

CHAPTER 7.0 LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

This chapter provides a comprehensive list of all mitigation measures included in the proposed project as well as the project design measures that act to mitigate or reduce potentially significant environmental impacts.

7.1 Mitigation Measures

7.1.1 Biological Resources

M-BI-1a Removal of habitat and vegetation that may support active nests shall occur outside of the breeding season for all potentially impacted species (February 1 to July 15 for Cooper's hawk (*Accipiter cooperii*); January 15 to August 31 for all other species).

M-BI-1b If vegetation clearing must begin during the breeding season, the following measures must be implemented:

Before Construction:

- A qualified biologist shall attend the pre-construction meeting to discuss biological resource issues of the project and identify measures to avoid impacts to sensitive species during construction.
- A qualified biologist shall conduct surveys to determine if active nests are present in the impact area or within 300 feet (or within 500 feet for Cooper's hawk and other raptors). If active nests are found, a no-activity buffer zone shall be established at the discretion of the biologist in consultation with the County, until the nest is vacated and juveniles have fledged, and there is no evidence of a second attempt at nesting. If no nests are found, no mitigation will be needed.

During Construction:

- On the first day of construction, the qualified biologist shall attend the tailgate meeting and conduct training for contractors and construction personnel, including explaining the purpose for protecting biological resources and any avoidance measures that should be implemented during project construction.
- The qualified biologist shall monitor construction activities full time during vegetation clearing and grubbing, and weekly thereafter to direct crews on avoidance measures. The biological monitor shall verify the following:
 - Any installed construction fencing or silt fencing shall remain intact, and movement of construction personnel, vehicles, and equipment shall be confined to existing roads and areas within the defined project footprint.
 - Equipment maintenance, staging, and fuel dispensing areas shall be situated such that runoff from these areas remains outside of the lake basins or any other areas of sensitive habitat.

- All trash (including, but not limited to, food scraps, wrappers, and beverage containers) shall be removed from work sites or completely secured in a wildlife-proof container at the end of each workday.
- Pets of project personnel shall not be allowed in the work area.

After construction:

- The biological monitor shall provide a letter to the County describing monitoring activities and any biological issues identified

The mitigation ratios proposed in M-BI-2a through M-BI-2f below are based on conceptual estimates. Mitigation ratios and resulting mitigation acreage requirements will be finalized based on future negotiations with the U.S. Army Corps of Engineers (ACOE), California Department of Fish and Wildlife (CDFW), and Regional Water Quality Control Board (RWQCB) during the permitting for project.

M-BI-2a Impacts to unvegetated aquatic habitat, including permanent impacts 1.57 acres and temporary impacts to 16.78 acres of open water and non-vegetated channel would be mitigated through on-site revegetation at an estimated 1:1 ratio. This equates to a mitigation total of 18.35 acres of unvegetated aquatic habitat. However, the project will mitigate for 17.82 acres of unvegetated aquatic habitat; the remaining permanent impact of 0.53 acre to unvegetated aquatic habitats would be mitigated with the excess of 0.61 acre of on-site revegetation of marsh habitats, which would be within the upper 2 feet of the inundated basins. Marsh habitat permanent impacts would be mitigated in accordance with mitigation measure M-BI-2b.

M-BI-2b Permanent impacts to 1.61 acres of marsh habitat (freshwater marsh and cismontane alkali marsh) would be mitigated through on-site revegetation at an estimated 2:1 ratio. This equates to a mitigation total of 3.22 acres of freshwater marsh habitat.

M-BI-2c Temporary impacts to 3.42 acres of marsh habitat (freshwater marsh and cismontane alkali marsh) would be mitigated through on-site revegetation at an estimated 1:1 ratio. This equates to a mitigation total of 3.42 acres of freshwater marsh habitat.

M-BI-2d Permanent impacts to 0.96 acres of riparian habitat (southern willow scrub and southern riparian woodland) would be mitigated at an estimated 2:1 ratio. This equates to a mitigation total of 1.92 acres. On-site revegetation would occur within 1.14 acres and the remainder would occur off site with preservation of 0.78 acre of riparian habitat.

M-BI-2e Permanent impacts to 0.08 acre of native grassland (seagrass grassland) would be mitigated through off-site revegetation at a 2:1 ratio. This equates to a mitigation total of 0.16 acre of native grassland in compliance with the County's Biological Mitigation Ordinance.

M-BI-2f Permanent impacts to 0.99 acre of non-native grassland would be mitigated through off-site revegetation at a 1:1 ratio. This equates to a mitigation total of 0.99 acre of non-native grassland in compliance with the County's Biological Mitigation Ordinance.

M-BI-3 The project would cause direct impacts to 24.40 acres of likely jurisdictional areas, including 6.05 acres of ACOE wetlands, CDFW riparian habitat, and RWQCB wetland Waters of the State (1.23 acres of permanent impact and 4.76 acre of temporary impact), as well as 18.35 acres expected to be considered ACOE non-wetland waters of the U.S., CDFW lake/streambed, and RWQCB lake/streambed (0.53 acre of permanent impact and 17.82 acres of temporary impact; see Table 5 and Figure 11). Impacts to wetlands and waters as defined by ACOE, CDFW, and RWQCB would be offset by the proposed inundation and revegetation of the lake basins, as shown in the project planting plan.

