



Appendix K

RESPONSES TO COMMENTS



COMMENTS

RESPONSES



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

January 14, 2016

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

Subject: Rose Creek Bikeway
SCH#: 2015121045

Dear Lauren Esposito:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 13, 2016, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

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 contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

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

A-1 This comment letter confirms receipt and distribution of the draft Initial Study (IS)/Mitigated Negative Declaration (MND), and documents project compliance with State Clearinghouse review requirements for the draft IS/MND pursuant to CEQA. No further response is required.

A-1

Document Details Report
State Clearinghouse Data Base

SCH# 2015121045
Project Title Rose Creek Bikeway
Lead Agency San Diego Association of Governments

Type MND Mitigated Negative Declaration

Description The proposed project includes 1.3 miles of protected bike lanes within the City of San Diego right-of-way on the west side of Santa Fe Street and 0.8 miles (off-street) of bike lanes along the eastern bank of Rose Creek. The protected bike lanes would connect with the existing Rose Canyon Bicycle Path and continue the west side of Santa Fe Street. The off-street bike lanes would start just south of the Santa Fe Street bridge over Rose Creek on a pre-fabricated, steel bridge, which would be parallel to the existing bridge. The bike path would continue along the eastern bank of Rose Creek on an earthen bench behind existing businesses fronting Santa Fe and Damon Streets. The bike path would then cover under the I-5 freeway bridge over Rose Creek and connect with existing Rose Creek 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
Region
Lat / Long 13° 49' 02" N / 117° 13' 24" W
Cross Streets Santa Fe Street/Damon Ave.
Parcel No. 424-571-02/417-180-15
Township **Range** **Section** **Base**

Proximity to:

Highways SR 52
Airports
Railways BNSF
Waterways BNSF
Schools Alcott Elem.
Land Use Public Right-of-Way, 424-571-02 City of San Diego, 417-180-15 USA

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise; Minerals; 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; Office of Historic Preservation; California Highway Patrol; Caltrans, District 11; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 9; Native American Heritage Commission; Public Utilities Commission; San Diego River Conservancy

Date Received 12/15/2015 **Start of Review** 12/15/2015 **End of Review** 01/13/2016

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



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008



In Reply Refer To:
FWS-SDG-15B0189-16CPA0224

JAN 12 2016

Ms. Lauren Esposito
Environmental Planner
San Diego Association of Governments
401 B Street, Suite 800
San Diego, California 92101-4231

Subject: Comments on the Draft Initial Study/Mitigated Negative Declaration for the Rose Creek Bikeway Project, City and County of San Diego, California

Dear Ms. Esposito:

The U.S. Fish and Wildlife Service (Service) has reviewed the Draft Initial Study/Mitigated Negative Declaration (DMND), dated December 2015, for the proposed Rose Creek Bikeway Project within the City of San Diego (City). We received the DMND on December 17, 2015. The comments provided herein are based upon the information provided in the DMND, our knowledge of sensitive and declining vegetation communities, and our participation in regional conservation planning efforts.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCP) developed under section 10(a)(1) of the Act. The City participates in the Service's HCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP).

The proposed project would construct Segment 9B of the Coastal Rail Trail (CRT), which is a 44-mile network of bicycle facilities from the City of Oceanside to downtown San Diego. Segment 9B would extend 2.1 miles from the northern terminus of Santa Fe Street southward to the west side of Mission Bay Drive. The proposed bike path alignment includes 1.3 miles of bi-directional bike lanes within the Santa Fe Street right-of-way ("on-street portion"), and 0.8 mile of shared-use bike path along the eastern bank of Rose Creek ("off-street portion"). The on-street portion would be placed on the west side of Santa Fe Street and would require widening the street up to three feet to the east. A retaining wall would be constructed on the east side of Santa Fe Street along an 875-foot section of Rose Creek to accommodate the road widening. The proposed off-street portion is a Class I shared bike path consisting of a 10-foot wide concrete path with two-foot shoulders on each side. This section includes a new 240-foot bridge across Rose Creek that would parallel the Santa Fe Street bridge with one central column in the creek for support. The remainder of the off-street

B-1 This comment provides introductory statements. No response is required.

B-1

COMMENTS

RESPONSES

Ms. Lauren Esposito (FWS-SDG-15B0189-16CPA0224)

2

B-1
cont.

portion will be built on a 14-foot wide earthen bench cut along the eastern edge of Rose Creek. A 3- to 6-foot retaining wall would be built on the creek side of the bike path. Under the I-5 and Mission Bay Drive bridges over Rose Creek, the bike path will be constructed on a structural slab over cellular concrete and would abut the existing bridge walls.

We offer the following comments to assist SANDAG in avoiding and minimizing the proposed project’s impacts on sensitive resources:

B-2

1. The proposed project is within and adjacent to a highly constrained portion of Rose Creek and would result in permanent and temporary impacts to 0.63 acre and 1.62 acre of wetland habitat, respectively. In addition to the proposed project, SANDAG is also planning to construct the Mid-Coast Corridor Transit Project and Elvira to Morena Double Track Project to extend the trolley line north from Old Town and add a second track to the existing railroad alignment. These projects will also occur within and adjacent to Rose Creek just east of the proposed bike path. We are concerned that these three projects will result in a significant cumulative impact to the function of Rose Creek as a wildlife movement corridor and habitat for migratory birds. Rose Creek to the north and south of the proposed project is within the Multi-Habitat Planning Area (MHPA) of the City’s SAP and though it is degraded and constrained in several locations, the portion of Rose Creek within and adjacent to the proposed project likely provides connectivity between Mission Bay and Rose Canyon. Therefore, we recommend that SANDAG consider additional alternatives to avoid and minimize wetland impacts in Rose Creek, including an alternative that moves the “off-street portion” of the bike path to a less sensitive area, such as along Santa Fe Street and Damon Avenue.

B-3

2. Kendall-Frost Reserve in Mission Bay supports a large population of federally endangered light-footed Ridgway’s rail [*Rallus obsoletus levipes* (*Rallus longirostris* l.); Ridgway’s rail].¹ During the 2014 breeding season, 23 pairs of Ridgway’s rails were detected at Kendall-Frost Reserve (Zemmel *et. al* 2014). Though the project site supports only a small amount of suitable habitat, Ridgway’s rails may use Rose Creek to disperse inland from Mission Bay, and we are unaware of any recent surveys of Rose Creek for Ridgway’s rails. We recommend that SANDAG conduct focused surveys along Rose Creek to determine the presence of Ridgway’s rails within and adjacent to the project site. If Ridgway’s rails are detected, we recommend that SANDAG coordinate with the Carlsbad Fish and Wildlife Office (CFWO) for appropriate avoidance and minimization measures.

B-4

3. The DMND proposes to offset impacts to coastal sage scrub at a 1:1 ratio. We recommend that impacts to coastal sage scrub be offset consistent with the City’s SAP. Impacts to coastal sage scrub outside the MHPA should be offset at a 1:1 or 1.5:1 ratio if restoration, enhancement, and/or preservation occurs inside or outside the MHPA, respectively.

¹ Please note that the American Ornithologists’ Union now recognizes the light-footed clapper rail (*Rallus longirostris levipes*) as the light-footed Ridgway’s rail (Chesser *et al.* 2014).

B-2

The primary alternative to reduce impacts to Rose Creek would involve continuing the bike path along Santa Fe Street at the bridge over Rose Creek rather than diverting it to the east bank of the creek. Under this approach, bicyclists would continue on Santa Fe Street to Damon Avenue where they would turn right, and travel to the proposed connection with the current terminus of the bike path, west of Mission Bay Drive. This alternative was rejected because of concern for the safety of bicyclists. The narrow street width, and formalized parking on the section of Santa Fe Street south of the bridge over the creek, would not accommodate construction of a protected bike path, and the presence of parked cars along both sides of Damon Avenue poses a risk to bicyclists using a shared lane facility. Without a protected bike path, bicyclists would be at a higher risk for accidents with the presence of numerous driveway conflicts, 40 mile per hour speed limits, and heavy commercial truck traffic. Lastly, bicyclists would be required to travel through the busy intersection of Mission Bay Drive and Damon Avenue, just south of a freeway on-ramp and off-ramp, rather than bypassing this intersection with the Mission Bay Drive undercrossing included in the proposed project. In summary, the presence of the parked cars, inability to accommodate a protected bike path, and travel through a busy intersection makes location of the bikeway on Santa Fe Street rather than the proposed route along Rose Creek less desirable.

B-3

A focused survey for the light-footed Ridgway’s rail is not considered warranted. As noted in this comment, the freshwater marsh habitat, favored by this bird, in the project area is small, narrow, fragmented and located in a concrete portion of the creek. Movement of this bird into the project area is considered highly unlikely due to distance and adjacent land use considerations. The westerly end of the proposed bike path lies nearly a mile (0.8 mile) upstream of the Kendall-Frost Reserve. Furthermore, the channel leading to the project site is narrow and highly urbanized on each side. Lastly, transient activities within the channel, and most notably the portion within the project area, is high.

B-4

Although SANDAG is not obligated to comply with the mitigation ratios identified by the City of San Diego, the proposed mitigation ratio of 1:1 would be consistent with the commenter’s suggestion of offsetting Diegan coastal sage scrub if mitigation occurs within the MHPA.

COMMENTS

RESPONSES

Ms. Lauren Esposito (FWS-SDG-15B0189-16CPA0224)

3

B-5

We appreciate the opportunity to comment on the DMND. We are hopeful that further consultation between the Service and SANDAG will reduce impacts to biological resources that would be affected by the proposed project. If you have any questions regarding this letter, please contact Lauren Kershek at 760-431-9440, extension 208.

Sincerely,



Karen A. Goebel
Assistant Field Supervisor

LITERATURE CITED:

Chesser, R. T., Banks, R. C., Cicero, C., Dunn, J. L., Kratter, A. W., Lovette, I. J., Navarro-Sigüenza, A. G., Rasmussen, P. C., Remsen, Jr., J. V., Rising, J. D., Stotz, D. F., and K. Winker. 2014. Fifty-fifth supplement to the American Ornithologists' Union Check-list of North American Birds. *The Auk* 131 (4):CSi-CSxv.

Zemal, R., Hoffman, S., and J. Konecny. 2014. Status and distribution of light-footed clapper rail in California; 2013 Season. Prepared for State of California Department of Fish and Wildlife South Coast Region. October 15.

B-5 These are concluding statements. No response is required.

COMMENTS

RESPONSES

DEPARTMENT OF TRANSPORTATION

DISTRICT 11, DIVISION OF PLANNING
4050 TAYLOR ST. M.S. 240
SAN DIEGO, CA 92110
PHONE (619) 688-6960
FAX (619) 688-4299
TTY 711
www.dot.ca.gov



Serious Drought.
Serious drought.
Help save water!

January 12, 2016

11-SD-5
PM R23.7
SCH 2015121045

Ms. Lauren Esposito
SANDAG
401 B Street, Suite 800
San Diego, CA 92101

Dear Ms. Esposito:

The California Department of Transportation (Caltrans) received a copy of the Draft Initial Study/Mitigated Negative Declaration for the proposed Rose Creek Bikeway Project located near I-5. We have the following comments:

1. All structures within the State Right-of-Way (R/W) shall be planned, designed and constructed in accordance with Caltrans standards and practices as described in the Office of Special Funded Projects (OSFP) Information and Procedures Guide.

OSFP I&P Guide:

http://www.dot.ca.gov/hq/esc/osfp/osfp-manual/osfp-manual.htm;

OSFP website:

http://www.dot.ca.gov/hq/esc/osfp/

This Guide outlines the project development and submittal requirements necessary to assure project conformance to applicable Caltrans standards and practices for structures.

2. The preparation of structure plans shall conform to the detailing and formatting standards contained in the Caltrans Plans Preparation Manual and the Bridge Design Details manual. The plans shall be prepared using the most current standards--this includes the most current Caltrans formatted border sheets, Standard Detail Sheets (XS sheets), and Standard Plans.

3. In order for Caltrans to maintain proper As-Built records of all work performed on or near its structures, the following information (as a minimum) shall be shown on all Structure plan sheets: Caltrans District number, County, Route, Post Mile, Caltrans contract number(Project Number/EA), Caltrans Bridge Number, and Caltrans Design Oversight approval signature block.

4. In addition to the Structure Plans, Design Calculations, Independent Check Calculations, Reports (Foundation and Hydraulic/Scour) and Structure Special Provisions are required. Please evaluate the proposed structure work and provide any supporting documentation that the bikeway will have no negative impact on the existing Caltrans bridge.

A Maintenance Agreement will be required for the portion of the bike path located with State R/W, which will assign maintenance responsibilities to an entity other than Caltrans.

Caltrans supports the concept of a local circulation system that is pedestrian, bicycle, and transit-

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

C-1 This comment provides introductory statements. No response is required.

C-2 The project structure plans will be prepared in accordance to Caltrans's standards and submitted to Caltrans for an encroachment permit into the Caltrans right-of-way.

C-3 Structural calculations will be submitted with the plans to Caltrans for an encroachment permit. A Location Hydraulic Study including scour has been prepared and submitted to Caltrans, approved by Ginger Lu, Hydraulic Engineer, Structure Hydraulics & Hydrology.

C-4 The City of San Diego will undertake maintenance of the facility. The Real Estate Assets Department of the City of San Diego is working with District 11 on documenting the maintenance responsibilities.

C-5 This comment is just a statement. No response is required.

COMMENTS

RESPONSES

Ms. Lauren Esposito
January 12, 2016
Page 2

C-5
cont.

friendly in order to enable residents to choose alternative modes of transportation. We recognize that the Rose Creek Bikeway will provide an important connection for bicyclists in the San Diego Region and we support the project.

C-6

Any work performed within Caltrans R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. As part of the encroachment permit process, the applicant must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts with the Caltrans' R/W, and any corresponding technical studies.

Please see Section 600 of the Encroachment Permits Manual for requirements regarding utilities and state R/W: http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/manual/Chapter_6.pdf

C-7

This project should be coordinated between all relevant agencies, so that there are no conflict issues between this Project and the Mid Coast Light Rail Transit (LRT) within Caltrans R/W.

C-8

If you have any questions, please contact Kimberly Dodson, of the Caltrans Development Review Branch, at (619) 688-2510 or by e-mail sent to kimberly.dodson@dot.ca.gov.

Sincerely,



JACOB ARMSTRONG, Branch Chief
Development Review Branch

C-6

It is understood that an encroachment permit is needed for construction of the project. The final MND will be submitted to the Caltrans Local Assistance Office after adoption by the SANDAG Board of Directors.

