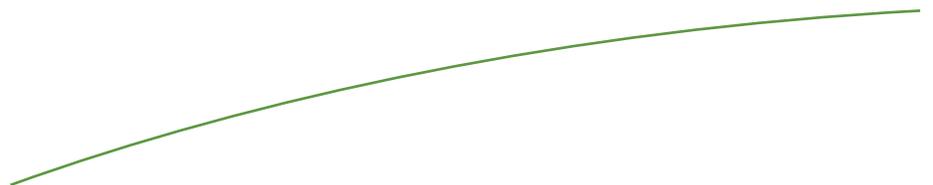




Appendix H

RESPONSES TO COMMENTS





Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

August 26, 2016

Lauren Esposito
San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Subject: Bayshore Bikeway - Segment 8B Project
SCH#: 2016071079

Dear Lauren Esposito:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on August 25, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 8044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

A1

A1 This comment letter confirms receipt and distribution of the Draft IS/MND and documents project compliance with State Clearinghouse review requirements for the Draft IS/MND pursuant to CEQA. No further response is required.

**Document Details Report
State Clearinghouse Data Base**

SCH# 2016071079
Project Title Bayshore Bikeway - Segment 8B Project
Lead Agency San Diego Association of Governments

Type MND Mitigated Negative Declaration

Description The proposed project is located in south San Diego Bay area within the cities of San Diego and Chula Vista. The proposed bicycle facility would extend a distance of approximately 0.25 mile adjacent to Bay Blvd between Palomar St and the main entrance to the South Bay Salt Works. The proposed bike path would include an eight ft wide travel lane with two to three ft wide shoulders. Additional improvements would include installation of a new storm drain inlet and culvert just north of Palomar St, curb and gutter, railing along the east side of the deck, lighting, minor grading, bike lane striping, utilities improvements and relocations, and other improvements as required by the cities of San Diego and Chula Vista and SANDAG. Improvements may include chain link fencing along the west side of the bike path.

Lead Agency Contact

Name Lauren Esposito
Agency San Diego Association of Governments
Phone 619 595-5374 **Fax**
email
Address 401 B Street, Suite 800
City San Diego **State** CA **Zip** 92101

Project Location

County San Diego
City San Diego, Chula Vista
Region
Lat / Long 32° 36' 16" N / 117° 5' 33" W
Cross Streets Palomar St/Bay Blvd
Parcel No. 621-010-04
Township 18S **Range** 2W **Section** 16 **Base** Imperial

Proximity to:

Highways SR 75
Airports
Railways San Diego/AZ Eastern
Waterways San Diego Bay
Schools Harborside ES
Land Use

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Minerals; Noise; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 11; Regional Water Quality Control Board, Region 9; Air Resources Board, Transportation Projects; Native American Heritage Commission; Public Utilities Commission

Date Received 07/27/2016 **Start of Review** 07/27/2016 **End of Review** 08/25/2016

Note: Blanks in data fields result from insufficient information provided by lead agency.

SOUTH BAY SALT WORKS

August 26, 2016

Lauren Esposito, Environmental Planner
SANDAG
401 B Street, Suite 800
San Diego, CA 92101
Lauren.esposito@sandag.org

Re: Bayshore Bikeway – Segment 8B Proect – SBSW comments on Draft Initial Study/Mitigated Negative Declaration

Dear Lauren Esposito,

B1 South Bay Salt Works has reviewed the Draft Initial Study/Mitigated Negative Declaration, which we are now supplying our written comments regarding. The proposed alignment is adjacent to South Bay Salt Works, our stockpiles, our warehouse/processing facility and our entrances to the property, as well as loading stations of processed salt. Our comments focus on two primary areas. First is the need to provide continued access to our property and loading stations, both during and after construction. The second area is regarding changes to drainage from the site both during construction and after construction.

B2 Access
We have loading stations for different types of processed salt at both the north and south ends of our processing building, where bulk trucks are loaded on a daily basis. Many of these trucks are sets of doubles, a tractor pulling a pair of trailers, which cannot be backed up because they will jackknife when backing up is attempted. As a consequence, these sets of doubles must enter under the loading zone from one direction, then when loading is completed, continue in the same direction to exit. The northern entrance to the Salt Works property is at the north end of the warehouse building shown in Figure 3, where the Project Footprint shows a widening for a crossing approach from Bay Blvd to the property. Due to the need for trucks to “drive through” when loading, this entrance must remain open during our business hours to allow us to load specific products. At the south end of the building a similar situation occurs, which potentially overlaps with the southern edge of what is identified as the “Temporary Impact Area” in Figure 3. These accesses must remain open both during construction and after construction.

