



County of San Diego

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MITIGATED NEGATIVE DECLARATION

Project Name: Pine Valley Fire Station Project

Project Number(s): 1020288

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 Form
 - b. Environmental Analysis Form and attached extended studies for air quality, biological resources, greenhouse gas emissions, stormwater quality, 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 that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; 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 as revised 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: Implementation of the following mitigation measures would reduce potential impacts to biological resource to less than significant levels:

MM BIO-1: Within 3 days prior to tree removal during the breeding season (February 1 through September 15), a focused pre-construction survey for raptor and passerine nests shall be conducted by a qualified biologist to identify active nests within the trees to be removed or those within 300 to 500 feet (depending on the bird species) of the project construction limits. If nesting raptors or passerines are found during the focused survey, no tree removal or grading shall occur within an appropriate distance (i.e., a minimum 300-foot non-disturbance buffer) from an active passerine nest, increasing to 500 feet from an active raptor nest (as determined by the biologist) unless CDFW approves an appropriate buffer reduction request by a qualified avian expert or until the young have fledged and are no longer returning to the nest area (also to be determined by the biologist). The biologist shall supervise the placement of a temporary fence to delineate the limits of the non-disturbance buffer. If impacts to nest trees are unavoidable, the trees shall be removed outside the breeding timeframe unless the biologist determines that the young have fledged and are no longer returning to the nest area.

MM BIO-2: The construction contractor shall install stakes/flagging at a distance of 5 feet from the top of the west bank of the drainage adjacent to the project's easterly limits of work. This 5-foot-wide buffer shall be maintained during all construction activity and no permanent improvements (including gutters, berms, storm drains, or other surface improvements) shall be constructed within the buffer to ensure that all flows drain away from the top of bank. Activity within the 5-foot buffer shall be limited to the use of lighter mechanized construction equipment (H-20 loading or less), and hand-operated tools and equipment, to prevent potential damage such as caving in of the sides of the earthen channel.

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

MM CR-1: To avoid potential impacts to known or unknown (i.e., buried) historic or cultural resources, mitigation in the form of monitoring during construction shall be required. Monitoring shall be performed by a qualified archaeologist and/or Native American monitor. In the event that previously unidentified potentially significant cultural resources are discovered, the monitor(s) 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. Monitoring shall also be utilized to address impacts on paleontological resources, as identified in MM CR-2, below.

The County shall provide evidence that a County-certified archaeologist and/or Native American monitor has been contracted to implement a Grading Monitoring Program. The consulting archaeologist shall contract with a Native American monitor to be involved with the Grading Monitoring Program. A letter of proof indicating that a Native American Monitor has been contracted shall be prepared by the consulting archaeologist and submitted to the Director of the Department of General Services. The County 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 Department of General Services.

A Monitoring Discovery and Historic Properties Treatment Plan shall be prepared and implemented to the satisfaction of the County of San Diego Director of Department of General Services. The Monitoring Discovery and Historic Properties Treatment Plan shall apply to the treatment of cultural or historic resources once they are discovered. For cultural 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.

MM CR-2: MM CR-1 shall be implemented by utilizing a qualified paleontologist to reduce potential impacts on paleontological resources to less than significant.

MM CR-3: Monitoring shall be performed by a qualified archaeologist and Native American monitors during all project-related ground-disturbing activities. If human remains are discovered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition, pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified immediately if any human remains are found. If such remains are determined to be prehistoric, the Coroner would be required to notify the Native American Heritage Commission (NAHC), which would then determine significance and notify a Most Likely Descendant (MLD). With permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery and shall complete the inspection within 24 hours of notification by the NAHC. The MLD would have the opportunity to make recommendations to the NAHC on the disposition of the remains.

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.

Stormwater

As described in the Draft Stormwater Quality Management Plan prepared for this project (Appendix D), the proposed project would comply with the State General Construction Storm Water Permit, implemented by the RWQCB under Order No. 99-08, and would incorporate best management practices (BMPs) both during and after construction.

While activities such as soil disturbance, paving, and on-site stockpiling of materials and construction equipment could occur during project construction, typical BMPs relevant to project construction, such as silt fencing and protection of storm drain inlets, would be implemented as needed. After project construction is completed, bioretention basins would be implemented to filter ongoing runoff.

Transportation/Traffic

The project would not generate a substantial amount of traffic; however, the project applicant would be subject to the County's Transportation Impact Fee (TIF) to ensure that the project does not contribute to a cumulative effect on the County's local and/or regional transportation system. Prior to the issuance of a building permit, the County of San Diego Department of General Services would be required to provide evidence of transfer of the specified fee to the County of San Diego Department of Public Works, based on current rates during the calendar year in which construction of the project is initiated and prior to the issuance of a building permit.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and the above California Environmental Quality Act findings made by the County Board of Supervisors on September 13, 2016.

FOR

April F. Heinze, Director

MITIGATION MONITORING AND REPORTING PROGRAM

PINE VALLEY FIRE STATION PROJECT

Mitigation measures have been identified in the Mitigated Negative Declaration for the Pine Valley Fire Station Project to reduce or avoid potential environmental impacts. In order to ensure compliance, the following mitigation monitoring program has been formulated. This program provides a checklist of who is responsible for the mitigation, when the mitigation will occur and the measure to document compliance.