C-7

This project is being managed and coordinated with the Mid-Coast Light Rail Transit project and will be constructed by the same contractor, Mid-Coast Transit Constructors (MCTC).

C-8

This comment provides contact information. No response is required.



THE CITY OF SAN DIEGO

January 14, 2016

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

Submitted via email to: lauren.esposito@sandag.org

Subject: **CITY OF SAN DIEGO COMMENTS ON THE DRAFT IS/MND FOR ROSE CREEK BIKEWAY PROJECT**

The City of San Diego (“City”) CEQA has received the Draft Initial Study / Mitigated Negative Declaration (IS/MND) prepared by the San Diego Association of Governments (SANDAG) and distributed it to multiple City departments for review. The City, as a Responsible Agency under CEQA, has reviewed the Draft IS/MND and appreciates this opportunity to provide comments to SANDAG. In response to this request for public comments, the City has identified potential environmental issues that may result in a significant impact to the environment. Continued coordination between the City, SANDAG, and other local, regional, state, and federal agencies will be essential. Following are comments on the Draft IS/MND for your consideration.

The City’s Planning Department and Transportation and Storm Water Departments have provided comments to SANDAG on the Draft IS/MND for this project, as further detailed below.

Planning Department – Rebecca Malone, Environmental Planner
rmalone@sandiego.gov, 619-446-5371

Page 39, Analysis of construction impacts references the County of San Diego. References should be to the City of San Diego.

Page 40, The City of San Diego adopted a Climate Action Plan on December 15, 2015. This project would not conflict with the City’s Climate Action Plan.

Planning Department
 1010 Second Avenue, MS 413 – San Diego, CA 92101-4155
 Tel (619) 235-5200

D-1 This comment provides introductory statements. No response is required.

D-2 SANDAG typically relies on the County of San Diego’s thresholds for assessing climate change impacts from greenhouse gas (GHG) emissions. However, it should be noted that the City of San Diego uses the same screening threshold (900 CO₂e MT/yr.). Thus, the analysis in the IS is equally relevant to the City’s threshold, and would support the same conclusion. Therefore, the County reference is left in the text.

D-3 SANDAG acknowledges that the City of San Diego has recently adopted a Climate Action Plan (Plan), and concurs that the proposed project would not conflict with the Plan. As noted in Section 7.7.B of the IS, SANDAG has its own Climate Action Plan with which the proposed bike path would be consistent.

COMMENTS

RESPONSES

Page 2 of 4
San Diego Association of Governments
January 14, 2016

Planning Department – Myra Herrmann, Senior Environmental Planner
mherrmann@sandiego.gov, 619-446-5372

GENERAL COMMENTS:

The City of San Diego recognizes that in order for the Project to be constructed, SANDAG will be required to obtain a Public Right-of-Way Permit (PROW) from the Development Services Department (DSD) prior to requesting a Use & Occupancy Permit from the Real Estate Assets Department for the staging area. As such, environmental staff from the Planning Department reviewing these permits will rely on the final environmental document for issuance of this permits. For these reasons, we have the following comments.

PROJECT DESCRIPTION

The project description indicates that the project alignment will utilize existing paved areas of Santa Fe Street to the bridge over Rose Creek and areas adjacent to the Caltrans fence. The environmental analysis however fails to explain how existing utilities within the project footprint will be dealt with as a result of the proposed improvements. Conflicts with existing or relocated utilities should be resolved before plans are submitted to DSD for the Public Right-of-Way Permit review. It should be noted, that no trees or shrubs exceeding three feet in height at maturity can be installed within ten feet of any sewer facilities.

HISTORICAL RESOURCES – ARCHAEOLOGY

Qualified Planning Department Environmental staff has reviewed the Historic Property Survey Report (HPSR) and Archaeological Survey Report (ASR) completed for the project and the draft Supplemental HPSR for the Damon Avenue staging area. Qualified City staff concurs with the conclusion on none significance/non-eligibility for the properties at the Damon Avenue Staging Area and the conclusions of the HPSR for the remaining project APE. We have concerns however, regarding the archaeological assessment and lack of monitoring (archaeological and Native American) for the project itself.

The project APE is located in close proximity to the recorded ethnographic boundaries of the Village of La Rinconada de Jamo (CA-SDI-5017). Based on information obtained from a recent evaluation: Geoarchaeological Assessment for the Mission Bay Golf Course, prepared for the City of San Diego, by LSA Associates, the majority of the area is considered Made Land (resulting from bay dredging to create Mission Bay Park); underlying soils in the area of the Damon Avenue Staging Area are classified as Huerhuero Urban Land (HuC) and may contain potentially significant archaeological resources as well as possible Native American human remains associated with the Village of La Rinconada. Removal of subsurface utilities and other site features at the staging area has the potential to result in an adverse effect on unknown buried archaeological resources.

As noted in the Draft IS/MND, archaeological and Native American (Kumeyaay) monitoring is not required for any construction-related work at the staging area or for other areas along the project alignment where archaeological resources have previously been recorded. Rather, the Draft IS/MND states that SANDAG will retain a qualified archaeological and Native American monitor "on-call" in

D-4 This comment provides introductory statements. No response is required.

D-5 The method for accommodating existing utilities within the project area need not be explicitly identified or discussed in the IS unless the relocation of the facilities could result in a significant physical change. As the utilities are located within roadway rights-of-way, impacts to biological or cultural resources are not anticipated. Nevertheless, SANDAG will coordinate with the City of San Diego and Caltrans to resolve conflicts with existing or relocated utilities within the project area.

D-6 This comment concurs with the conclusion on non-significance/non-eligibility for the proposed staging area and the conclusions for the remaining Area of Potential Effect. No response is required.

D-7 The cultural resource specialist that prepared the HPSR, ASR and Supplemental HPSR recommended that the potential for impacting buried cultural resources below surface within the project area is low. This recommendation was based on negative testing results provided recently through archaeological testing at site CA-SDI-5017, a significant and NRHP-eligible Native American village site. While original site boundaries for the site extend into the southwest portion of the project area, the nearby testing of the site suggested encountering site remains in the project area was considered to be low, especially given the low vertical depths of disturbance expected for the project. Throughout the project area, a maximum vertical depth of 3 feet is anticipated. Within the Damon Street Staging Area, excavation is expected to have a maximum depth of 4 inches.

A Geoarchaeological Assessment of proposed improvements to the nearby Mission Bay Golf Course (LSA 2013) concluded that cultural deposits might exist above the Antioch sediments (part of the Huerhuero-Urban Complex) in the northeast portion of the golf course. These deposits

COMMENTS

RESPONSES

- D-7 cont. were anticipated to vary between 3 feet and 5 inches below the surface. The Antioch sediments extend well beyond the golf course boundaries to the north and the east. A soils map for San Diego County shows the Antioch sediments bordering the east side of Rose Creek beneath the proposed bike path. In response to this potential, SANDAG has revised the project measure (Section 7.5.C) to require the presence of a qualified archaeologist and Native American monitor whenever excavation occurs within native soils along Rose Creek. With this revised project measure, the proposed bike path would have less than significant impacts on archaeological resources.
- D-8 Based on the potential for cultural deposits to occur within the project area, as discussed in response to comment D-7, the cultural resource monitoring measure in Section 7.5.C of the IS has been revised to require archaeological and Native American monitors to be present whenever excavation occurs within native soil along Rose Creek. In addition, as is standard for SANDAG construction projects, construction workers will receive environmental training, which includes actions to be taken when cultural resources are encountered.

COMMENTS

RESPONSES

Page 3 of 4
San Diego Association of Governments
January 14, 2016

D-8 cont. the event that cultural resources are encountered. The City of San Diego is unclear regarding how an untrained contractor working in the PROW or at the staging area will know when they have encountered cultural resources or for that matter human remains. For this reason, the City of San Diego highly recommends that archaeological and Native American (Kumeyaay) monitoring be added to the project. This recommendation is consistent with the City’s commitment to the Native American community regarding the protection of tribal cultural resources during public and/or private construction-related activities, especially in light of the fact that local tribal representatives raised similar concerns about the potential to impact tribal cultural resources within the project APE.

D-9 It should also be noted that reliance on this environmental document is necessary for issuance the Use & Occupancy Permit from the City of San Diego.

Planning Department – Claudia Brizuela, Associate Traffic Engineer – cbrizuela@sandiego.gov, 619-236-6578

D-10 Page 3, Project Description, On-street improvements, The IS/MND states that “In addition to using existing paved roadway area, the protected bicycle lanes would utilize the area currently used for informal on-street parking on the west side of Santa Fe Street.” Did SANDAG evaluate widening Santa Fe Street to accommodate all users of the public right-of-way including bike facilities and parking serving abutting businesses?

D-11 Project Description, The City of San Diego is concerned that the project does not address connecting the Rose Creek Bikeway to the upcoming Balboa Station and the overall bicycle network serving the Pacific Beach and Clairemont communities.

D-12 Project Description, The City of San Diego is concerned that ingress/egress for businesses along Santa Fe Street would not provide sufficient turning radius for delivery trucks.

Transportation & Storm Water Department – Mark Stephens, Associate Planner mngstephens@sandiego.gov, 858-541-4361

D-13 Page 45, Section 7.9.E states, “as discussed in 7.9.H, the increase in runoff during a 100-year flood from the project would not exceed the capacity of Rose Creek to contain such a flood.” However, Appendix (Hydrology) p. 4 states “The 100-year water surface **can** exceed the rectangular concrete channel banks just downstream of Mission Bay Drive, but is contained within the adjacent earthen slopes.” This nuance also should be included here, as it is in 7.9.H.

D-14 Page 58, Section 7.17.C states, “These new drainage facilities would be constructed with the project and integrated with the existing roadway and developed character of the area, and would not result in significant environmental impacts.” This phrase does not concretely state that there are less than significant impacts. As a suggestion, a more definitive statement would be something like, “The curb inlets and pipes would not extend beyond the area of impact described in Section 7.4.B.” However, if pipes would extend beyond the area described, and if constructing the pipes encroaches on wetland vegetation, impacts are significant enough to disclose.

D-9 This is a statement regarding the City of San Diego’s issue of a Use and Occupancy Permit. No response is required.

D-10 SANDAG has evaluated accommodating the bike path, parking, a sidewalk and stormwater provisions within Santa Fe Street and determined that there is not enough right-of-way to include all components. A parking study was prepared and concluded that existing parking available on the east side of Santa Fe Street and adjacent off-street parking is sufficient to meet parking demand.

D-11 Connecting the project to the future Balboa Station is not part of the project scope. As a regional project identified in Riding to 2050, the San Diego Regional Bike Plan, the proposed bikeway addresses a significant 2.1-mile gap in high quality bicycle facilities in the area. Ideally, local projects will address the further completion of the overall bicycle transportation network.

D-12 The project proposes to provide a minimum clear paved width of 26 feet on Santa Fe Street within the project footprint. In areas where properties have improved their frontage, the paved width is greater. The traveled way to be provided adjacent to fronting properties would be 14 feet; currently the traveled way adjacent to fronting properties is a minimum of 15 feet. The project provides a separate path for bicycle users, thus removing them from the roadway and provides traffic calming elements which will reduce vehicle speeds. A reduction of the traveled way by one (1) foot, while reducing roadway speeds and traffic conflicts with bicycle users, would not impose an impact to the ingress/egress of businesses.

D-13 The Location Hydraulic Study (Appendix I) includes a flood analysis of the Rose Creek flood control channel. Although flood water may extend into earthen portions of the channel, this study concludes that 100-year

COMMENTS

RESPONSES

- D-13 flood elevations would be contained within the overall flood control channel. As the effectiveness of the flood control channel would not be substantially impacted, there is no reason to discuss the relationship of storm water flow to the earthen portion of the channel in the IS.
- D-14 The interpretation of the statement from Section 7.17.C in this response correctly reflects the intent of the discussion in the IS that led to the conclusion that the drainage facilities, as proposed, would not impact wetland vegetation. No revision to the text of the IS is warranted.

COMMENTS

RESPONSES

Page 4 of 4
San Diego Association of Governments
January 14, 2016

D-15

Thank you for the opportunity to provide comments on the Draft IS/MND. Please contact me directly if there are any questions regarding the contents of this letter or if SANDAG would like to meet with City staff to discuss our comments. Please feel free to contact me directly via email at mherrmann@sandiego.gov or by phone at 619-446-5372.

Sincerely,



Myra Herrmann, Senior Environmental Planner
Planning Department

cc: Reviewing Departments (via email)
Review and Comment online file

D-15 These are concluding statements. No response is required.



THE CITY OF SAN DIEGO

January 15, 2016

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

Submitted via email to: lauren.esposito@sandag.org

Subject: **CITY OF SAN DIEGO COMMENTS ON THE DRAFT IS/MND FOR ROSE CREEK BIKEWAY PROJECT**

Please include this comment in the Final IS/MND for the Rose Creek Bikeway Project, in addition to the comments previously sent by the City of San Diego.

Transportation and Storm Water Department – Brian Genovese, Senior Traffic Engineer – bgenovese@sandiego.gov, 619-533-3836

The proposed Class IV bikeway on Santa Fe should be listed as a Class I in order to include pedestrian usage. The proposed plan as a Class IV requires pedestrians to find another way to connect between the Class I Rose Canyon Path that terminates at the north end of Santa Fe Street and the extension of the Class I Rose Creek Path near the southern end of Santa Fe Street. The existing conditions are such that Santa Fe Street has very few intermittent sidewalks to accommodate pedestrian travel, which provides no reasonable alternative to using the proposed bikeway.

Thank you for the opportunity to comment on the Rose Creek Bikeway IS/MND.

Sincerely,

Myra Herrmann, Senior Environmental Planner
Planning Department

cc: Reviewing Departments (via email)
Review and Comment online file

Planning Department

1010 Second Avenue, MS 413 – San Diego, CA 92101-4155
Tel (619) 235-5200

D-16 Alternatives for providing a pedestrian path of travel in the section of the project corridor with the proposed Class IV bikeway can be examined further.