B3 In Section 2, under Construction the DIS/MND identifies:
Construction
Construction of the project is anticipated to take approximately seven months to complete. Grading would require approximately 800 cubic yards (cy) of fill material to be imported. It is anticipated that construction activities would occur during daytime hours.

For there to be no negative impacts on South Bay Salt Works, construction activities will need to be scheduled and materials used to allow SBSW the ability to cross both of the existing entrances during our normal business hours without interruption.

1470 BAY BOULEVARD, CHULA VISTA, CALIFORNIA 91911
(619) 423-3388, FAX (619) 423-0513

B1 This comment provides introductory statements and identifies the topics discussed in detail within the letter. Responses to specific issues associated with these topics are provided in responses B2 through B6. No further response is required.

B2 Both of the noted access points will remain open and accessible for trucks during normal operating business hours of the South Bay Salt Works throughout the duration of the construction period for the bike path. The construction contractor will be required by contract specifications to coordinate with South Bay Salt Works and/or the property owner regarding access during construction. Once the bike path is constructed and operational, it would not impede use or restrict truck movements at either of these existing access points to the South Bay Salt Works. Both driveways would remain in their existing location and configuration. As stated in Section 7.16.d of the IS/MND (page 48), signage would be painted on the bike path near the northern driveway and detectable warnings would be installed on curb ramps to alert people using the bike path of the driveway. The bike path stops/starts just north of the southern access to the South Bay Salt Works and signage (i.e. STOP) would be painted on the southbound side of the bike path. A crosswalk is also proposed to extend across Bay Boulevard at this point to channel people using the bike path to the other side of the road.

B3 Refer to response B2 above.

SOUTH BAY SALT WORKS

B4 Section 7-11 Mineral Resources
 The report identifies “No Impact”, and specifically reads:
 Project implementation would not impact the adjacent Salt Works facility or its ability to continue to operate as an active mineral resource operation that is a unique local mineral resource site. As the project site is not currently used, or planned for use, as a mineral resource recovery site and would not affect the adjacent Salt Works facility, no impacts to mineral resources would occur as a result of project implementation.

The “No Impact” designation requires the project makes full accommodation of the Salt Works need to cross the proposed alignment both during construction and after construction. While the proposed alignment is not physically itself a Mineral Resource, the adjacent Salt works is listed the USGS does list the solar evaporation ponds as a Mineral Resource (8/26/2016 at <http://mrddata.usgs.gov/mrds/map.html> Mineral Resources On-Line Spatial Data, under [Mineral Resources](#) > [Online Spatial Data](#) > [Mineral Resource Data System](#) > by commodity and searching under “SALT”).

B5 Drainage
 Section 7.9 “Hydrology and Water Quality” identifies a number of Low Impact or No Impact of the project on water quality, changes to runoff, flooding potential, or the ability of existing drainage systems to accommodate the new flows. New impervious surface areas proposed by the project cover approximately .32 acres. The project identifies: “Post-construction drainage would be directed from the bike path into a pervious concrete shoulder or a proposed bioswale and then conveyed to the existing drainage ditches via catch basins and pipelines.” Despite the relatively small addition of impervious surface, the total project area is small. Since the Salt Works inventories the salt adjacent to the proposed project, the new design features need to avoid redirecting any runoff to the west of the bikepath alignment, which potentially could flow onto the Salt Works next door. Storm flows should be analyzed in context of heavy rain coinciding with winter extreme high tides, which diminishes the assimilative capacity of drainage ditches like the Palomar drainage ditch.

B7 South Bay Salt Works appreciates the opportunity to continue to work with SANDAG and other interests on the Bayshore Bikeway Segment 8B. We are available to discuss any of the comments we have submitted, and look forward to our concerns being addressed as the project moves forward.

Sincerely,

Tracy Strahl
 Vice President
 GGTW LLC dba South Bay Salt Works
tracy.strahl@southbaysaltworks.com
 Cell phone 619 917-5018
 Office: 619 423-3388 x101

1470 BAY BOULEVARD, CHULA VISTA, CALIFORNIA 91911
 (619) 423-3388, FAX (619) 423-0513

B4 As discussed in response B2, access to the South Bay Salt Works would remain unimpeded during and after construction of the bike path. As such, the “No Impact” conclusion remains appropriate.