Mitigation Measure/Project Design Element	Implementation Responsibility	Timing	Compliance Action	Verification of Compliance (Date/Notes)
Mitigation Measures				
<p>MM BIO-1: Within 3 days prior to tree removal during the breeding season (February 1 through September 15), a focused pre-construction survey for raptor and passerine nests shall be conducted by a qualified biologist to identify active nests within the trees to be removed or those within 300 to 500 feet (depending on the bird species) of the project construction limits. If nesting raptors or passerines are found during the focused survey, no tree removal or grading shall occur within an appropriate distance (i.e., a minimum 300-foot non-disturbance buffer) from an active passerine nest, increasing to 500 feet from an active raptor nest (as determined by the biologist) unless CDFW approves an appropriate buffer reduction request by a qualified avian expert or until the young have fledged and are no longer returning to the nest area (also to be determined by the biologist). The biologist shall supervise the placement of a temporary fence to delineate the limits of the non-disturbance buffer. If impacts to nest trees are unavoidable, the trees shall be removed outside the breeding timeframe unless the biologist determines that the young have fledged and are no longer returning to the nest area.</p>	<p>County Department of General Services</p>	<p>Within 3 days prior to tree removal</p>		

Mitigation Measure/Project Design Element	Implementation Responsibility	Timing	Compliance Action	Verification of Compliance (Date/Notes)
Mitigation Measures (cont.)				
<p>MM BIO-2: The construction contractor shall install stakes/flagging at a distance of 5 feet from the top of the west bank of the drainage adjacent to the project's easterly limits of work. This 5-foot-wide buffer shall be maintained during all construction activity and no permanent improvements (including gutters, berms, storm drains, or other surface improvements) shall be constructed within the buffer to ensure that all flows drain away from the top of bank. Activity within the 5-foot buffer shall be limited to the use of lighter mechanized construction equipment (H-20 loading or less), and hand-operated tools and equipment, to prevent potential damage such as caving in of the sides of the earthen channel.</p>	<p>County Department of General Services</p>	<p>Pre/During Construction</p>		
<p>MM CR-1: To avoid potential impacts to known or unknown (i.e., buried) historic or cultural resources, mitigation in the form of monitoring during construction shall be required. Monitoring shall be performed by a qualified archaeologist and/or Native American monitor. In the event that previously unidentified potentially significant cultural resources are discovered, the monitor(s) 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. Monitoring shall also be utilized to address impacts on paleontological resources, as identified in MM CR-2, below.</p> <p>The County shall provide evidence that a County-certified archaeologist and/or Native American monitor has been contracted to implement a Grading Monitoring Program. The consulting archaeologist shall contract with a Native American monitor to be involved with the Grading Monitoring Program.</p>	<p>County Department of General Services</p>	<p>During Construction</p>		

Mitigation Measure/Project Design Element	Implementation Responsibility	Timing	Compliance Action	Verification of Compliance (Date/Notes)
Mitigation Measures (cont.)				
<p>A letter of proof indicating that a Native American Monitor has been contracted shall be prepared by the consulting archaeologist and submitted to the Director of the Department of General Services. The County 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 Department of General Services.</p> <p>A Monitoring Discovery and Historic Properties Treatment Plan shall be prepared and implemented to the satisfaction of the County of San Diego Director of Department of General Services. The Monitoring Discovery and Historic Properties Treatment Plan shall apply to the treatment of cultural or historic resources once they are discovered. For cultural 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.</p>				
<p>MM CR-2: MM CR-1 shall be implemented by utilizing a qualified paleontologist to reduce potential impacts on paleontological resources to less than significant.</p>	<p>County Department of General Services</p>	<p>During Construction</p>		
<p>MM CR-3: Monitoring shall be performed by a qualified archaeologist and Native American monitors during all project-related ground-disturbing activities. If human remains are discovered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition, pursuant to Public Resources Code Section 5097.98. The</p>	<p>County Department of General Services</p>	<p>During Construction</p>		

Mitigation Measure/Project Design Element	Implementation Responsibility	Timing	Compliance Action	Verification of Compliance (Date/Notes)
Mitigation Measures (cont.)				
<p>County Coroner must be notified immediately if any human remains are found. If such remains are determined to be prehistoric, the Coroner would be required to notify the Native American Heritage Commission (NAHC), which would then determine significance and notify a Most Likely Descendant (MLD). With permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery and shall complete the inspection within 24 hours of notification by the NAHC. The MLD would have the opportunity to make recommendations to the NAHC on the disposition of the remains.</p>				
Project Design Elements¹				
<p>Stormwater: As described in the Draft Stormwater Quality Management Plan prepared for this project (Appendix D), the proposed project would comply with the State General Construction Storm Water Permit, implemented by the RWQCB under Order No. 99-08, and would incorporate best management practices (BMPs) both during and after construction.</p> <p>While activities such as soil disturbance, paving, and on-site stockpiling of materials and construction equipment could occur during project construction, typical BMPs relevant to project construction, such as silt fencing and protection of storm drain inlets, would be implemented as needed. After project construction is completed, bioretention basins would be implemented to filter ongoing runoff.</p>	<p>County Department of General Services</p>	<p>During and After Construction</p>		

¹ The project design elements are 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 Environmental Initial Study.

Mitigation Measure/Project Design Element	Implementation Responsibility	Timing	Compliance Action	Verification of Compliance (Date/Notes)
Project Design Elements (cont.)				
Transportation/Traffic: The project would not generate a substantial amount of traffic; however, the project applicant would be subject to the County's Transportation Impact Fee (TIF) to ensure that the project does not contribute to a cumulative effect on the County's local and/or regional transportation system. Prior to the issuance of a building permit, the County of San Diego Department of General Services would be required to provide evidence of transfer of the specified fee to the County of San Diego Department of Public Works, based	County Department of General Services	Prior to issuance of a building permit		

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