California Native Plant Society

San Diego Chapter of the California Native Plant Society
 P O Box 121390
 San Diego CA 92112-1390
 conservation@cnpssd.org | www.cnpssd.org

January 13, 2016

Lauren Esposito, Environmental Planner II
 San Diego Association of Governments
 401 B Street, Suite 800
 San Diego, CA, 92101
 lauren.esposito@sandag.org

RE: Rose Creek Bikeway Draft Initial Study/Mitigated Negative Declaration

Dear Ms. Esposito:

E-1

We appreciate the opportunity to comment on the Rose Creek Bikeway ("Project") Draft Initial Study/Mitigated Negative Declaration ("MND"). The San Diego Chapter of the California Native Plant Society (CNPSSD) works to protect California's native plant heritage and preserve it for future generations. CNPSSD promotes sound plant and climate science as the backbone of effective natural areas protection. We work closely with decision-makers, scientists, and local planners to advocate for well informed and environmentally friendly policies, regulations, and land management practices. In general, we support efforts to create and promote bicycle paths throughout San Diego, and to that end, we think the project is a good idea. However, the MND has issues with organization, plant science, and greenhouse gas emissions that need to be fixed before the project is approved.

E-2

One general suggestion: the distribution list for this MND is so minimal that, should some party challenge this project due to lack of adequate notification, they would have very good grounds for their complaint. We request that you add CNPSSD to the distribution list for *ALL* SANDAG EIR and EIS public documents henceforth, and we suggest that other environmental groups (such as Sierra Club, Audubon, Endangered Habitats League, Center for Biological Diversity, Coastkeeper, Canyonlands, and so forth), also be added to the distribution lists for these documents. Given how active the Friends of Rose Canyon have been, they and other friends groups should be notified of projects within their area of expertise and sent the relevant documents as a matter of course.

E-3

A second suggestion is to separate the measures taken to mitigate the project from the environmental checklist. While the format presented is useful to someone analyzing the document, it is less than useful to any contractor who has to follow it and try to implement the mitigation measures hidden throughout the checklist.

E-4

In terms of contents, we focused on biological issues related to plants and on greenhouse gas emissions. CNPS (our parent society) has become increasingly involved in greenhouse gas issues, and we were a co-plaintiff in Center for Biological Diversity et al. vs. California Department of Fish and Wildlife and Newhall Land and Farming Company ("Newhall Ranch Ruling"). Climate change is an existential threat to many native plants and to the California Floristic Province.



Dedicated to the preservation of California native flora

E-1 This comment provides introductory statements. No response is required.

E-2 Notification of the availability of the MND was in accordance with the requirements of CEQA. In accordance with Section 15072(a) of the CEQA Guidelines, a Notice of Intent (NOI) was sent to the responsible agencies, trustee agencies, and the County Clerk. Pursuant to Section 15072(b)(1), the NOI was published in the San Diego Union Tribune. The NOI was not sent to members of the public and public interest groups pursuant to Section 15072(b) since there were no requests. However, through SANDAG's KeepSanDiegoMoving.com website, all interested parties can sign up to receive eblasts related to any SANDAG project. Interest groups as well as members of the public who sign up receive project-related information, including the notice of release of any CEQA document for public review. The eblast for the notice of public review for the Rose Creek Bikeway MND was sent on December 15, 2015. As requested, SANDAG will add the San Diego Chapter of the California Native Plant Society to the distribution list for all CEQA documents released for public review by SANDAG. However, as SANDAG is not a federal agency, SANDAG would not prepare an Environmental Impact Statement through the National Environmental Policy Act and this request is not applicable to SANDAG's responsibilities. Regarding the addition of other interest groups to the distribution list for SANDAG

COMMENTS

RESPONSES

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| | <p>E-2 cont. CEQA documents, the referenced interest groups would need to submit their request in writing. However, these interest groups could be signed up to receive eblasts and could have received the notice of public review for this document.</p> <p>E-3 A Mitigation Monitoring and Reporting Program (MMRP) is included in the Final MND, which contains a separate list of all mitigation measures.</p> <p>E-4 This comment provides introductory statements. No response is required.</p> |
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California Native Plant Society

E-5 In terms of sensitive plant issues, CNPS strongly advocates including the scientific names of plants and other information, such as which sensitivity list a species is on. Blandly asserting (as with the San Diego sagewort) that "[s]pecies specific mitigation for San Diego sagewort is not necessary due to its low sensitivity status and its relative abundance in the project vicinity" is insufficient. Furthermore, local abundance is *never* a sufficient criterion for avoiding mitigation, because that might be the only population of that species. We suggest that this entire section be reworked to incorporate scientific names and sensitivity status. We furthermore suggest that efforts be undertaken to conserve the San Diego sagewort. Given that it is being taken in over half the projects we have reviewed recently, including the new stadium EIR, it's "insufficiently sensitive" status on List 4 could soon disappear.

E-8 There are three major vegetation community issues:

- Bio-4, Bio-6, Bio-8, Bio-10, Bio-12, and Bio-15 (pp. 27-29): Please clarify what "habitat mitigation" means in this context. How does it differ from "restoration of impacted areas to their pre-impact contours and conditions?" This looks like a license for the contractor to do whatever and claim that the mitigation was accomplished. How will these mitigations be monitored for compliance and success?
- Bio-5, Bio-7, Bio-9, Bio-11, Bio-13, Bio-14 (pp. 27-28): Is off-site activity even possible in San Diego? Mitigation banks in the coastal zone are reputed to be full. Please identify a site where such mitigation might be pursued, or take this option away. Since we consider "paying an indulgence" by paying a fee to some account to be inadequate as mitigation, we strongly suggest that restoration and mitigation be conducted on site to the extent possible. How will these mitigations be monitored for compliance and success?
- Bio-10 and Bio-11: "restoring" non-native riparian scrub might be illegal in California, if the idea is to spread invasive non-natives like giant cane (*Arundo donax*) or tamarisk (*Tamarix* species). Both are considered noxious weeds by the California Department of Food and Agriculture and are therefore subject to regulations regarding their spread and control. We strongly suggest that Bio-10 and Bio-11 be rewritten to incorporate removal of non-native invasive species and restoration of these areas to native vegetation communities. This will incidentally help mitigate for permanent impacts to higher-value riparian vegetation.

E-11 For greenhouse gases, we are quite unsure whether the mitigation suggested here complies with the directions in the recent Newhall Ranch ruling by the California supreme court, and we suggest that the greenhouse gas section be checked against this ruling before the MND is finalized to make sure it is consistent. Amortizing the emissions for 50 years may not pass muster, as the emissions will clearly happen during the year of the project, and there is no conceivable way for the project to be built at 2% per year, nor for its emissions to be offset over 50 years. The goal here is not to comply with a bureaucratic line item, but to help the state meet SB32, which sets goals for emissions by 2020, and we suggest that this project use SB32 as the timeline, not an ad hoc 50 year cycle. The bigger goal is to help slow climate change and keep San Diego livable, rather than have it become known as Detroit Del Mar.

E-13 Second, one major greenhouse gas source appears to have been missed: cement and concrete. Portland cement emits the equivalent of approximately one ton of CO₂ for every ton made, due both to the chemical process of making the cement and the amount of fuel burned in the process. Cement composition varies, but it can be 25% Portland cement, so every few tons of concrete poured could release a ton of CO₂. It is unclear from the MND how much cement and concrete are required by this project, but these amounts need to be added into the greenhouse gas emissions for this project.

E-5 The scientific names of the plants are included in the project's Natural Environment Study (NES) found in Appendix C to the MND. They are generally not included in an IS to increase readability for the general public.

E-6 As noted in the IS, San Diego sagewort would be mitigated through habitat mitigation for impacts to Diegan coastal sage scrub and southern willow scrub. The local abundance as well as its current status as low sensitivity were both used to conclude the species-specific mitigation is not necessary. However, SANDAG will consider adding the species to the hydroseed mix for revegetation of temporary impact areas in the project area, pending a qualified biologist's approval as well as Resource Agency approval.

E-7 The comment offers no substantial evidence to support the contention that the sensitivity rating for San Diego sagewort should be increased from its current rating. Therefore, no change in the evaluation of this plant in the IS is warranted.

E-8 Habitat mitigation is an option that would include temporary impacts be mitigated at an off-site location. This differs from the option to restore temporary impact areas, which would occur on site and include restoration of temporary impact areas to their pre-impact contours and conditions. The contractor is not responsible for determining mitigation requirements. Mitigation and monitoring requirements will be determined through consultation with the applicable Resource Agencies.

E-9 SANDAG commonly mitigates permanent project impacts at offsite locations. This project is not in the Coastal Zone. Therefore, if permanent impacts are mitigated at an offsite location, the mitigation site will not be required to be located in the Coastal Zone. Mitigation and monitoring requirements will be determined through consultation with the applicable Resource Agencies.

E-10 The intent of compensation for temporary and permanent impacts to non-native riparian vegetation is intended to provide for restoration of impacted non-native riparian areas to native riparian vegetation. These mitigation measures are not intended to infer that invasive non-native riparian species should be re-established after disturbance. Mitigation Measures BIO-10 and BIO-11 have been modified to require native riparian vegetation be used.

E-11 This comment refers in part to mitigation measures for greenhouse gas emissions. However, the Draft MND uses two significance criteria to analyze the proposed project’s greenhouse gas emissions, and concludes that it would result in less than significant greenhouse gas emissions impacts (Section 7.7.A). CEQA does not require mitigation measures for impacts that are less than significant. As a result, the Draft MND does not identify any greenhouse gas mitigation measures.

This comment also expresses uncertainty over whether or not the Draft MND’s mitigation measures “comply” with a recent California Supreme Court ruling (*Center for Biological Diversity et al. v. California Department of Fish and Wildlife [The Newhall Land and Farming Company, Real Party in Interest]*, 2015, S217763). For one, the Draft MND does not include any mitigation measures, as explained in the previous paragraph. In addition, the issues addressed in the California Supreme Court ruling referenced by the commenter do not include greenhouse gas mitigation measures, and are not relevant to the greenhouse gas analysis of the Draft MND. The ruling addresses the legal permissibility of a greenhouse gas significance criterion that is different from the two significance criteria used in the Draft MND; mitigation measures for the stickleback species; and exhaustion of administrative remedies.

E-12 Amortizing construction GHG emissions over an extended period is an accepted means of addressing the “one-time” emissions associated with short-term construction. For example, the following supports the concept of amortization of construction emissions: South Coast Air Quality Management District (SCAQMD). 2009. Greenhouse Gas CEQA Significance Threshold Stakeholder Working Group 14. (Available at: [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-14/ghg-meeting-14-main-presentation.pdf](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-14/ghg-meeting-14-main-presentation.pdf)).

E-13 The project does not include the manufacturing of cement. Therefore, emissions generated during “chemical process of making the cement” and the “fuel burned in the process” are not the responsibility of the project.

California Native Plant Society

E-14 Our goal here is not to stop the project on greenhouse gas emissions, because obviously encouraging people to ride bikes rather than drive cars results in substantial savings of greenhouse gas emissions. Indeed, this savings should have been included in the calculation, since it offsets some part of the construction costs. Rather, because it is a simple and desirable project, our goal is to point out that this short document is a good place to look at how greenhouse gas emissions are calculated, and to test a newer protocol that will be more accurate and reflect current legal guidance.

E-15 Thank you for taking our comments on this project and this MND. Please keep us informed of all progress on this project, and make sure that we receive copies of documents associated with it.

Sincerely,



Frank Landis, PhD (Botany)
 Conservation Chair,
 California Native Plant Society, San Diego Chapter

E-14 SANDAG appreciates the recognition that the proposed project will ultimately result in a positive impact on climate change by promoting bicycle use as a feasible alternative to the private automobile. The focus of the GHG analysis was on calculating the GHG emissions generated by the proposed project. While estimating the amount of GHG emissions that would be eliminated by the use of the proposed project would be interesting, it would be difficult to quantify and is not necessary to assess potential GHG impacts of the proposed project.

E-15 These are concluding statements. No response is required.

Friends of Rose Canyon



January 18, 2016

Lauren Esposito
 SANDAG
 401 B Street, Suite 800
 San Diego, CA 92101

Submitted via email to Lauren.esposito@sandag.org

Re: Rose Creek Bikeway Draft Initial Study/Mitigated Negative Declaration

Dear Ms. Esposito,

F-1 [We appreciate the opportunity to comment on the Rose Creek Bikeway project. The mission of Friends of Rose Canyon is to protect, preserve and restore Rose Canyon and the Rose Creek watershed. Our organization therefore has a major interest in this project.

We support the proposed Rose Creek Bikeway project. We very much appreciate the Project providing bike and pedestrian access under I-5 and Mission Bay Drive.

F-2 [We believe the Project has many potential benefits. One of the major ones is providing the opportunity to enhance the habitat in Rose Creek south of SR-52 by providing mitigation adjacent to the Project rather than elsewhere. Mitigation adjacent to the Project is particularly important in the Class I segment where the Project is immediately adjacent to Rose Creek. This area of Rose Creek already faces major impacts from infrastructure (with more to come from the Mid-Coast and EMDT projects). The Rose Creek riparian habitat here is also highly impacted by storm water runoff, invasive plants, and encampments. Thus a major benefit of the project should be to do all project mitigation in or near this location.

1. All mitigation should occur in the Rose Creek watershed, preferably adjacent to the Project location. No mitigation should be exported to locations outside the watershed.

F-3 [The Draft MND is vague in defining the location of impacts, vague in its assertion impacts will not be significant, and vague in its assertion of no cumulative impacts. Further it provides no details of the mitigation it will provide or the location of mitigation.

F-4 [Mitigation for all impacts should occur through on-site restoration, enhancement, and/or establishment/re-establishment in this priority in the area adjacent to the Bikeway. This would not only improve the habitat value of Rose Creek, it would also enhance the value of the

F-1 This comment provides introductory statements. No response is required.

F-2 SANDAG realizes the value of seeking potential wetland mitigation sites within Rose Creek and/or its watershed, and has made an effort, and is continuing to make an effort, to find mitigation within Rose Creek and/or its watershed. However, the demand for wetland mitigation in this location is high due to the other projects referenced in this comment and additional mitigation in the area may prove difficult to find. Mitigation requirements will be determined through consultation with the applicable Resource Agencies.

F-3 An IS is intended to be a summary document to convey technical information in terms understandable to the general public. More detailed technical information is traditionally contained in technical reports that are referenced in the IS, and included in the appendices. As a result, more detailed information regarding the biological resources impacted by the project is contained in the NES included as Appendix C of the IS. The NES contains detailed information regarding the impacts including maps that clearly define the location and type of wetland vegetation impacted by the proposed project.