B5 Runoff from the bike path would not be directed to flow directly to the west into the South Bay Salt Works facility. As discussed in Section 7.9.c-d of the IS/MND (page 36), the project would not alter overall existing drainage patterns in the project vicinity. Runoff from the bike path would be directed to the east side of the bike path via curb and gutter, pervious concrete shoulders, and bioswales, and conveyed to curb inlets, catch basins, and pipelines and into the existing drainage ditch along Bay Boulevard that ultimately outfalls into the Pacific Ocean. The proposed drainage facilities would accommodate project runoff and the corresponding minor increase in the 100-year flow rate due to the additional impervious area added by the bike path (approximately 0.32 acre) while maintaining existing drainage patterns. Thus, flows would not be redirected to the west and towards the South Bay Salt Works facility.

B6 As discussed in Section 7.9.e of the IS/MND (pages 36-37), the addition of the bike path and corresponding approximately 0.32-acre net increase in impervious area would increase the 100-year storm flow by 3.2 cubic feet per second, but the proposed drainage facilities that empty into the existing drainage ditch along Bay Boulevard would accommodate the net increase in runoff such that the capacity of existing and proposed drainage facilities would not be exceeded. Additionally, the project drainage analysis (Appendix F in the Final IS/MND) considered 50-year rainfall intensities coinciding with mean high tide levels. The analysis demonstrated that the existing drainage ditch along Bay Boulevard would overtop its banks and flood adjacent areas with low velocity subcritical flow under No Project conditions (i.e., existing conditions). The project has been designed to maintain the cross-sectional area of the drainage

COMMENTS

RESPONSES

- B6 cont. ditch without substantial reduction in its conveyance capacity. The project would not worsen the project area's existing potential to flood during heavy rain events.
- B7 Thank you for providing thoughtful comments on the Draft IS/MND. SANDAG looks forward to continuing to work collaboratively with the South Bay Salt Works during final design and construction of the bike path.

THE LAW OFFICE OF
Cynthia L. Eldred, APC

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VIA ELECTRONIC MAIL

August 26, 2016

Lauren Esposito, Environmental Planner
SANDAG
401 B Street, Suite 800
San Diego, CA 92101
Lauren.esposito@sandag.org

Re: Bayshore Bikeway – Segment 8B Project (the “Project”)
Draft Initial Study/Mitigated Negative Declaration (the “MND”)

Dear Ms. Esposito:

C1 [We represent M & Gabae, a California limited partnership (“Gabaee”), regarding its ownership, use, and development of approximately 44.61 acres of land located south of Palomar Street in the City of Chula Vista and north of Main Street in the City of San Diego (the “Property”). The Property lies both east and west of Bay Boulevard between these two streets.

C2 [By publication of SANDAG’s Notice of Intent to adopt an MND for the Project (the “Notice”), Gabaee learned for the first time that SANDAG proposes to use a portion of the Property as a staging area for construction of the Project. SANDAG has no right to use any portion of the Property for any uses, let alone a construction staging area, and SANDAG has not contacted Gabaee regarding this proposed use. Nevertheless, SANDAG has included in the Project description use of a portion of the Property as a construction staging area.

C3 [SANDAG published the Notice on July 26, 2016 for a 30-day public comment period ending today, August 26, 2016. 30 days is not an adequate time period to allow Gabaee to obtain and utilize the expert help that is necessary to review and evaluate the MND and its supporting documents. On behalf of Gabaee, we request an additional 45 days for public comment to allow Gabaee adequate time in which to determine the potential impacts that would result from the Project on the physical environment, including on the portion of the Property proposed to be included within the Project and the remainder of the Property.

Very truly yours,

Cynthia L. Eldred, Esq.
THE LAW OFFICE OF CYNTHIA L. ELDRED, APC
Cc: M & Gabae; Gonzales, Quintana & Hunter, LLC

- C1 This comment provides introductory statements and no further response is required.
- C2 The specific location of the staging area during construction of the proposed project has not been finalized. SANDAG has identified a potential location for staging on vacant land on the east side of Bay Boulevard between Stella Street and Ada Street, as depicted in Figure 3 and identified in the Project Description of the IS/MND (page 4). This location is being considered due its proximity to the proposed project, generally level topography, and the disturbed, vacant condition of this property. SANDAG understands that this property is privately owned by Gabaee, and SANDAG would coordinate with them to negotiate and execute an agreement to obtain permission and/or a temporary construction easement for any use of their property prior to the start of construction.
- C3 The Draft IS/MND was available for a 30-day public review period in accordance with CEQA Guidelines Section 15105(b). A copy of the Draft IS/MND was mailed to the law offices of Cynthia L. Eldred and to Stacy Brenner (on behalf of Gabaee) at the start of the public review period, as shown on the Draft IS/MND distribution list (Section 8.0). While SANDAG has not extended the CEQA public review period as requested, SANDAG will continue to coordinate and work collaboratively with Gabaee regarding the location of a staging area and any other concerns during final design and construction of the proposed project.