On-site revegetation would provide 9.80 acres of ACOE and RWQCB jurisdictional wetlands (for an increase of 2.28 acres), and 10.13 acres of CDFW riparian habitat (for an increase of 2.61 acres; see Table 5 and Figure 12). Additionally, recontouring and inundation of the lake basins is expected to re-establish a total of 17.83 acres of ACOE non-wetland waters of the U.S., CDFW lake/streambed, and RWQCB lake/streambed. This reflects a reduction of 0.53 acre in surface area of unvegetated open water. However, a substantial portion of the inundated portions of the lake basins contain wetland freshwater marsh vegetation. Taking this into account, the project would result in an overall increase in total area of inundation (from the current 19.11 acres to 22.47 acres after construction). Furthermore, the project would increase overall water capacity from the current 9.9 million gallons to the post-construction capacity of 48.3 million gallons. These increases in wetland and non-wetland waters are expected to improve aquatic and wetland functions and services within the park.

To comply with the state and federal regulations for impacts to Waters of the U.S./State, the following agency permits would be required.

- Clean Water Act Section 401 and 404 permits issued by the California RWQCB and the ACOE for all project-related disturbances of Waters of the U.S. and/or associated wetlands would be required for this project. Nationwide Permit (NWP) 27 under Section 404 should apply for this project. NWP 27 is designed for projects that serve to rehabilitate and improve the function of wetlands and riparian habitats and open waters. Under this NWP, compensatory mitigation is not required since these activities result in net increases in aquatic resource functions and services.
- A Section 1602 Streambed Alteration Agreement issued by the CDFW for all project-related disturbances of the lake/streambed would be required for this project.

7.1.2 Cultural Resources

M-CUL-1 Prior to beginning any construction work that requires monitoring, a preconstruction meeting will be held and will include a qualified Archaeologist Monitor. The qualified Archaeologist will make comments and/or suggestions concerning the Archaeological Monitoring Program with the Project Manager, Construction Manager or Construction Contractor.

Prior to the start of any construction work that requires monitoring, the archaeologist will submit an archaeological monitoring exhibit based on the appropriate

construction documents to the County identifying the areas to be monitored including the delineation of excavation limits.

The Archaeological Monitor will be present during excavation activities that could result in impacts to archaeological resources as identified on the exhibit. The Construction Manager is responsible for notifying the monitors of changes to any construction activities such as in the case of a potential safety concern within the area being monitored.

The Archaeological Monitor will document field activity via a site monitoring log. These logs will be transmitted to the County on the first day of monitoring, the last day of monitoring, monthly, and in the case of any discoveries.

In the event of a discovery, the Archaeological Monitor will direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources, and immediately notify the County. The Archaeological Monitor and traditionally and culturally affiliated Native American tribe, where Native American resources are discovered, will evaluate the significance of the resource.

7.1.3 Hazards and Hazardous Materials

M-HZ-1 In order to supplement the 2004 soil samples, prior to any excavation of lakebed material for the proposed project, the County would conduct sampling and analytical testing of lakebed soils in order to determine the presence of any potentially hazardous soils due to the presence of contaminants that may have accumulated within the lakebed sediment of both the east and west basins. The County would collect and analyze up to 35 soil samples in each basin. Soils testing would be completed prior to re-use and/or off-site export of any material excavated from the lakebed basins. Soils disposed of at the Sycamore Landfill would be required to have been tested for hazardous materials, and confirmed to not contain substantial quantities of significant contaminants, no more than six months prior to receiving the materials.

M-HZ-2 If hazardous soils are encountered, a third party specializing in the handling of hazardous materials will be hired to properly handle and dispose hazardous soils in accordance with state and federal requirements.

7.2 Project Design Features for Reduction in Environmental Impacts

7.2.1 Biological Resources

Following grading, the basins would be lined with bentonite clay up to the water surface level in the majority of the west basin and two feet below the water surface level in the east basin. The bentonite clay liner would assist in reduction of groundwater percolation while improving wetland habitat. Therefore, the bentonite clay liner would serve to achieve the project objectives to restore and enhance the natural aquatic functions of Lindo Lake or improve habitat for aquatic and avian species.

7.2.2 Hydrology and Water Quality

Following grading, the basins would be lined with bentonite clay up to the water surface level in the majority of the west basin and two feet below the water surface level in the east basin. The bentonite clay liner would assist in reduction of groundwater percolation and ensure that the proposed project's post-restoration groundwater pumping would not exceed the County significance threshold of a 50 percent reduction in total groundwater in storage within the Santee-El Monte Groundwater Basin. County Parks would monitor the duration and rate of groundwater pumping post-restoration in order to verify the total volume of groundwater, as well as groundwater level monitoring from the pumping well(s). County Parks would also drill new groundwater wells that could be used to maintain water levels at Lindo Lake post-restoration that would provide back-up to the existing wells should there be any malfunction.

7.2.3 Public Services

The project has been designed to improve pedestrian circulation, which would also improve access for San Diego County Sheriff Department (SDCSD) personnel to provide police protection services at Lindo Lake Park. Additionally, the proposed mounds surrounding the improved lake basins and proposed landscaping have been designed and located in a manner that would allow visibility for SDCSD personnel into the restored park from surrounding roadways in order to ensure public safety.

7.2.4 Traffic and Circulation

Construction hauling would access State Route 67 (SR-67) via Lakeshore Drive/Channel Road/Industrial Road, as this route avoids traffic queues that were observed at the signalized intersection of SR-67 and Maplevue Street during peak travel times. Additionally, this route would also avoid difficult roadway turns due to close intersection spacing at the SR-67/Maplevue Street/Maine Avenue intersection area. This option would also avoid signal delay and commercial traffic volumes on Woodside Avenue.

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