COMMENTS

RESPONSES

F-3 cont. Addressing cumulative impacts is by nature more qualitative than direct impacts given the challenge of identifying the cumulative impact area to be considered because wetlands are found throughout the City of San Diego, County of San Diego, and State of California. Furthermore, CEQA does not require a detailed discussion of cumulative environmental impacts in an MND; such an analysis is only mandatory for Environmental Impact Reports.

See response to comment F-5 regarding more detailed information on biological mitigation.

F-4 See response to comment F-2.

COMMENTS

RESPONSES

Friends of Rose Canyon

F-4
Cont.

Bikeway Project for users by providing a better user experience. The MND should include a detailed mitigation, maintenance and monitoring plan/program available to the public for comment prior to the commencement of work.

F-5

As shown in Figure 5c in Appendix C (the Natural Environment Study), the area of Tamarisk Scrub, Non-native Riparian, Non-native Grassland, Eucalyptus Woodland, Non-native Vegetation, and Disturbed habitat are all adjacent to the proposed Bikeway. Major invasives include Pampas grass, Mexican fan palms and Castor bean. These areas send large numbers of invasive seeds downstream. And they harbor transient encampments that further degrade the habitat, the water quality, and the user experience through this prime area of the Project. Therefore, the top priority for mitigation should be in this location.

A second priority for mitigation should be elsewhere in the Rose Creek corridor south of Marian Bear Park and north of Mission Bay Park. A third priority should be upstream in Rose Creek.

F-6

The Rose Creek Watershed Wetland, Riparian and Water Quality report <http://www.rosecreekwatershed.org/projects/accomplishments/hydrology-study/> defined areas in the watershed suitable for restoration that would enhance the function of the entire system. We urge you to incorporate recommendations in the portion of lower Rose Creek where the impacts will occur.

Restoration of impacted areas (even due to temporary construction impacts) should not involve hydroseeding alone. We have seen in multiple locations in the Rose Creek watershed that hydroseeding alone (without irrigation and multi-year treatment for invasives) leads to two outcomes: either little or nothing grows, or, more commonly, the area becomes infested with invasives. This is particularly true in an area like the Rose Creek corridor that is already highly infested with invasive plants. Should any areas be proposed for hydroseeding alone, those areas should include irrigation and at least three years of monitoring and treatment for invasives.

F-7

The Draft MND provides no landscaping/restoration/revegetation plan. Thus we cannot comment on the proposed plant palettes. We have seen multiple plant palettes for projects in the Rose Creek watershed that propose plants native to more interior rather than coastal locations or plants inappropriate for the habitat type they are planned for. The MND should provide a plant palette and specify that all plants should be sourced from within five miles of coastal San Diego.

F-8

2. Water Quality Impacts and Storm Water Impacts
We are concerned about water quality impacts on Rose Creek, particularly due to storm water runoff. The Draft MND appears to avoid having to implement significant measures to decrease its impacts from storm water. We recommend that the Project take the opposite approach and set an example of good environmental stewardship and good faith with Friends of Rose Creek and Friends of Rose Canyon by doing the maximum rather than the minimum to reduce these impacts.

The Draft MND states on p. 58:

F-5 Biological mitigation measures (BIO-4 through BIO-18), included in the IS, clearly identify performance standards and a range of options which would provide adequate mitigation for biological impacts. Each measure establishes specific mitigation ratios for each vegetation type impacted by the project based on whether the impact is considered temporary or permanent. Further, each measure defines options which would fulfill the goal of mitigation through on- and/or off-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment, or purchase of credits at an approved mitigation bank. It is not within the scope of the MND to include detailed mitigation plan(s); these would be prepared prior to construction of the bike path and would be reviewed and approved by state and federal agencies with jurisdiction over the impacted habitats. This multiple review process would assure that the proposed mitigation programs would sufficiently compensate for the project impacts on sensitive biological resources.

F-6 See response to comment F-2.

F-7 As discussed in response to comment F-5, the performance standards identified in the biological mitigation measures included in the IS are adequate at this stage in the process. As also discussed in this response, detailed mitigation plan(s) will ultimately be prepared and will be subject to approval of state and federal agencies with jurisdiction over the affected biological resources. As is common practice, emphasis would be placed on obtaining plant material from the general area to promote genetic compatibility.

F-8 The design of the bike path would be required to comply with the stringent water quality standards established by the NPDES Regional Municipal Storm Water Permit and General Construction Activity Storm Water Permit. In addition, the design would implement the Best Management Practices (BMPs) identified in the Water Quality Technical Report, included as Appendix G of the IS, including directing runoff from the bike path toward adjacent vegetated areas, or other non-erodible permeable areas. Disturbed areas would be replanted with native plant

COMMENTS

RESPONSES

Friends of Rose Canyon

F-8
cont.

“C. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?”

Less Than Significant Impact. The project would include a number of curb inlets and pipes along this stretch to efficiently convey runoff from the street to the Rose Creek channel. These new drainage facilities would be constructed with the project and integrated with the existing roadway and developed character of the area, and would not result in significant environmental impacts.”

F-9

On p. 4 of the Water Quality Technical Report, the Draft MND states the project will avoid having to meet the new MS4 standards for Priority Projects by getting one of three exemptions. The Draft MND does not state which exemption. Once again, the Draft MND proposes to do the minimum rather than set an example by meeting higher standards. The MND should address what would be required to meet the Priority Project requirements, or at least provide BMPS above the minimum required. Additionally, the Draft MND fails to describe specifically what the Bikeway Project’s BMPS will be, where they will be located, and what their effectiveness will be. The MND should describe these rather than providing a general list of BMPs.

F-10

The Draft MND states regarding Cumulative Water Quality Impacts: “Incremental water quality impacts would be reduced through compliance with applicable storm water regulations and project BMPs identified in the WQTR.” The Draft MND provides no evidence for this assertion, especially considering it intends to avoid complying with the new regulations for Priority Projects. The Draft MND does not describe what the water quality impacts of the Mid-Coast Project and the EMDT are, or whether those projects will comply with the Priority Projects requirements.

F-11

F-12

3. Lighting impacts

We are very concerned about lighting impacts, including cumulative impacts, on adjacent habitat, including impacts on invertebrates, bats, owls, and other nocturnal animals, including wildlife movement through this highly constrained corridor.

P. 32 in the Visual Impact Assessment states:

F-13

“Pedestrian level lighting, if implemented into final design, along the Class I multi-use portions of the project has the potential to spill over into vegetated areas or may highlight a linear feature along the edge of the trail that may be seen from the freeway and Mission Bay Drive. The use of cut-off lighting to decrease spillover lighting would be included. This would be accomplished through proper placement of the lighting (on the west side with light focused to the east) and through the use of shielding. Visual impacts that may occur, associated with lighting, will be addressed through specification of context-appropriate lighting.”

F-8 cont. material to minimize erosion. Section 7.17.C of the IS has been revised to include this additional information.

F-9 The project will comply with standards set forth in the 2013 MS4 Permit (Order R9-2013-0001), NPDES Permit requirements (2009-0009-DWQ as amended by 2010-0014-DWQ), and the City of San Diego Storm Water Manual. Pursuant to section 1.4.3 of the City of San Diego BMP Design Manual 1.4.3, local Priority Development Projects (PDP) exemptions for bicycle projects included those that are either: (1) designed and constructed to direct storm water runoff to adjacent vegetated areas or other non-erodible permeable areas, (2) designed and constructed to be hydraulically disconnected from paved streets or roads, or (3) retrofitting of existing paved alleys, streets or roads in accordance with the USEPA Green Streets guidance [“Managing Wet Weather with Green Infrastructure – Municipal Handbook: Green Streets”].

The project proposes to use Best Management Practices (BMPs) on the Santa Fe Street portion including green gutters listed in the US EPA’s Green Street Municipal Handbook as well as BMPs available in the City of San Diego’s Design Manual including green street elements in the parkway width between the curb and edge of right-of-way. The off-road portion would be hydraulically disconnected from the street system, and would direct runoff into vegetation or other non-erodible, permeable areas. Based on these factors, the bike path would meet the exemption criteria.

F-10 See response to comment F-9.

F-11 See response to comment F-9.

F-12 As indicated in response to comment F-3, cumulative impacts need not be discussed in detail in an MND. Therefore, as Mid-Coast and EMDT are not part of the Rose Creek Bikeway Project, they are not evaluated in detail in the IS. The discussion of cumulatively considerable impacts in the IS occurs under the Mandatory Findings of Significance (Section 7.18), and is concerned with if the project itself contributes a cumulatively considerable amount to cumulative environmental impacts in the area.

COMMENTS

RESPONSES

- F-12 cont. The MND acknowledges that the project, in conjunction with nearby projects such as the Mid Coast and EMDT, could incrementally contribute to cumulative water quality impacts. However, the project's contribution to water quality impacts would not be cumulatively considerable due to its compliance with applicable storm water regulations and project BMPs identified in the WQTR.
- F-13 The IS identifies lighting associated with the proposed bike path adjacent to Rose Creek as posing a potential impact to wildlife. The level of information and restrictions on lighting provided in the IS is sufficient to assure that significant illumination would not occur in the adjacent creek habitat. Defining the specific brands and model numbers is not required.

COMMENTS

RESPONSES

Friends of Rose Canyon

F-13
cont.

We have seen similar project features promised in other environmental documents and found the actual lighting impacts to be far greater once the project is built. Given how highly sensitive the habitat is adjacent to the Project, particularly the Class I multi-use portion, the MND should be very specific about the measures it is proposing: exactly where would the lighting be, at what height, how frequent would the lighting be, what kinds of bulbs would be used (and why they are selected), the specification of FULL CUT OFF fixtures with no up-light from the fixtures, preferably with a description of the specific brand and model of fixture or fixtures being proposed. Again, the Project should set an example and do the most possible to reduce impacts. It should become a model for other projects.

F-14

The Draft MND also states that cumulative impacts associated with lighting would be minimized through project design features such as proper placement and shielding of the lights. The MND should identify what and where the cumulative impacts will be: i.e. what the existing lighting is, what the lighting associated with the Mid-Coast and EMDT will be, and what the lighting for the Bikeway will be.

F-15

In conclusion, Friends of Rose Canyon supports the Rose Creek Bikeway Project. However, the Draft MND is vague in many areas. We urge SANDAG to set a high standard for this Project, rather than a “what can we get by with” or a “we’ll figure that out later” approach. The MND should be more specific and address the concerns of stakeholders, including The Friends of Rose Creek.

Sincerely,

Deborah Knight
Executive Director

F-14 As indicated in response to comment F-12, an MND does not need to discuss cumulative impacts in detail. The MND acknowledges that the project, in conjunction with nearby projects such as the Mid-Coast and EMDT, could incrementally contribute to cumulative lighting impacts. As discussed in response to comment F-13, the project’s contribution to lighting impacts would not be cumulatively considerable due to the proposed lighting project design features.

F-15 Thank you for your support of the Rose Creek Bikeway project. The level of specificity contained in the IS is considered sufficient to evaluate the potential environmental impacts of the proposed project. Furthermore, the performance standards included in the mitigation measures identified in the IS provide sufficient assurances that implementation of the mitigation would reduce impacts to less than significant.



Friends of Rose Creek *
 "Connecting Our Communities"
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January 18, 2016

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

Email: lauren.esposito@sandag.org

RE: "Rose Creek Bikeway - Draft Initial Study/Mitigated Negative Declaration"

Dear Ms Esposito;

The Rose Creek Bikeway project is an exciting opportunity to not only improve non-motorized transportation options in the area, but also **highlight the natural wonders of Rose Creek**. While we support the project at a high level, many details or lack thereof are extremely troubling and we feel these gaps defeat the potential benefit to the public at large and to the natural resources in the area. The project as designed seems to propose degrading the habitat of Rose Creek to create the Bikeway. We believe that the habitat can be improved along with the Bikeway to increase the recreational and aesthetic experience for the bicycle riding public.

The Friends of Rose Creek strongly suggest that the aesthetics of the Bikeway south of the Rose Creek / Santa Fe Street intersection is predicated on a healthy and natural environment that welcomes birds, allows bicyclists to experience nature, and which **makes visible this wonderful habitat so that future generations will value and protect this sensitive area**. This sentiment is at the root of our support for the project. We strongly object to any intention to degrade this habitat. In fact, we hope that as part of this project, all functions of this habitat result are improved or at a minimum we have a no-net loss of function.

San Diego Municipal Code mitigation requirements state that "mitigation sites must have long-term viability. Viability will be assessed by the connectivity of the site to larger planned open space, surrounding land uses, and sensitivity of the MHPA resources to environmental change."¹ Because this section of Rose Creek forms a portion of the wildlife corridor between Marian Bear Natural Park and Rose Canyon Open Space Park to the north and the Rose Creek Salt Marsh and Mission Bay Park to the south, we feel very strongly that habitat enhancement will also enhance the wildlife corridor aspects of this area. We sometimes see foxes in and around the Rose Creek Salt Marsh and Estuary as well as the Kendall-Frost Preserve and assume they are using Rose Creek as a means of entry. While this wildlife corridor is certainly degraded,

¹ City of San Diego, San Diego Municipal Code (<http://www.sandiego.gov/planning/programs/mscp/pdf/lmbio.pdf>)

*A member of the Rose Creek Watershed Alliance

* A Friends Group of San Diego Canyonlands, Inc.

Visit us on-line at <http://www.saverosecreek.org>

G-1 This comment provides an introductory statement, and an overview of comments which are presented in more detail following this introductory statement. Responses to the specific comments are provided below.

G-1

COMMENTS

RESPONSES

G-1 cont. vegetation does cover the majority of the corridor. Our belief is that a bike path and improved habitat are mutually beneficial. Specific comments which should be incorporated into the final Mitigated Negative Declaration (under CEQA Section 15070) are as follows.

G-2 In regards to Section 7.18 Mandatory Findings of Significance on page 59 of the initial study, we feel that the finding of "Less Than Significant with Mitigation Incorporated" is an inadequate finding. However, should the project incorporate our recommendations below for mitigation and lighting impacts, we would agree with this finding.

G-3 We find the mitigation listed in the Initial Study to be vague and indeterminate and therefore there is no way for the public to know if the project is adequately implementing required mitigation or to hold SANDAG accountable for completing the required mitigation as no mitigation monitoring plan/program has been identified to the public. Furthermore, some of the mitigation ratios do not reflect the San Diego Municipal Code, Land Development Code, which clearly states that "any impacts to wetlands must be mitigated 'in-kind' and achieve a 'no-net loss' of wetland function and values."²

G-4 Appendix C, Section 4.1.1.4, states, "Mitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to southern riparian forest would be determined in consultation with the resource agencies." We strongly recommend this wording be replaced with "Mitigation for permanent impacts to southern riparian forest would occur through on- site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 3:1³ and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work within the project area. Should sufficient opportunities not exist within the project area the Rose Creek Watershed Wetland, Riparian and Water Quality report http://www.rosecreekwatershed.org/projects/accomplishments/hydrology-study/ defined areas in the watershed suitable for restoration which would enhance the function of the entire system. There is no need to mitigate off-site.

