



County of San Diego

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May 28, 2019

MITIGATED NEGATIVE DECLARATION

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

Project Name: Lakeside Equestrian Facility

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

- a. Initial Study Form
- b. Attached extended studies for air quality and greenhouse gases, biological resources, cultural resources, traffic, and noise.

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. Air Quality

MM-AQ-1: Manure Management. Equestrian activities may generate odors due to improper handling of manure and soiled bedding. The project applicant will comply with the following best management practices, which will be documented in a Manure Management Plan:

- The facility, including animal stalls, warmup and training areas, will be cleaned at least once per day including the removal of manure and soiled bedding.

- Manure and soiled bedding will either be incorporated into composting by the end of the day or temporarily stockpiled prior to incorporation into the composting system.
- Stockpiled material in containment vessels will be covered with a lid or tarp. Containment vessels will be located at the furthest feasible distance from nearby residents and/or sensitive receptors.

B. Biological Resources

MM-BIO-1: Environmental Training. Preconstruction worker environmental awareness training for construction crews will be conducted to address sensitive resources, such as ground-nesting raptors, that occur or have the potential to occur in the project area. Training will be required of each worker before they begin working on the site. The training will go over all mitigation measures included in the proposed project's Mitigation Monitoring and Reporting Program (MMRP).

MM-BIO-02: Clearing Restrictions. To mitigate for potentially significant impacts on sensitive nesting birds and raptors, the County will avoid vegetation removal or ground-disturbing activities during the bird breeding season. The bird breeding season is defined as January 15 to August 31 and includes both tree- and ground-nesting raptors, and passerine species.

If vegetation removal cannot be avoided during this time period, a nesting bird survey will be conducted no more than 72 hours prior to ground-disturbing activities by a qualified avian biologist through the entirety of the project area, as well as a 900-foot buffer for ground-nesting raptors, a 500-foot buffer for tree-nesting raptors, and a 300-foot buffer for other nesting birds. If the survey results are positive, the location of active nests will be mapped by a qualified avian biologist. An avoidance buffer around all active nests will be implemented during construction to prevent nest failure (e.g., nest abandonment). Nesting northern harriers will be given a 900-foot avoidance buffer (per the MSCP), raptors will be afforded a 500-foot avoidance buffer; nesting special-status birds will be afforded at least a 300-foot buffer; and common birds protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (FGC) will be afforded a 150-foot buffer. Buffers may be adjusted based on the response of the nesting birds to human activity observed by the monitor (see below). Nest monitoring for special-status species will be conducted in coordination with the resource agencies (U.S Fish and Wildlife Service [USFWS] and California Department of Fish and Wildlife [CDFW]).

Full-time nest monitoring will occur for all active nests when construction activities are occurring adjacent to either the standard or the adjusted buffers. This full-time monitoring will occur during at least the first 2 days of initial construction activities to ascertain if the buffer is sufficient to avoid impacts on the nesting birds. Buffer

expansions will be implemented if nest disturbance is noted during monitoring. Once it has been established that the existing buffer is sufficient to avoid impacts on the nesting birds, ongoing nest monitoring will be conducted at least once per week or more if determined necessary by the qualified avian biologist. For active nests where project activities are not occurring directly adjacent to the standard buffer distance, where no buffer reductions were implemented, and when construction is far enough away to be unlikely to affect the nest as determined by the avian biologist, no nest monitoring is required. If the level of disturbance increases or significantly changes at the nearby work area, full-time monitoring may be required again. Once work activities have ceased, the monitor will survey for 1 hour on the day that work is complete and update the nest status. If nesting activity is observed at the nest, the nest will then be monitored on a weekly basis until the nest outcome can be determined (e.g., fledged and closed, etc.). If no activity is observed, the nest will be monitored the following day for 1 hour to determine nest status.

MM-BIO-03: Best Management Practices (BMPs): To reduce and avoid indirect impacts from the project construction, the following BMPs will be implemented:

- Implement appropriate construction scheduling and sequencing to reduce the amount and duration of soil exposed to vehicle tracking.
- Limit vehicle speeds to 15 miles per hour in the project area.
- Conduct regular watering of roadways to prevent and alleviate dust generation, but do not apply in quantities that would allow for water ponding.
- Fence/flag and maintain limits of construction areas throughout the construction activities.
- Implement appropriate stormwater BMPs during the rainy season (October 1 to April 30) to reduce erosion and control siltation. BMPs may include the use of silt fences, fiber rolls, and organic soil tackifiers (e.g., guar gum).

