revegetation efforts will be monitored by a qualified biologist and maintained for a period of three years following implementation. Maintenance will be conducted by a qualified contractor with experience in native habitat restoration and will include control of non-native plant species and remedial measures, such as re-seeding and installation of additional barricades and signage, to help ensure the success of the revegetation efforts. Closed trail segments to be revegetated within occupied QCB habitat will be revegetated with passive methods that would avoid impacts to QCB and their larval host plants.
- MM-BIO-13** Because the Preserve is a BRCA, mitigation for impacts to 2.2 acres of southern mixed chaparral, chamise chaparral, and non-native grassland, Tier III habitats, shall occur at a 1:1 ratio through on-site preservation, revegetation/restoration, or purchase of Tier III mitigation credits from an approved mitigation bank within the South County MSCP Subarea Plan per Attachment M of the BMO. The mitigation site will meet the criteria for a BRCA in order to use a 1:1 ratio, as the impacted land meets the criteria for BRCA. Otherwise, the mitigation ratio will be 1.5:1 if



the mitigation site does not meet the criteria for BRCA. Some or all of the mitigation for impacts to 2.2 acres of Tier III habitat could occur as part of the revegetation of 5.6 acres of existing trail segments to be closed. Revegetation will be accomplished by a combination barricade and sign installation, soil decompaction (where needed), and native seed application (see also MM-BIO6). Seed material will be sourced from within five miles of the Preserve, but if seed is not available, due to seasonality or a poor seeding year, seed collected from southeastern San Diego County may be used. Revegetation efforts will be monitored by a qualified biologist and maintained for a period of three years following implementation. Maintenance will be conducted by a qualified contractor with experience in native habitat restoration and will include control of non-native plant species and remedial measures, such as re-seeding and installation of additional barricades and signage, to help ensure the success of the revegetation efforts. Closed trail segments to be revegetated within occupied QCB habitat will be revegetated with passive methods that would avoid impacts to QCB and their larval host plants.

## **B. Cultural Resources**

- MM-CUL-1** Cultural resources CA-SDI-9706, -19170, -19171, -19181, -21921, -21922, and -21923; P-37-024271, -028924, -030084, -035980, -035992, -038958, -038959, and -038960 shall be identified as environmentally sensitive areas (ESAs) in order to ensure no adverse impacts to the resources occur.
- The ESAs shall consist of the recorded site boundary and a 20-foot buffer.
  - The ESA locations shall be provided to the proposed project development team and the ESA locations shall be avoided by all project design considerations for new trail segments and existing trail segments to be improved.
  - If during trail segment engineering, it is determined that avoidance of an ESA proves infeasible, a Historical Resources Treatment Plan (HRTP) shall be prepared. The HRTP will present the measures that will be implemented, and include appropriate methodologies, to address the preservation, minimization of impacts, or mitigation of potential impacts/adverse effects to significant cultural/historical resources. The County shall approve the HRTP prior to final engineering design, and all cultural resources investigations and reporting deliverables outlined in the HRTP shall be completed prior to trail segment construction.
  - During the proposed project's construction, no ground disturbance shall occur within the boundary of the ESA unless otherwise addressed in the HRTP. During restoration efforts within trail routes to be closed, only passive revegetation shall occur within the boundary of the ESA. Archaeological monitors will be present during initial activities to confirm the ESA and buffer around each resource and ensure there are no direct or indirect impacts to the resources.

- During the proposed project's construction activities, the ESAs and buffer areas shall be temporarily flagged by the project archaeologist prior to construction activities occurring in the vicinity of the ESA.
- All construction activities within 100 feet of an ESA shall be monitored by an archaeological monitor; in addition, all construction activities within 100 feet of an ESA surrounding prehistoric archaeological resources shall be monitored by a Kumeyaay Native American monitor.

**MM-CUL-2** The County DPR will retain a qualified project archaeologist and a Kumeyaay Native American representative to monitor all initial ground-disturbing activities related to the implementation of the proposed project in order to minimize impacts to unknown subsurface archaeological deposits. Specifically, the following measures will be implemented to reduce impacts:

- Prior to the start of construction, the project archaeologist shall prepare a monitoring plan that describes the nature of the archaeological monitoring work; a monitoring schedule and a map illustrating ESA boundaries (**MM-CUL-1**) and areas where monitoring shall occur; procedures to follow in the event of an unanticipated discovery; and reporting requirements.
- The monitoring program shall include attendance by the archaeologist and Native American monitor at a preconstruction meeting with the construction contractor to discuss monitoring scheduling and coordination and to inform all personnel of the high probability of archaeological materials being encountered during construction.
- Both archaeological and Native American monitors shall have the authority to temporarily halt or redirect grading and other ground-disturbing activity in the event that cultural resources are encountered. Isolates and non-significant deposits shall be minimally documented in the field. If significant cultural material is encountered, appropriate actions shall be implemented according to the protocols outlined in the monitoring plan.

**MM-CUL-3** Should human remains be identified during ground-disturbing activities related to the proposed project, whether during construction, maintenance, or any other activity, California Public Resources Code §5097.98, CEQA Guidelines §15064.5 and California Health & Safety Code §7050.5 and County-mandated procedures will be followed for the treatment and disposition of those remains, as follow:

- A County (DPR) official is contacted.
- Upon identification of human remains, there will be no further excavation or disturbance in the area of the find or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Kumeyaay Native American monitor.