G-5 Appendix C, Section 4.1.2.4, states, "Mitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to southern willow scrub would be determined in consultation with the resource agencies." We strongly recommend this wording be replaced with "Mitigation for permanent impacts to southern willow scrub would occur through on- site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 2:1⁴ and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work within the project area. Should sufficient opportunities not exist within the project area the Rose Creek Watershed Wetland,

² San Diego Municipal Code, Land Development Code, Amended April 23, 2012 by Resolution No. R-307376 page 33.

³ City of San Diego Municipal Code requires a 3:1 ratio.

⁴ City of San Diego Municipal Code requires a 2:1 ratio.

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G-2 The conclusion in Section 7.18. Mandatory Findings that biological impacts would be less than significant with the mitigation proposed in Mitigation Measures BIO-1 through BIO-18 is appropriate.

G-3 See response to comment F-5.

G-4 The mitigation ratios specified in the biology mitigation measures are consistent with the ratios typically applied by the Resource Agencies with jurisdiction over each habitat. Furthermore, although the City of San Diego's regulations are not applicable to the project, as SANDAG is the lead agency for the project, the mitigation ratios are also consistent with the ratios identified in the city's Biology Guidelines.

The measures also specify mitigation approaches that are also commonly applied by the Resource Agencies including a combination of habitat creation, restoration and enhancement. In addition, the mitigation for wetland habitat specifies that establishment and/or re-establishment be included at a minimum ratio of 1:1 to satisfy the "no net loss" policies of the Resource Agencies.

G-5 See responses to comments E-9 and F-2 regarding on- or off-site mitigation. See response to comment G-4 regarding City of San Diego mitigation ratios. See response to comment F 5 regarding a detailed mitigation monitoring plan/program made available to the public prior to commencement of work.

G-6 See response to comment G-5.

COMMENTS

RESPONSES

G-6 cont. Riparian and Water Quality report http://www.rosecreekwatershed.org/projects/accomplishments/hydrology-study/defined_areas_in_the_watershed_suitable_for_restoration_which_would_enhance_the_function_of_the_entire_system. There is no need to mitigate off-site.”

G-7 Appendix C, Section 4.1.4.4 states, “Mitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/reestablishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to freshwater marsh would be determined in consultation with the resource agencies.” We strongly recommend this wording be replaced with “Mitigation for permanent impacts to freshwater marsh would occur through on- site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 2:1⁵ and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work within the project area. Should sufficient opportunities not exist within the project area the Rose Creek Watershed Wetland, Riparian and Water Quality report http://www.rosecreekwatershed.org/projects/accomplishments/hydrology-study/defined_areas_in_the_watershed_suitable_for_restoration_which_would_enhance_the_function_of_the_entire_system. There is no need to mitigate off-site.”

G-8 Appendix C, Section 4.1.5.4, states, “Mitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to non-Native Riparian would be determined in consultation with the resource agencies.” We strongly recommend this wording be replaced with “Mitigation for permanent impacts to non-native Riparian would occur through enhancement, and/or establishment/re-establishment of native Riparian with an establishment/re-establishment ratio of 2:1⁶ and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work within the project area.”

G-9 Appendix C, Section 4.1.6.4 states, “The proposed project would avoid impacts to tamarisk scrub.” While we do not disagree, Tamarisk scrub is a non-native invasive and removal of this stand of Tamarisk scrub could be an appropriate source of mitigation for on-site mitigation as indicated elsewhere with a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work within the project area. Should sufficient opportunities not exist within the project area the Rose Creek Watershed Wetland, Riparian and Water Quality report http://www.rosecreekwatershed.org/projects/accomplishments/hydrology-study/defined_areas_in_the_watershed_suitable_for_restoration_which_would_enhance_the_function_of_the_entire_system. There is no need to mitigate off-site.”

G-10 Appendix C, Section 4.1.8.4 states, “Mitigation for permanent impacts would occur through on- and/or off-site restoration or purchase of credits at an approved mitigation bank. Mitigation is currently anticipated to occur further upstream in Rose Canyon. Final mitigation requirements would be determined in consultation with the resource agencies.” We strongly recommend this wording be replaced with “Mitigation for

G-7 See response to comment G-5.

G-8 See response to comment G-5.

G-9 The project would mitigate for vegetation that is impacted by the project. As the project does not impact tamarisk scrub, and as the project is not a restoration project, restoration of areas covered in tamarisk scrub is out of scope for this project.

G-10 See response to comment G-5.

⁵ City of San Diego Municipal Code requires a 2:1 ratio
⁶ Ibid.

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COMMENTS

RESPONSES

G-10
cont.

permanent impacts would occur through on-site restoration or restoration between Grand Avenue and Garnet Avenues along Rose Creek with an establishment ratio of 2:1⁷ and with a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work within the project area. Should sufficient opportunities not exist within the project area the Rose Creek Watershed Wetland, Riparian and Water Quality report <http://www.rosecreekwatershed.org/projects/accomplishments/hydrology-study/> defined areas in the watershed suitable for restoration which would enhance the function of the entire system. There is no need to mitigate off-site.”⁷

G-11

Appendix C, **Section 4.1.9.4** states, “Mitigation for permanent impacts would occur through on- and/or off-site restoration, or purchase of credits at an approved mitigation bank, and may be in-kind or at a higher tier due the limited area of impact.” We strongly recommend this wording be replaced by “Mitigation for permanent impacts to non-native Grasslands would occur through enhancement, and/or establishment/re-establishment of Native Grasslands with in the lower portion of the Rose Creek Watershed, south of Marian Bear Natural Park and north of Mission Bay Park, with an establishment/re-establishment ratio of 1:1 and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work within the project area. Should sufficient opportunities not exist within the project area the Rose Creek Watershed Wetland, Riparian and Water Quality report <http://www.rosecreekwatershed.org/projects/accomplishments/hydrology-study/> defined areas in the watershed suitable for restoration which would enhance the function of the entire system. There is no need to mitigate off-site.”

G-12

Appendix C, **Section 4.4.1.4** states, “Direct impacts to unoccupied coastal California gnatcatcher habitat would be mitigated through preservation of Diegan coastal sage scrub at appropriate ratios at a location approved in consultation with the agencies.” We strongly recommend this wording be replaced by “Direct impacts to unoccupied coastal California gnatcatcher habitat would be mitigated through preservation and/or restoration of Diegan coastal sage scrub at appropriate ratios at a location along Rose Creek south of Marian Bear Natural Park and North of Mission Bay Park that is approved in consultation with the agencies and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work within the project area. Should sufficient opportunities not exist within the project area the Rose Creek Watershed Wetland, Riparian and Water Quality report <http://www.rosecreekwatershed.org/projects/accomplishments/hydrology-study/> defined areas in the watershed suitable for restoration which would enhance the function of the entire system. There is no need to mitigate off-site.”

G-13

Appendix C, **Section 4.4.2.5** states, “Direct impacts to least Bell’s vireo habitat would be mitigated through preservation and/or restoration of southern riparian forest and southern willow scrub at appropriate ratios at a location approved in consultation with the agencies.” We strongly recommend this wording be replaced by “Direct impacts to least Bell’s vireo habitat would be mitigated through preservation and/or restoration of southern riparian forest and southern willow scrub at appropriate ratios at a location along Rose Creek south of Marian Bear Natural Park and North of Mission Bay Park that is approved in consultation with the agencies and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work within the project area. Should sufficient opportunities not exist within

⁷ Ibid.

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G-11 See response to comment G-5.

G-12 See response to comment G-5.

G-13 See response to comment G-5.

COMMENTS

RESPONSES

G-13 cont. *the project area the Rose Creek Watershed Wetland, Riparian and Water Quality report <http://www.rosecreekwatershed.org/projects/accomplishments/hydrology-study/> defined areas in the watershed suitable for restoration which would enhance the function of the entire system. There is no need to mitigate off-site.”*

G-14 Appendix C, Section **4.4.4.4** states, “Direct impacts to yellow warbler habitat would be mitigated through preservation and/or restoration of southern riparian forest and southern willow scrub at appropriate ratios at a location approved in consultation with the agencies.” We strongly recommend this wording be replaced by “*Direct impacts to yellow warbler habitat would be mitigated through preservation and/or restoration of southern riparian forest and southern willow scrub at a 3:1 ratio in a location along Rose Creek south of Marian Bear Natural Park and North of Mission Bay Park that is approved in consultation with the agencies and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work within the project area. Should sufficient opportunities not exist within the project area the Rose Creek Watershed Wetland, Riparian and Water Quality report <http://www.rosecreekwatershed.org/projects/accomplishments/hydrology-study/> defined areas in the watershed suitable for restoration which would enhance the function of the entire system. There is no need to mitigate off-site.”*

G-15 Appendix C, **Section 4.4.5.3** states, “Permanent low-voltage safety lighting would be of the lowest illumination allowed for human safety, selectively placed, shielded, and directed away from the creek.” We feel very strongly that the potential negative impact of night lighting on invertebrates and birds has not adequately been addressed. We are not currently in the position to make specific recommendations; however, based on the latest research regarding the impacts of night lighting on invertebrates and birds, we strongly recommend that an expert in the area of lighting impacts on birds, bats, and invertebrates study this issue further and providing findings to the public. We also strongly recommend that night lighting is on a timer so as to be off during the late hours of the night or to be on a motion sensor so lighting only comes on when humans are present.

G-16 We would like to see the specific type of lighting included in the Mitigated Neg Dec as the type of lighting used can have significant negative impacts on invertebrates and are generally not proposed for use near water bodies. We recommend the use of Low-pressure sodium vapor lamps, also known as sodium oxide lamps (SOX). Red, yellow and amber LED lamps each have a specific, narrower spectrum and have peak wavelengths between 590 and 660 nm, which is less attractive to invertebrates (See Hewes, J. (2009) Light emitting diodes (LEDs). [online]. London, The Electronic Club. Available from: <http://www.kpsec.freeuk.com/components/led.htm>). *A Review of the Impact of Artificial Light on Invertebrates* has been attached for your reference. Please provide a detailed analysis of the type of lights and lighting fixtures to be used in order that we may adequately review your findings.

G-17 Here are some general suggestions to minimize negative impact to biologic resources⁸:

- Use narrow spectrum light sources to lower the range of species affected by lighting.
- Use light sources that emit minimal ultra-violet light.

⁸ Bruce-White, Charlotte and Matt Shardlow. *A Review of the Impact of Artificial Light on Invertebrates*. 2011. ISBN 978-1-904878-99-5

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G-14 See response to comment G-5.

G-15 See response to comment F-13.

G-16 As there will be no restrictions placed on the hours when the bike path can be used, shutting off the pathway lighting would pose a safety hazard to persons using the path. Incorporation of motion sensors could be disruptive to wildlife. Sudden lighting could startle wildlife and expose unsuspecting prey species to increased predation. Thus, intermittent night-time lighting is considered more distractive than constant lighting conditions to which wildlife can adjust.

G-17 See response to comment F-13.

COMMENTS

RESPONSES

- Lights should peak higher than 550 nm.
- Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue short wave length content they should be of a warm / neutral color temperature <4,200 kelvin.
- Lamps should not emit light at angles greater than 70°.

G-17 cont.

Because the impacts of night lighting on Invertebrates can be quite disruptive, we request that the Mitigated Negative Declaration include the specific types of lighting fixtures and lighting technologies with light spectrum, wattage, technology and angles clearly indicated. While we understand the need for lighting along the bike path, poor lighting choices have the ability to influence negatively the biologic resources.

G-18

Appendix G, section 3.1 states "Designed and constructed to direct storm water runoff to adjacent vegetated areas, or other non-erodible permeable areas." Please include additional details on the "Source Control BMPs" and the "Site Design BMPs." As the project area is very constrained we do not see how storm water can be directed to adjacent vegetated areas that are not the creek itself. Please include specific design plans and locations where storm water runoff will be direct that is not into the creek channel.

G-19

Finally, we have a great deal of concern regarding the potential plans for construction that may take place during nesting season and strongly recommend that no construction occur in the riparian areas during nesting season.

G-20

Section 15071. Contents of CEQA, sub item (e) requires "mitigation measures" to be included in a Mitigated Negative Declaration. While mention is made of mitigation is made in this document, no measurable or verifiable mitigation measures are included.

G-21

We strongly recommend that the project planners revise the document incorporating our recommendations and recirculate for comments once mitigation measures have been included. In closing, we look forward to working through these challenges with SANDAG and the project team. By incorporating these recommendations, we feel that users of the Bikeway will experience additional benefits including the enjoyment of Rose Creek.