MM-BIO-04: Manure Management: To reduce indirect impacts from increased equestrian use of the project site, the County will implement a manure management program for the proposed project. Manure will be regularly removed from the equestrian use areas and composted on site following the CalRecycle regulation for pathogen reduction (14 California Code of Regulations [CCR] § 17868.3). Raw manure will not be spread on site. Onsite composting will be situated to avoid runoff to adjacent property and stormwater infrastructure.

C. Cultural Resources

MM-CUL-01: Archaeological Monitoring. The County Department of Parks and Recreation (DPR) will retain a qualified archaeologist to monitor all proposed ground-disturbing activities related to the

implementation of the proposed project in order to minimize disturbance of subsurface archaeological deposits. Specifically, the following measures will be implemented to reduce impacts:

- All proposed ground disturbance, including grading and excavation for the proposed project, will be monitored by a qualified archaeologist(s) who meets the Secretary of the Interior's Professional Qualifications Standards, as promulgated in Code of Federal Regulations (CFR), Title 36, Section 61 or in the City's Land Development Code.
- Prior to the start of construction, a monitoring plan will be prepared that describes the nature of the archaeological monitoring work, procedures to follow in the event of an unanticipated discovery, and reporting requirements.
- The archaeologist will be invited to the preconstruction meeting to inform all personnel of the high probability of archaeological materials being encountered during construction.
- If intact subsurface deposits are identified during construction, the archaeologist will be empowered to divert construction activities away from the find and will be given sufficient time and compensation to investigate the find and determine its significance. No soil will be exported off site until a determination can be made regarding the significance of the resource, especially if Native American resources are encountered.
- Recovered items will be treated in accordance with current professional standards by being properly provenienced, cleaned, analyzed, researched, reported, and curated in a collection facility meeting the Secretary of the Interior's Standards, as promulgated in 36 CFR 79, such as the San Diego Archaeological Center. The costs for curation will be included in the budget for recovery of the archaeological remains.
- A final Cultural Resources Monitoring report will be produced, which will discuss the monitoring program and its results and will provide interpretations of any recovered cultural materials.

MM-CUL-02: Protection of Human Remains. Any ground-disturbing activities on the project site must be considered as having the potential to encounter Native American human remains. Human remains require special handling and must be treated with appropriate dignity. Specific actions must take place pursuant to State CEQA Guidelines Section 15064.5e, Public Resources Code (PRC) Section 5097.98, and Section 87.429 of the County of San Diego Grading, Clearing and Watercourses Ordinance.

Should human remains be identified during ground-disturbing activities related to the project, whether during construction, maintenance, or any other activity, state- and county-mandated procedures will be followed for the treatment and disposition of those remains, as follows:

In the event of the accidental discovery or recognition of any human

remains in any location other than a dedicated cemetery, DPR will ensure that the following procedures are followed:

- 1) There will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - a. A County (DPR) official is contacted.
 - b. The County Coroner is contacted to determine that no investigation of the cause of death is required.
 - c. If the Coroner determines the remains are Native American, then:
 - i. The coroner will contact the Native American Heritage Commission (NAHC) within 24 hours.
 - ii. The NAHC will identify the person or persons it believes to be most likely descended from the deceased Native American.
 - iii. The Most Likely Descendent (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 PRC Section 5097.98.
- 2) Under the following conditions, the landowner or its authorized representative will rebury the Native American human remains and associated grave goods on the property in a location not subject to further disturbance:
 - a. The NAHC is unable to identify a MLD or the MLD fails to make a recommendation within 24 hours after being notified by the NAHC.
 - b. The MLD fails to make a recommendation.
 - c. The landowner or his authorized representative rejects the recommendation of the MLD, and mediation by the NAHC fails to provide measures acceptable to the landowner.
- 3) Any time human remains are encountered or suspected and soil conditions are appropriate for the technique, ground penetrating radar (GPR) will be used as part of the survey methodology. In addition, the use of canine forensics will be considered when searching for human remains. The decision to use GPR or canine forensics will be made on a case-by-case basis through consultation among the County Archaeologist, the project archaeologist, and the Native American monitor (see MM-TCR-01).
- 4) Because human remains require special consideration and handling, they must be defined in a broad sense. For the purposes of this document, human remains are defined as:
 - a. Fragmented or disarticulated human bone with no associated artifacts or grave goods.
 - b. Cremations, including the soil surrounding the deposit.
 - c. Interments, including the soils surrounding the deposit.
 - d. Associated grave goods.