- If the remains are determined to be of Native American origin, the coroner will contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will identify a Most Likely Descendant (MLD), the person or persons it believes to be most likely descended from the deceased Native American.
- The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
- The MLD, as identified by the NAHC, shall be contacted by DPR or their representative in order to determine proper treatment and disposition of the remains. The MLD may make recommendations to the landowner (DPR), or the person responsible for the excavation work, for the treatment of human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

### C. Paleontological Resources

**MM-PAL-1a** The County will retain a qualified paleontologist. A qualified paleontologist is defined as an individual having an M.S. or Ph.D. degree in paleontology or geology who is familiar with paleontological procedures and techniques, is knowledgeable in the geology and paleontology of San Diego County, and who has worked as a paleontological mitigation project supervisor in the County for at least one year.

**MM-PAL-1b** A qualified paleontological monitor shall be on site on a full-time basis during the original cutting of previously undisturbed deposits in areas with high paleontological resource potential and sensitivity. A qualified paleontological monitor is defined as an individual having experience in the collection and salvage of fossil materials. The paleontological monitor shall work under the direction of a qualified paleontologist. If the qualified paleontologist or paleontological monitor ascertains that observed exposures of the formations are not fossil-bearing, the qualified paleontologist shall have the authority to terminate the monitoring program.

**MM-PAL-1c** If fossils are discovered during monitoring, they shall be recovered by the qualified paleontologist or paleontological monitor. In most cases, fossil salvage can be completed in a short period of time, although some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for recovering small fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen washing operation on the recovery site.

If a fossil of greater than 12 inches in any dimension, including circumference, is encountered during excavation or grading, all excavation operations in the area

where the fossil was found shall be suspended immediately, the County Planning and Development Services (PDS) Permit Compliance Coordinator shall be notified, the Project Paleontologist shall assess the significance of the find and, if the fossil is significant, the Project Paleontologist shall oversee the salvage program, including salvaging, cleaning, and curating the fossil(s), and documenting the find (as outlined below).

- MM-PAL-1d** If any sub-surface bones or other potential fossils are found anywhere within the proposed project impact footprint by construction personnel in the absence of a qualified paleontologist or paleontological monitor, the qualified paleontologist shall be notified immediately to assess their significance and make further recommendations.
- MM-PAL-1e** Fossil remains collected during monitoring and salvage shall be cleaned, repaired, sorted, and cataloged as part of the mitigation program.
- MM-PAL-1f** Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. Donation of the fossils shall be accompanied by financial support from the applicant for initial specimen storage.
- MM-PAL-1g** A final summary report outlining the results of the mitigation program shall be prepared by a qualified paleontologist and submitted to the County of San Diego for concurrence. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

### 3. Critical Project Design Elements:

The following project design elements were 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. Air Quality**

1. Although the project would not be subject to the County Grading Ordinance, the project would be consistent with dust control measures to reduce potential fugitive dust emissions during construction. During site preparation and grading construction phases, all soil excavated or graded would be sufficiently watered to prevent excessive dust. Watering would occur as needed with complete coverage of disturbed soil areas. Watering would occur a minimum of twice daily on unpaved roads and on disturbed soil areas with active operations. All haul trucks transporting soil to or from the project site would be covered to prevent fugitive dust emissions, and traffic speeds on all unpaved portions of the project site would be reduced to 15 miles per hour or less.

## **B. Geology and Soils**

1. Although the proposed project involves grading it is required to comply with the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE – EROSION PREVENTION) and 87.417 (PLANTING).
2. The proposed project would comply with the State Water Resource Control Board National Pollution Discharge Elimination System General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (i.e. General Construction Permit). Compliance with the General Construction Permit would require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) outlining best management practices to prevent soil erosion and runoff from the construction site.

## **C. Hazards and Hazardous Materials**

1. The proposed project will not expose people or structures to a significant risk of loss, injury, or death involving wildland fires because the proposed project will comply with the regulations relating to emergency access, water supply, and defensible space specified in the County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3 and Appendix II-A of the Uniform Fire Code.
2. The County would post and enforce park facility regulations in accordance with the San Diego County Code of Regulatory Ordinances, Title 4 Public Property, Division 1. Parks and Recreation, Chapter 1. These rules include, but are not limited to the prohibition of smoking, campfires, open flames and the prohibition of fireworks, firearms, weapons, air guns, archery devices, slingshots, or explosives of any kind across, in or into a County park.

## **D. Hydrology and Water Quality**

1. The project would be covered under the County's existing regional Waste Discharge Requirement Permit as long as the project's site design measures and/or source control Best Management Practices (BMPs) are consistent with the San Diego County Jurisdictional Urban Runoff Management Program (JURMP). The project also requires a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activities. Compliance with the General Construction Permit would require the preparation of a SWPPP outlining BMPs that would be implemented during construction activities to prevent pollutants from entering nearby water bodies. The proposed project will comply with all requirements of these permits.

## **E. Noise**

1. The proposed project will not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36-410). Construction

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operations will occur only during permitted hours of operation pursuant to Section 36-410. Also, it is not anticipated that the proposed project will operate construction equipment in excess of an average sound level of 75 A-weighted decibels (dBA) between the hours of 7:00 a.m. and 7:00 p.m. Finally, it is not anticipated that the proposed project will operate construction equipment in excess of 75 dBA for more than 8 hours during a 24-hour period.

**ADOPTION STATEMENT:** This ~~Draft~~Final Mitigated Negative Declaration and the above California Environmental Quality Act findings were made by the San Diego County Department of Parks and Recreation on ~~July 21, 2023~~March 10, 2025. ~~This document is considered draft until it is adopted by the appropriate County of San Diego decision-making body.~~

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Signature

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Date

~~Chelsea Oakes~~Kiran Seibel, Group Program Manager  
Resource Management Division

County of San Diego Department of Parks and Recreation

**Attachments:**

A - California Environmental Quality Act Initial Study

B - Responses to Comments

C - Mitigation Monitoring and Reporting Program