Sincerely,

Karin Zirk, Ph.D.
On Behalf of the Friends of Rose Creek
~~~ Connecting Our Communities ~~~

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\*A Friends Group of San Diego Canyonlands, Inc.  
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G-18 See response to comment F-9.

G-19 Mitigation Measures BIO-1, BIO-2, BIO-3 and BIO-19 are specifically designed to protect birds during the breeding seasons by requiring pre-construction surveys and implementation of appropriate protection measures including equipment setbacks and/or sound barriers. When sufficient protection cannot be achieved, construction would cease until a qualified biologist determines that construction activities do not pose substantial threat to nesting birds. In addition, as discussed in Section 7.4.A of the IS, no federally listed nesting birds were found in the biological study area during protocol surveys for the project.

G-20 As discussed in response to comment F-5, additional details on the mitigation measures are not required. Detailed mitigation plan(s) would be prepared prior to construction of the bike path, and would be reviewed and approved by state and federal agencies with jurisdiction over the impacted areas. This multiple review process will assure that the proposed mitigation programs will sufficiently compensate, avoid, or minimize for project impacts. In accordance with Section 15073.5(b) of the CEQA Guidelines, a (mitigated) negative declaration would be required to be recirculated if a substantial revision to the document occurred, such as a mitigation measure being determined to not reduce impacts to less than significant and a revision to that mitigation measure being required. As discussed in this response and other responses to this letter, mitigation measures are sufficient to lessen project impacts to a less than significant level, and recirculation would not be required.

G-21 These are concluding statements. No response is required.



COMMENTS

RESPONSES

From: [jhsteinbach.1@netzero.net](mailto:jhsteinbach.1@netzero.net)  
To: [Esposito.Lauren](mailto:Esposito.Lauren)  
Subject: Rose Creek Bikeway  
Date: Thursday, January 14, 2016 10:12:35 AM

Dear Ms. Esposito,

Karin Zirk presented some ideas for improvement of the Rose Canyon Bikeway plan at the January public meeting of the Friends of Rose Creek.

I support these ideas.

They are summarized in the following.

Joe Steinbach

January 11, 2016

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

Email: [lauren.esposito@sandag.org](mailto:lauren.esposito@sandag.org)

RE: "Rose Creek Bikeway Draft Initial Study/Mitigated Negative Declaration"

The Rose Creek Bikeway project is an exciting opportunity to not only improve non-motorized transportation options in the area, but also highlight the natural wonders of Rose Creek. While we support the project at a high level, many details or lack thereof are extremely troubling and we feel these defeat a potential benefit to the public at large and to the natural resources in the area. The project as designed seems to propose degrading the habitat of Rose Creek to create the bikeway. We believe that the habitat can be improved along with the Bikeway to increase the recreational and aesthetic experience for users of the Bikeway.

We hope the final Mitigated Negative Declaration (under CEQA Section 15070) incorporates our recommendations.

In regards to Section 7.18 Mandatory Findings of Significance on page 59 of the initial study, we feel that the finding of "Less Than Significant with Mitigation Incorporated" is an inadequate finding. However, should the project incorporate our recommendations below for mitigation and lighting impacts, we would agree with this finding.

We find the mitigation listed in the Initial Study to be vague and indeterminate and therefore there is no way for the public to know if the project is adequately implementing required mitigation or to hold SANDAG accountable for completing the required mitigation as no mitigation monitoring plan/program has been identified to the public.

Appendix C, Section 4.1.1.4, states, "Mitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to southern riparian forest would be determined in consultation with the resource agencies." We strongly recommend this

H-1 This comment provides introductory statements. No response is required.

H-2 This comment provides introductory statements. No response is required.

H-3 See response to comment G-2.

H-4 See response to comment G-3.

H-5 See response to comment G-5.

COMMENTS

RESPONSES

H-5 cont. wording be replaced with “Mitigation for permanent impacts to southern riparian forest would occur through on-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1 and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.”

H-6 Appendix C, Section 4.1.2.4, states, “Mitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to southern willow scrub would be determined in consultation with the resource agencies.” We strongly recommend this wording be replaced with “Mitigation for permanent impacts to southern willow scrub would occur through on- site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1 and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.”

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H-8 Appendix C, Section 4.1.5.4, states, “Mitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to non-Native Riparian would be determined in consultation with the resource agencies.” We strongly recommend this wording be replaced with “Mitigation for permanent impacts to non-native Riparian would occur through enhancement, and/or establishment/re-establishment of native Riparian with an establishment/re-establishment ratio of 1:1 and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.”

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H-10 Appendix C, Section 4.1.8.4 states, “Mitigation for permanent impacts would occur through on- and/or off-site restoration or purchase of credits at an approved mitigation bank. Mitigation is currently anticipated to occur further upstream in Rose Canyon. Final mitigation requirements would be determined in consultation with the resource agencies.” We strongly recommend this wording be replaced with “Mitigation for permanent impacts would occur through on-site restoration or restoration between Grand Avenue and Garnet Avenues along Rose Creek with a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.”

H-11 Appendix C, Section 4.1.9.4 states, “Mitigation for permanent impacts would occur through on- and/or off-site restoration, or purchase of credits at an approved mitigation bank, and may be in-kind or at a higher tier due the limited area of impact.” We strongly recommend this wording be replaced by “Mitigation for permanent impacts to non-native Grasslands would occur through enhancement, and/or establishment/re-establishment of Native Grasslands with the lower portion of the Rose Creek Watershed, south of Marian Bear Natural Park and north of Mission Bay Park, with an establishment/re-establishment ratio of 1:1 and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.”

H-12 Appendix C, Section 4.4.1.4 states, “Direct impacts to unoccupied coastal California gnatcatcher habitat would be mitigated through preservation of Diegan coastal sage scrub at appropriate ratios at a location approved in consultation with the agencies.” We strongly recommend this wording be replaced by “Direct impacts to unoccupied coastal California gnatcatcher habitat would be mitigated through preservation and/or restoration of Diegan coastal sage scrub at appropriate ratios at a location along Rose Creek south of Marian Bear Natural Park

H-6 See response to comment G-5.

H-7 See response to comment G-5.

H-8 See response to comment G-5.

H-9 See response to comment G-9.

H-10 See response to comment G-5.

H-11 See response to comment G-5.

H-12 See response to comment G-5.

COMMENTS

RESPONSES

H-12 cont. and North of Mission Bay Park that is approved in consultation with the agencies and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.”

H-13 Appendix C, Section 4.4.2.5 states, “Direct impacts to least Bell’s vireo habitat would be mitigated through preservation and/or restoration of southern riparian forest and southern willow scrub at appropriate ratios at a location approved in consultation with the agencies.” We strongly recommend this wording be replaced by “Direct impacts to least Bell’s vireo habitat would be mitigated through preservation and/or restoration of southern riparian forest and southern willow scrub at appropriate ratios at a location along Rose Creek south of Marian Bear Natural Park and North of Mission Bay Park that is approved in consultation with the agencies and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.”

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- Use light sources that emit minimal ultra-violet light.
- Lights should peak higher than 550 nm.
- Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue short wave length content they should be of a warm / neutral color temperature <4,200 kelvin.
- Lamps should not emit light at angles greater than 70°.

Because the impacts of night lighting on Invertebrates can be quite disruptive, we request that the Mitigated Negative Declaration include the specific types of lighting fixtures and lighting technologies with light spectrum, wattage, technology and angles clearly indicated. While we understand the need for lighting along the bike path, poor lighting choices have the ability to influence negatively the biologic resources.

H-17 In closing, we look forward to working through these challenges with SANDAG and the project team. By incorporating these recommendations, we feel that users of the Bikeway will experience additional benefits and enjoyment of Rose Creek.

Sincerely,

H-13 See response to comment G-5.

H-14 See response to comment G-5.

H-15 See response to comment F-13.

H-16 See response to comment G-16.

H-17 These are concluding statements. No response is required.

COMMENTS

RESPONSES

Karin Zirk, Ph.D.  
On Behalf of the Friends of Rose Creek  
Connecting Our Communities  
<http://www.saverosecreek.org>

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COMMENTS

RESPONSES

From: [sharonreevelamesa@gmail.com](mailto:sharonreevelamesa@gmail.com) on behalf of [Sharon Reeve](#)  
To: [Esposito, Lauren](#)  
Cc: [info@saverosecreek.org](mailto:info@saverosecreek.org)  
Subject: Rose Creek Bikeway  
Date: Sunday, January 10, 2016 12:14:48 PM

January 10, 2016

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

Email: [lauren.esposito@sandag.org](mailto:lauren.esposito@sandag.org)

RE: iRose Creek Bikeway Draft Initial Study/Mitigated Negative Declarationi

I-1 The Rose Creek Bikeway project is an exciting opportunity to not only improve non-motorized transportation options in the area, but also highlight the natural wonders of Rose Creek. While we support the project at a high level, many details or lack thereof are extremely troubling and we feel these defeat a potential benefit to the public at large and to the natural resources in the area. The project as designed seems to propose degrading the habitat of Rose Creek to create the bikeway. We believe that the habitat can be improved along with the Bikeway to increase the recreational and aesthetic experience for users of the Bikeway.  
  
We hope the final Mitigated Negative Declaration (under CEQA Section 15070) incorporates our recommendations.

I-2 In regards to Section 7.18 Mandatory Findings of Significance on page 59 of the initial study, we feel that the finding of iLess Than Significant with Mitigation Incorporatedi is an inadequate finding. However, should the project incorporate our recommendations below for mitigation and lighting impacts, we would agree with this finding.

I-3 We find the mitigation listed in the Initial Study to be vague and indeterminate and therefore there is no way for the public to know if the project is adequately implementing required mitigation or to hold SANDAG accountable for completing the required mitigation as no mitigation monitoring plan/program has been identified to the public.

I-4 Appendix C, Section 4.1.1.4, states, iMitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to southern riparian forest would be determined in consultation with the resource agencies.i We strongly recommend this wording be replaced with iMitigation for permanent impacts to southern riparian forest would occur through on- site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1 and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.i

I-1 This comment provides introductory statements. No response is required.

I-2 See response to comment G-2.

I-3 See response to comment G-3.

I-4 See response to comment G-5.

COMMENTS

RESPONSES

I-5 Appendix C, Section 4.1.2.4, states, "Mitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to southern willow scrub would be determined in consultation with the resource agencies." We strongly recommend this wording be replaced with "Mitigation for permanent impacts to southern willow scrub would occur through on- site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1 and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work."

I-5 See response to comment G-5.

I-6 Appendix C, Section 4.1.4.4 states, "Mitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/reestablishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to freshwater marsh would be determined in consultation with the resource agencies." We strongly recommend this wording be replaced with "Mitigation for permanent impacts to freshwater marsh would occur through on- site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1 and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work."

I-6 See response to comment G-5.

I-7 Appendix C, Section 4.1.5.4, states, "Mitigation for permanent impacts would occur through on- and/or off-site restoration, enhancement, and/or establishment/re-establishment with an establishment/re-establishment ratio of 1:1, or purchase of credits at an approved mitigation bank. Final mitigation requirements for impacts to non-Native Riparian would be determined in consultation with the resource agencies." We strongly recommend this wording be replaced with "Mitigation for permanent impacts to non-native Riparian would occur through enhancement, and/or establishment/re-establishment of native Riparian with an establishment/re-establishment ratio of 1:1 and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work."

I-7 See response to comment G-5.

I-8 Appendix C, Section 4.1.6.4 states, "The proposed project would avoid impacts to tamarisk scrub." While we do not disagree, Tamarisk scrub is a non-native invasive and removal of this stand of Tamarisk scrub could be an appropriate source of mitigation for on-site mitigation as indicated elsewhere with a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work

I-8 See response to comment G-5.

I-9 Appendix C, Section 4.1.8.4 states, "Mitigation for permanent impacts would occur through on- and/or off-site restoration or purchase of credits at an approved mitigation bank. Mitigation is currently anticipated to occur further upstream in Rose Canyon. Final mitigation requirements would be determined in consultation with the resource agencies." We strongly recommend this wording be replaced with "Mitigation for permanent impacts would occur through on-site restoration or restoration between Grand Avenue and Garnet Avenues along Rose Creek with a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work."

I-9 See response to comment G-9.

I-10 Appendix C, Section 4.1.9.4 states, "Mitigation for permanent impacts would occur through on- and/or off-site restoration, or purchase of credits at an approved mitigation bank, and may be in-kind or at a higher tier due the limited area of impact." We strongly recommend this wording be replaced by "Mitigation for permanent impacts to non-native Grasslands would occur through enhancement, and/or establishment/re-establishment of Native Grasslands with

I-10 See response to comment G-5.

COMMENTS

RESPONSES

I-10 cont. the lower portion of the Rose Creek Watershed, south of Marian Bear Natural Park and north of Mission Bay Park, with an establishment/re-establishment ratio of 1:1 and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.î

I-11 Appendix C, Section 4.4.1.4 states, îDirect impacts to unoccupied coastal California gnatcatcher habitat would be mitigated through preservation of Diegan coastal sage scrub at appropriate ratios at a location approved in consultation with the agencies.î We strongly recommend this wording be replaced by îDirect impacts to unoccupied coastal California gnatcatcher habitat would be mitigated through preservation and/or restoration of Diegan coastal sage scrub at appropriate ratios at a location along Rose Creek south of Marian Bear Natural Park and North of Mission Bay Park that is approved in consultation with the agencies and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.î