D. Greenhouse Gas Emissions

MM-GHG-1: Construction Best Management Practices. The County will ensure implementation of the following measures during project construction:

- Require equipment to be maintained in good tune and reduce excessive idling time.
- Utilize alternative fueled equipment and vehicles, such as renewable diesel, renewable natural gas, compressed natural gas, or electric.
- Require older equipment be retrofitted with advanced engine controls, such as diesel particulate filters, selective catalytic reduction, or cooled exhaust gas recirculation, where feasible.
- Make efficient use of finite natural resources. Use building and finishing products that contain locally sourced and recycled materials, where feasible.

MM-GHG-2: Sustainability Features Consistent with County of San Diego Board of Supervisors Policy Number G-15, Design Standards for County Facilities and Property. Prior to finalizing the design plans, the County will incorporate GHG-reducing measures, such as those listed in County Board Policy G-15 and the CAP specific to County-sponsored projects, into the project design, and will demonstrate in the plans where these measures will be located. Measures that may be included in the project design include (but would not be limited to):

- Evaluate and incorporate cost-effective technologies to reduce water consumption, including, but not limited to, ultra-high efficiency plumbing fixtures, cooling tower water treatment equipment, irrigation devices and controllers, and other applicable technologies, where feasible. This will ensure that the project is consistent with the CAP target of reducing water consumption at County facilities by 15% below 2014 levels by 2030.
- Compare alternative heating, ventilation, and air-conditioning (HVAC) systems based on life-cycle cost analysis. Use passive ventilation, evaporative cooling, envelope thermal mass (heat storage in walls, roof, and flooring), shading, and/or other strategies to reduce energy consumption, where applicable and effective.
- Incorporate state-of-the-art lighting systems and automated controls, based on space function and occupancy, where feasible and/or effective. Substitute natural daylighting for artificial lighting, where feasible.
- Install Energy Star rated appliances in the kitchen, where feasible and effective.
- Install solar-powered lighting in parking and walking areas, where feasible.
- Ensure all new buildings are ready for the installation of photovoltaic systems incorporated as part of the design and construction of the building.
- Demonstrate recycling and waste reduction best practices.

Compliance with the County's Construction and Demolition Ordinance shall be mandatory.

E. Noise

MM-NOI-1: Standard Rules and Regulations. Enforce all applicable standard rules and regulations for DPR facilities including, but not limited to:

- Quiet Hours are from 10:00 p.m. to 7:00 a.m.
- Dogs must be licensed and restrained on a leash not longer than 6 feet and attended at all times. (This restriction will not apply to dogs while participating in any authorized dog show at the proposed project.)
- No person shall disturb the peace and quiet of a County park by any loud or unusual noise, or by the sounding of automobile horns or noise-making devices, or by the use of profane, obscene, or abusive language or gestures.
- No person shall use, transport, carry, fire, or discharge any fireworks, firearm, weapon, air gun, archery device, slingshot, or explosive of any kind across, in, or into a County park.
- The applicable requirements of DPR Policy Number C-06, Noise Regulation in County Parks will be enforced.

MM-NOI-2: Operational Limits and Restrictions. Except for occasional special events conducted pursuant to a specific permit (conditional use permit, special event permit, etc.), enforce the following operational restrictions:

- Limit the maximum number of overnight RVs on site to five.
- Prohibit the use of noise-generating equipment (noise-makers, bullhorns, air horns, amplified stereos/radios, etc.) by spectators. The only exception is for official use of the announcer's PA systems or other devices required for proper operation of the intended and approved activities.
- For weddings, parties, and other events at the meeting room, restrict outdoor noise to low level sources such as unamplified music. Where amplified sound is required at the patio, such as for voice amplification or recorded music playback during a wedding ceremony, the levels will not exceed those necessary for audibility at the patio area.
- Keep all exterior meeting room doors and windows closed when amplified music is being played inside the building.
- End all on site events no later than 10:00 p.m.
- Limit all event sizes so as not to exceed the onsite parking capacity of the proposed project. For any events that are anticipated to exceed this limit, require the organizers to provide off-site parking and shuttle service.

F. Tribal Cultural Resources

MM-TCR-01: Native American Monitoring. DPR will retain a Kumeyaay tribal member to monitor all project-related ground disturbance.

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. Aesthetics

- 1) The project will conform to the Light Pollution Code (Section 201-51.209), including the Zone B lamp type and shielding requirements per fixture and hours of operation limitations for outdoor lighting and searchlights. In addition, the proposed project will control outdoor lighting and sources of glare in the following ways:
 - a) The project will not install outdoor lighting that directly illuminates neighboring properties.
 - b) The project will not install outdoor lighting that would cast a direct beam angle towards a potential observer, such as a motorists, cyclist or pedestrian.