I-12 Appendix C, Section 4.4.2.5 states, îDirect impacts to least Bellís vireo habitat would be mitigated through preservation and/or restoration of southern riparian forest and southern willow scrub at appropriate ratios at a location approved in consultation with the agencies.î We strongly recommend this wording be replaced by îDirect impacts to least Bellís vireo habitat would be mitigated through preservation and/or restoration of southern riparian forest and southern willow scrub at appropriate ratios at a location along Rose Creek south of Marian Bear Natural Park and North of Mission Bay Park that is approved in consultation with the agencies and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.î

I-13 Appendix C, Section 4.4.4.4 states, îDirect impacts to yellow warbler habitat would be mitigated through preservation and/or restoration of southern riparian forest and southern willow scrub at appropriate ratios at a location approved in consultation with the agencies.î We strongly recommend this wording be replaced by îDirect impacts to unoccupied to yellow warbler habitat would be mitigated through preservation and/or restoration of southern riparian forest and southern willow scrub at appropriate ratios at a location along Rose Creek south of Marian Bear Natural Park and North of Mission Bay Park that is approved in consultation with the agencies and which includes a detailed mitigation monitoring plan/program made available to the public prior to the commencement of work.î

I-14 Appendix C, Section 4.4.5.3 states, îPermanent low-voltage safety lighting would be of the lowest illumination allowed for human safety, selectively placed, shielded, and directed away from the creek.î We feel very strongly that the potential negative impact of night lighting on invertebrates and birds has not adequately been addressed. We are not currently in the position to make specific recommendations; however, based on the latest research regarding the impacts of night lighting on invertebrates and birds, we strongly recommend that an expert in the area of lighting impacts on birds, bats, and invertebrates study this issue further and providing findings to the public.

I-15 We would like to see the specific type of lighting included in the Mitigated Neg Dec as the type of lighting used can have significant negative impacts on invertebrates and are generally not proposed for use near water bodies. We recommend the use of Low-pressure sodium vapor lamps, also known as sodium oxide lamps (SOX). Red, yellow and amber LED lamps each have a specific, narrower spectrum and have peak wavelengths between 590 and 660 nm, which is less attractive to invertebrates (See Hewes, J. (2009) Light emitting diodes

I-11 See response to comment G-5.

I-12 See response to comment G-5.

I-13 See response to comment G-5.

I-14 See response to comment G-5.

I-15 See response to comment F-13.

COMMENTS

RESPONSES

(LEDs). [online]. London, The Electronic Club. Available from: <http://www.kpsec.freeuk.com/components/led.htm>). A Review of the Impact of Artificial Light on Invertebrates has been attached for your reference. Please provide a detailed analysis of the type of lights and lighting fixtures to be used in order that we may adequately review your findings.

Here are some general suggestions to minimize negative impact to biologic resources :

- i Use narrow spectrum light sources to lower the range of species affected by lighting.
- i Use light sources that emit minimal ultra-violet light.
- i Lights should peak higher than 550 nm.
- i Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue short wave length content they should be of a warm / neutral color temperature <4,200 kelvin.
- i Lamps should not emit light at angles greater than 708.

Because the impacts of night lighting on Invertebrates can be quite disruptive, we request that the Mitigated Negative Declaration include the specific types of lighting fixtures and lighting technologies with light spectrum, wattage, technology and angles clearly indicated. While we understand the need for lighting along the bike path, poor lighting choices have the ability to influence negatively the biologic resources.

In closing, we look forward to working through these challenges with SANDAG and the project team. By incorporating these recommendations, we feel that users of the Bikeway will experience additional benefits and enjoyment of Rose Creek.

Sincerely,  
Sharon Reeve

I-16 These are concluding statements. No response is required.



COMMENTS

RESPONSES

From: [Lou-Ellen Robbins](#)  
To: [Esposito, Lauren](#)  
Subject: Greetings from long time resident...Lu Robbins regarding Rose Canyon bike path and more....  
Date: Sunday, January 10, 2016 12:49:47 PM

J-1 I received an email from Karin Kirk that I know, has done much positive work for Rose Canyon Creek , but unfortunately, I do not support all that she and Debbie support. When Harry Mathis was city councilmember he helped to design and develop La Jolla Colony near Rose Canyon. There was much protest from the Rose Canyon Group but personally I think he did an excellent job!!!!

J-1 It included an expansion bridge above the canyon to alleviate traffic and for safety issues. There was much protest about the area, even though the train and tracks could be much worse for the environment but because it was in Rose Canyon’s area and “they” did not want in their back yard, I stood by and did not argue. There is more power and money backing the no bridge vote and at that time, the UTCplanning group was completely off balanced and not open. They even asked people before getting on the board if they supported the bridge as they did a friend of mine. Needless to say, they did not support the bridge and did not get on the board. The Rose Canyon group selected to vote against the bridge w/the NIMBY reason.

J-2 Now “they” want a bike path going through the canyon with dogs and children to kill or harm any little creature or plant in it’s way.

J-3 I am very surprised. I am usually supportive for the those that benefit (quantity) more. In regards to the trolley (similar to the bridge) that affects local residents also but one passed and one did not..wonder why? The local residents will not be using the trolley and be challenged to have one of the only 2 parking areas available which definitely will affect the homeowners but because homeowners in the area are mostly students and rentals...there is no strong voice or money backing it.

J-4 All 3 projects effect the local residents but only the Trolley was approved? Because of the need for others and not the residents, I am in favor of the trolley benefitting the majority even though it is “next door”. We all have our opinions and this one is mine.

Lu Robbins  
UTC/La Jolla

**Lou-Ellen Robbins**  
858.587.9994  
858.722.9994 cell  
2lurobbs@gmail.com

J-1 This comment provides introductory statements and statements regarding a different project. No response is required.

J-2 Although users of the project could have the potential to disturb nearby vegetation or animals, due to the inclusion of fencing/railing between the bike path and creek, this would not be expected to be a significant issue.

J-3 This comment provides statements regarding a different project. No response is required.

J-4 This comment provides statements regarding a different project. No response is required.

COMMENTS

RESPONSES

From: [Jeff Rosan](#)  
To: [Esposito, Lauren](#)  
Subject: Rose Creek Bike Path / Comments / RE Plan and Mitigation  
Date: Thursday, January 14, 2016 10:05:08 PM

Dear Lauren,

K-1 This fantastic opportunity to enhance the Rose Creek with a bike path is very much looked forward to, and very much appreciated.

I am a member of the Friends of Rose Creek and have had the opportunity to hear of the possible mitigation not occurring directly in the creek area.

This would be a tragic missed opportunity.

K-2 So my concerns regarding this enhancement, are directed to making this perhaps the best mitigating opportunity EVER.

With what you are doing we can make a long time source of a horrible eyesore.....a truly beautiful experience for all.

To that end much if not all mitigation should be directed toward an area/s which attract the greatest level of visibility from the greatest number of residents, tourists and of course the bike riders themselves.

K-3 To that end, the bike path as it crosses under the 5 freeway and then swings past the In and Out Burger Plaza then going under Mission serves as one of the best spots to enhance, mitigate and rejuvenate an entire community, as well as the city.

Would it be feasible to discuss the possible remedial aspects of creating/enhancing this portion of the path in a manner which serves that need?

As of right now the channelized portion where you are running the bike serves as a graffiti magnet.

It just happens to also be an area observed by tens of thousands of motorists every day.

If they can see a lustrous bike path coming through that channel...I am willing to bet money it will motivate more people to ride bikes!

K-4 So with the right type of path, lighting and mitigation occurring above the channel on both sides of the creek....what a true transformation can occur.

Hope you concur.

Please advise if this Email serves as a sufficient comment and also how we can open a discussion in making this happen.

Very truly yours,

ATaxPro

K-1 This comment provides introductory statements. No response is required.

K-2 See response to comment F-2.

K-3 See responses to comments E-9 and G-9.

K-4 These are concluding statements. No response is required.

COMMENTS

RESPONSES

Jeffrey S. Rosan JD  
Enrolled Agent / IRS # 53844  
Office : (858) 488-1558 Fax : (858) 488-5538  
5175 Foothill Blvd, San Diego, CA 92109

## COMMENTS

## RESPONSES

From: [roger.leszczynski](#)  
To: [Esposito, Lauren](#)  
Subject: rose creek bike path  
Date: Wednesday, December 16, 2015 7:33:57 PM

L-1 [ It is an absolute must this path connect past the 52 into the sorrento valley train station. where are the drawings for this?

L-1 The project is designed to improve connectivity in the area by filling a two-mile gap in the regional bike network between points to the north such as Sorrento Valley, University City, and UC San Diego, and points to the south such as Mission Bay, Pacific Beach, Mission Valley, and Downtown San Diego. As shown on Figure 3-1 of the *Riding to 2050, the San Diego Regional Bicycle Plan*, although there is not a direct path to the train station, there are multiple routes to the Sorrento Valley area north of the project alignment and construction is underway by Caltrans on a bike path between the Sorrento Valley Train Station and UC San Diego (which would allow bike path users to avoid traveling on the shoulder of Interstate 5).

COMMENTS

RESPONSES

From: Phillip Young [youngpd@icloud.com]
Sent: Monday, January 11, 2016 7:12 PM
To: Esposito, Lauren
Subject: Comments on the Rose Creek Bikeway Mitigated Negative Declaration

Follow Up Flag: Follow up
Flag Status: Flagged

Dated: January 11, 2016

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

Dear Ms. Esposito,

Subject: Comments on the Rose Creek Bikeway Mitigated Negative Declaration

- M-1 The big push at all levels of government is to build Protected Bikeways. Parents have an false impression that cars can not intrude into a Protected Bikeway providing 100% protection for their bicycle riding kids.
M-2 These Protected Bikeways are too narrow - difficult to clean and repave along with offering minimal or no protection from cars. Also, too narrow for safe passage of oncoming bicyclists and pedestrians. Long term, I believe these Protected Bikeways will fall into disrepair quickly as seen by the San Diego Friars Road Protected Bike Path built in the 1970's.
M-3 Friars Road Protected Bike Path with a small low asphalt curb to prevent car intrusion is a mess because city crews can not easily clean or maintain the bike path. City sweeping and repaving equipment is just too big and wide for the bike path width. The bike path is not repaved when the street is repaved.
M-4 Please considered supporting more vigorously Shared Bikeways that are cleaned and repaved during routine road maintenance. These Shared Bikeway photos on Gilman Drive in La Jolla and Highway 101 in Solano Beach are a good examples of new safe clean smooth asphalt that are fun and safe to ride.
M-5 The reality is the road conditions for bicycling in most California cities is at third-world levels. The road surface is cracked, uneven, and not swept clean with many opportunities for the bicyclist to fall.

M-1 Although "protected bikeways" do not provide 100% protection from encounters with automobiles, they have been demonstrated to provide substantially greater protection than bikeways without any physical separation between cars and bicycles. For example, an academic paper published in the American Journal of Public Health found that paths separated by a physical barrier had approximately one-fifth the number of injuries as a bike path located on a major street route (Teschke, et. al. 2012).<sup>1</sup>

<sup>1</sup> Teschke et al. 2012. Route Infrastructure and the Risk of Injuries to Bicyclists: A Case-Crossover Study. American Journal of Public Health. Vol 102, No.12.

M-2 The two-foot, raised concrete median between the Santa Fe Street traffic lanes and the proposed cycle track will provide a substantial deterrent to cars entering the bike path. The cycle track will also include a two-foot shoulder on the west side. The 12-foot bike path combined with the median and shoulders would be 16 feet wide. As indicated in response to comment M-1, the protection afforded by the two-foot concrete median separating the cycle track from the cycle track is considered substantial.

M-3 On behalf of its member agencies, such as the City of San Diego, SANDAG has been tasked with the planning, design and construction of several segments of the Coastal Rail Trail. Upon completion of the project, the Rose Creek Bikeway will belong to the City of San Diego, and the City of San Diego will be responsible for the bike path's upkeep and maintenance.

M-4 As discussed in response to comment M-1, the proposed cycle track is considered safer than shared bike paths because of the enhanced separation between cars and bikes which is afforded by the proposed median. Shared bike lanes do not provide this enhanced protection, and include the added risk from opening doors on cars parked adjacent to shared bike paths.

COMMENTS

RESPONSES

M-5  
cont.

I have been in communications with the City of San Diego for over four-years to do routine maintenance on the one-mile Rose Creek Bike Path connecting Mission Bay to the Rose Canyon Bike Path. Every month I send my city council representative an email with pictures to remove trash, fix the roadway, and remove gang tagging. The city says they do not have the money to do routine maintenance. Kevin Faulconer's city council District 2 staff would eventually send a crew to clean up the bike path but it may take weeks to months for the work to be completed. Now the current city council person Lorie Zapf and her city council District 2 staff are totally ignoring for over a year the Rose Creek Bike Path and Rose Creek problems of trash, graffiti, homelessness, and the bike path crumbling road surface. So much for all of Lorie's pre-election promises to support biking infrastructure in San Diego.

Let's build city biking infrastructure that is safe, cleanable, maintainable, and sustainable!

Thank you,  
Phillip Young  
[youngp@asme.org](mailto:youngp@asme.org)  
858.272.6264

M-5 The comments regarding the inability of the conditions of the cycle track to be properly maintained are speculative. As discussed in response to comment M-3, maintenance of the cycle track will be performed by the City of San Diego.

COMMENTS

RESPONSES



Gilman Drive in La Jolla - note the excellent clean smooth road surface for safety



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

May 9, 2016

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

Subject: Rose Creek Bikeway  
SCH#: 2015121045

Dear Lauren Esposito:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 6, 2016, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

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 contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

1400 10th Street · P.O. Box 3044 · Sacramento, California 95812-3044  
(916) 445-0613 · FAX (916) 323-3018 · www.opr.ca.gov

N-1 This comment letter confirms receipt and distribution of the draft Recirculated Initial Study (IS)/Mitigated Negative Declaration (MND), and documents project compliance with State Clearinghouse review requirements for the draft IS/MND pursuant to CEQA. No further response is required.

N-1