B. Air Quality

- 1) Grading operations associated with the construction of the project will implement dust control measures.

C. Biological Resources

- 1) The project would not result in impacts on any sensitive habitat lands described by the RPO.
- 2) The project is located in active agriculture and the project site does not provide connectivity between areas of high habitat values as defined in the Coastal Sage Scrub NCCP; therefore, the project will not preclude connectivity between areas of high habitat values.

D. Geology and Soils

- 1) To ensure the structural integrity of all buildings and structures, the project must conform to the Seismic Requirements as outlined within the California Building Code.
- 2) Although the 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).

E. Hazards and Hazardous Materials

- 1) The project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because the 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. The project is also required to comply with the County of San Diego Fire Service Conditions stipulated by the County Fire Services staff (i.e., County Fire Marshall) upon review and approval of the project.
- 2) The project is required to develop a Site Evacuation Plan (SEP) to ensure that County staff, visitors, and customers can safely and quickly evacuate in an emergency. The SEP will include the following:
 - a) Facility contact list
 - i. Contains the names, responsibilities, and contact numbers of key building contacts.
 - b) Building and site map
 - i. Evacuation map outlining the evacuation route(s) and assembly area(s) for the facility. A copy of this map is provided to emergency responders.
 - ii. Plan for fire vehicle access routes and water tank locations.
 - c) Exit routes for the nature center
 - d) Personnel roster description
 - i. Used to take attendance at the assembly area following an evacuation.
 - e) Site evacuation team
 - i. Responsible for complete evacuation of, and accounting for all employees, visitors, and customers in their area of responsibility.
 - f) Checklist for the facility evacuation coordinator
 - i. Ensures consistency and completeness during an emergency.
 - g) Checklist for the floor warden
 - i. Ensures consistency and completeness during an emergency.
 - h) Evacuation/fire drill observation form
 - i) Voluntary individual site evacuation plan
 - i. Designed to assist any employee with limitations or disabilities to evacuate in an emergency; created by the individual employee; is voluntary; and not a confidential document.
 - j) Fire Safety Plan overview
 - i. Establishes procedures for identifying fire hazards and preventing fires.
- 3) A Vector Management Plan will be prepared as a part of the

proposed project, which will contain design measures and procedures to reduce potential vectors that are specific to the site. The plan will be reviewed by the County Department of Environmental Health, Vector Surveillance Program. The plan will contain measures intended to reduce the potential exposure of visitors or nearby residences to flies from manure caused by the equestrian uses.

F. 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 BMPs are consistent with the San Diego County Jurisdictional Runoff Management Program (JRMP) and the Best Management Practice (BMP) Design Manual (BMPDM). The project also requires a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activities (i.e., General Construction Permit). The project will comply with all requirements of these permits.
- 2) Construction of the facility would comply with County of San Diego Ordinance No. 8334 Flood Damage Prevention, which identifies specific construction standards for structures built in a special flood hazard area. These construction standards include:
 - Anchoring structures to prevent flotation, collapse, or lateral movement
 - Construction materials and practices to minimize flood damage
 - Designing and locating service facilities (electrical, heating, plumbing, etc.) so as to prevent water from entering and accumulating during base flood conditions
 - Constructing structures would adequate drainage paths for floodwaters
 - Elevation and flood proofing
 - Constructing structures with adequate flood openings

G. Noise

- 1) The project will not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36.409). Construction operations will occur only during permitted hours of operation pursuant to Section 36.409. Also, it is not anticipated that the project will operate construction equipment in excess of an average sound level of 75dBA between the hours of 7 AM and 7 PM. Also, it is not anticipated that the project will operate construction equipment in excess of 75 dBA for more than 8 hours during a 24-hour period.
- 2) Non-transportation noise generated by the proposed project would not exceed the standards of the County of San Diego Noise Ordinance (Section 36.404).

H. Utilities and Service Systems

- 1) The project will deposit all solid waste at a permitted solid waste facility, per the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.).

ADOPTION STATEMENT: This Draft Mitigated Negative Declaration and the above California Environmental Quality Act findings were made by the San Diego County Department of Parks and Recreation on May 28, 2019. This document is considered draft until it is adopted by the appropriate County of San Diego decision-making body.

Handwritten signature in blue ink, reading "Jennifer Price, 5/28/2019". The signature is written over a horizontal line.

Jennifer Price, Land Use Environmental Planner III, Resource Management Division
County of San Diego Department of Parks and Recreation

Attachments:
CEQA Initial Study