State of California – Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 South Coast Region  
 3883 Ruffin Road  
 San Diego, CA 92123  
 (858) 467-4201  
 www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor  
 CHARLTON H. BONHAM, Director



May 6, 2016

Ms. Lauren Esposito  
 San Diego Association of Governments  
 401 B Street Suite 800  
 San Diego, California 92101  
 lauren.esposito@sandag.org

**Subject: Comments on the Mitigated Negative Declaration for the Rose Creek Bikeway Project, City of San Diego, San Diego County, California (SCH # 2015121045)**

Dear Ms. Esposito:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Mitigated Negative Declaration (MND) for the Rose Creek Bikeway Project (proposed project). The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act, [CEQA] Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning (NCCP) program. The proposed project is located within the City of San Diego, which participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP).

The proposed project is located in the Clairemont and Pacific Beach communities of the City of San Diego (City). The proposed bicycle facility includes on-street and off-street components, and would extend a distance of 2.1 miles from the northern terminus of Santa Fe Street, southward to the west side of Mission Bay Drive as it crosses over Rose Creek. The project proposes to construct a bicycle path including 1.3 miles of bi-directional, protected bicycle lanes within the City right-of-way of Santa Fe Street and 0.8 mile of shared-use bicycle path along the eastern bank of Rose Creek.

On-street Construction:

Beginning at the northern terminus of Santa Fe Street, the bike path facility would connect with the existing Rose Canyon Bicycle Path to the north of the proposed project, and consist of a bi-directional cycle track located within the existing paved area of Santa Fe Street to the bridge over Rose Creek, for a distance of approximately 7,200 linear feet (LF). The bike path would be located on the west side of the road and would include a 2-foot wide shoulder adjacent to the Interstate 5 (I-5) fence and a 2-foot wide raised concrete median between the Santa Fe Street traffic lanes and the bike path. In addition to using existing paved roadway area, the two protected bicycle lanes would utilize the area currently used for informal on-street parking on the west side of Santa Fe Street. To obtain the width proposed for the bike path facility and displacement of the southbound vehicle traffic lane, Santa Fe Street would be widened to the

*Conserving California's Wildlife Since 1870*

O-1 This comment provides introductory statements. No response is required.

O-1

Ms. Lauren Esposito  
San Diego Association of Governments  
May 6, 2016  
Page 2 of 3

east, in sections, by up to 3-foot wide, all within the existing City right-of-way. The proposed widening would require a retaining wall along an 875-foot section of Rose Creek, up to 6-foot high, and relocation of various wet and dry utility features, including the relocation or undergrounding of an existing overhead power line and associated poles.

Off-street Construction:

A 0.8 mile-portion of the bike path would be a shared-use path consisting of a 10-foot wide concrete path with 2-foot wide shoulders on each side. The off-street portion of the path would extend a distance of approximately 4,000 LF. The off-street portion would start just south of the Santa Fe Street Bridge over Rose Creek. At this point, the path would be located on a new, pre-fabricated steel bridge of approximately 240 feet in length that would parallel the existing Santa Fe Street Bridge. The proposed bridge would include one central column in the creek for support. Once across the creek, the path would be located along the eastern bank of Rose Creek on an earthen bench behind existing businesses fronting Santa Fe Street.

The bike path facility would cross under the I-5 freeway bridge over Rose Creek. Beneath the bridge, the bike path would be constructed on a structural slab and would abut the existing bridge wall with a seismic expansion joint. On the other side of the I-5 bridge, the path would return to a bench cut into the top of the east bank of Rose Creek leading to a service road behind existing businesses. It would cross beneath the Mission Bay Drive Bridge over Rose Creek, on a structure similar to the one beneath the I-5 bridge, and connect with the Rose Creek Bike Path near the intersection of Mission Bay Drive and Damon Street.

The Department offers the following comments and recommendations to assist the San Diego Association of Governments (SANDAG) in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, and assist SANDAG in ensuring that the proposed project does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed project, specifically the City's approved SAP.

1. The Department recommends that each mitigation measure provided in the MND's mitigation monitoring and reporting program (MMRP) be prepared to ensure consistency with applicable City of San Diego environmental regulations. This includes recognizing the City's MSCSP SAP, Biology Guidelines, and applicable sections of the Environmentally Sensitive Lands (ESL) Regulations. We believe this would facilitate the City's ability to issue the proposed project's requisite public right-of-way permit from the City in conjunction with the Use and Occupancy Permit (City of San Diego Development Services Department, 2016). When taking a discretionary permitting action, the City typically conducts a substantial conformance review of the proposed action with the San Diego Municipal Code, including making a determination whether the proposed action is consistent with the City's SAP (among other considerations). Given that the proposed project will require discretionary approval from the City, the Department anticipates that the City will require City SAP-equivalent mitigation measures (e.g., mitigation ratios, ESL, and possibly land use adjacency measures) prior to issuing a discretionary approval. While SANDAG cites they are not signatory to the City's MSCSP SAP, we strongly recommend coordination with City staff as the proposed project is within the MSCSP SAP boundaries. The Department believes project entitlements would be expedited if the proposed project reflects the MSCSP SAP, and ESL requirements. Given the proposed project is partially located on City-owned lands, with the City's Multiple

- O-2 See responses to comments B-4 and G-4 regarding consistency with mitigation ratios used by the City of San Diego and the Resource Agencies.

The city was provided a copy of the Draft IS/MND and the Recirculated Draft IS/MND. In their initial comment letter (Letter D), dated January 14, 2016, city staff acknowledged that they would be relying on the IS/MND for issuance of a Use & Occupancy Permit, and made several comments to assure the document would suffice for this purpose. Comments were made regarding historical resources, hydrology and bicycle access. However, no concerns were expressed regarding the proposed biological mitigation. The city commented again on the Recirculated Draft IS/MND (Letter Q), and did not raise any issues related to the biological mitigation ratios.

The NES does contain a discussion of the MHPA Land Use Adjacency Guidelines (page 77), and concludes that the proposed bike path would not be inconsistent with those guidelines. As discussed, the proposed

Ms. Lauren Esposito  
San Diego Association of Governments  
May 6, 2016  
Page 3 of 3

Habitat Planning Area (MHPA) to the north (Rose Canyon) and south (immediately adjacent lands [unnamed] and Kendall-Frost Preserve), the Department suggests the MMRP include the land use adjacency measures (i.e., §1.4.2 General Planning Policies and Design Guidelines) specified in the City's MSCP SAP to minimize impacts to sensitive biological species and their habitats.

- 2. We recommend that SANDAG provide a discussion of the analysis SANDAG performed in siting the proposed project in the least environmentally impact location. For any unavoidable impacts to wetlands, we recommend that the proposed project mitigate on-site through wetland creation. Per the ESL regulations "[f]or permanent wetland [see ESL definition of wetland] impacts that are unavoidable and minimized to the maximum extent feasible, mitigation shall consist of creation of new, in-kind habitat to the fullest extent possible and at the appropriate ratios".
- 3. For consistency with the MSCP SAP, we recommend that the mitigation ratios proposed in the MMRP in mitigation measures BIO-4 through BIO-14 be revised to reflect the ratios provided within the City of San Diego Land Development Code Biology Guidelines, specifically wetland mitigation ratios provided in Table 2 and upland habitat mitigation ratios provided in Table 3. The MMRP should also clarify that upland mitigation ratios are variable based on whether the location of the mitigation site is within or outside of the MHPA.
- 4. In an effort to avoid impacts to the state and federally listed endangered least Bell's vireo (*Vireo bellii pusillus*) which is a covered species under the City's MSCP, and to conform to City ESL regulations, the Department recommends that mitigation measure BIO-2 be revised to apply through September 15 (i.e., replace August 31 with September 15) when vegetation removal is proposed.

We appreciate the opportunity to comment on the referenced MND. Questions regarding this letter and further coordination on these issues should be directed to Eric Weiss at (858) 467-4289 or eric.weiss@wildlife.ca.gov.

Sincerely,

for  
Gail K. Sevrans  
Environmental Program Manager  
South Coast Region

ec: Scott Morgan, State Clearinghouse  
Patrick Gower, U.S. Fish and Wildlife Service, Carlsbad

O-3  
cont.

O-4

O-5

O-6

O-7

O-8

O-2 bike path would include BMPs to protect water quality, construction limitations to avoid construction impacts on sensitive birds, lighting controls to reduce impacts on wildlife, and careful selection of revegetation species to avoid introduction of invasive plants.

O-3 As discussed in response to comment O-2, the proposed project would be consistent with the MHPA Land Use Adjacency Guidelines. Mitigation measures are included to respond to key adjacency issues. Mitigation Measures BIO-1, BIO-2, BIO-3, and BIO-19 limit construction operations during breeding seasons to protect sensitive birds. In addition, the design will include BMPs to reduce surface runoff water contaminates. Shielding and light source controls will be implemented to reduce illumination impacts on adjacent wildlife habitat.

O-4 The primary alternative to reduce impacts to Rose Creek would involve continuing the bike path along Santa Fe Street at the bridge over Rose Creek rather than diverting it to the east bank of the creek. Under this approach, bicyclists would continue on Santa Fe Street to Damon Avenue, where they would turn right, and travel to the proposed connection with the current terminus of the bike path, west of Mission Bay Drive. This alternative was rejected because of concern regarding the risk to bicyclists. The narrow street width and formalized parking on the section of Santa Fe Street, south of the bridge over the creek, would not accommodate construction of a protected bike path, and the presence of parked cars along both sides of Damon Avenue would pose a risk to bicyclists using a shared-lane facility. Without a protected bike path, bicyclists would be at a higher risk for accidents with the presence of numerous driveway conflicts, debris in the roadway, 40 mile per hour speed limits, and heavy commercial truck traffic. Lastly, bicyclists would be required to travel through the busy intersection of Mission Bay Drive and Damon Avenue, just south of a freeway on-ramp and off-ramp, rather than bypassing this intersection with the Mission Bay Drive undercrossing included in the proposed project. The proposed alignment along Rose Creek is designed to minimize impacts to wetlands by locating the proposed bike path at the top of the slope, and using retaining walls and grading techniques to reduce encroachment into wetlands. Additionally, this facility is intended to support riders of all abilities and ages, and the on-street alignment described above would not provide this riding environment.

COMMENTS

RESPONSES

- O-5 See responses to comments F-2, O-2, and O-4. The proposed mitigation ratios are consistent with the City's Biology Guidelines as well as the Resource Agencies with jurisdiction over wetlands.
- O-6 As discussed in response to comment O-2 and G-4, the proposed mitigation ratios are consistent with the City's Biology Guidelines, and must be approved by the Resource Agencies with jurisdiction over affected wetlands. If the final location of the mitigation for CSS impacts occurs outside a designated MHPA, the total mitigation area would be only 0.25 acre less than the City's 1.5:1 ratio. This difference is not considered significant.
- O-7 Mitigation Measure BIO-2 was revised in the Final MND to end the construction restrictions on September 15.
- O-8 This comment provides concluding statements. No response is required.

COMMENTS

RESPONSES

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN, Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 11, DIVISION OF PLANNING
4050 TAYLOR ST, M.S. 240
SAN DIEGO, CA 92110
PHONE (619) 688-6960
FAX (619) 688-4299
TTY 711
www.dot.ca.gov



Serious Drought.
Serious drought.
Help save water!

May 6, 2016

11-SD-5
PM R23.7
SCH 2015121045

Ms. Lauren Esposito
SANDAG
401 B Street, Suite 800
San Diego, CA 92101

Dear Ms. Esposito:

The California Department of Transportation (Caltrans) received a copy of the Recirculated Draft Initial Study/Mitigated Negative Declaration for the proposed Rose Creek Bikeway Project located near I-5. We have the following comments:

Any work performed within Caltrans R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. As part of the encroachment permit process, the applicant must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts with the Caltrans' R/W, and any corresponding technical studies.

Please see Section 600 of the Encroachment Permits Manual for requirements regarding utilities and state R/W: http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/manual/Chapter\_6.pdf

Page 47 of the Initial Study and MND states: "Signs would be displayed at entrance points to both undercrossings, stating that the undercrossings should not be used during high rainfall conditions." The plan set for an Encroachment Permit needs to include the signage wording and locations.

The path will need to accommodate the existing drainage in conflict with the bike path alignment. Attached is an "as-built" plan showing drainage culverts near the I-5 bridge (and a depiction of these pipes on the bike path plans) that may need to be extended under the proposed path or extended beyond the proposed toe of fill. There may be some minor drainage conflict along I-5/Santa Fe Street R/W line, which can be addressed during the Encroachment Permit phase of the project.

Caltrans supports the concept of a local circulation system that is pedestrian, bicycle, and transit-friendly in order to enable residents to choose alternative modes of transportation. We recognize that the Rose Creek Bikeway will provide an important connection for bicyclists in the San Diego Region and we support the project.

"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"

P-1 This comment provides introductory statements and Caltrans' requirements for permit authorization. No response is required.

P-2 Signage information will be included on the plans submitted for the encroachment permit, as requested.

P-3 The project plans submitted for the encroachment permit will include appropriate measures for accommodating drainage, including the extension and modification of storm drainage, energy dissipation, and allow for the conveyance of flow.

P-4 Thank you for your support of the Rose Creek Bikeway.

COMMENTS

RESPONSES

Ms. Lauren Esposito  
May 6, 2016  
Page 2

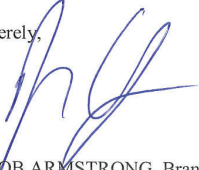
P-5

This project should be coordinated between all relevant agencies, so that there are no conflict issues between this Project and the Mid Coast Light Rail Transit (LRT) within Caltrans R/W.

P-6

If you have any questions, please contact Kimberly Dodson, of the Caltrans Development Review Branch, at (619) 688-2510 or by e-mail sent to kimberly.dodson@dot.ca.gov.

Sincerely,



JACOB ARMSTRONG, Branch Chief  
Development Review Branch

- Attachments:
- 1) Improvement Plans for: Coastal Rail Train – Rose Creek Alignment
  - 2) Project Plans for Construction on State Highway in San Diego County in San Diego between Tecolote Creek and 0.3 mile north of Balboa Avenue

P-5 See response to comment C-7.

P-6 This comment provides concluding statements. No response is required.

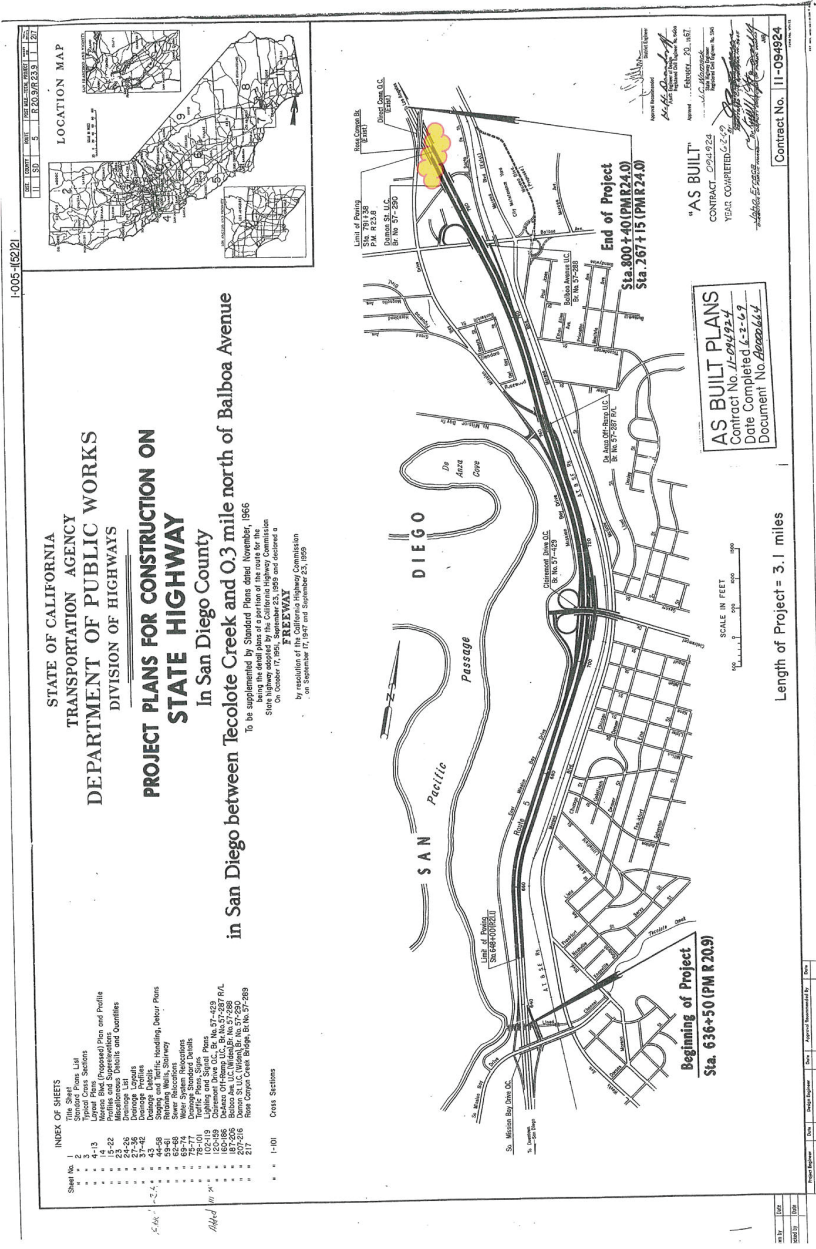




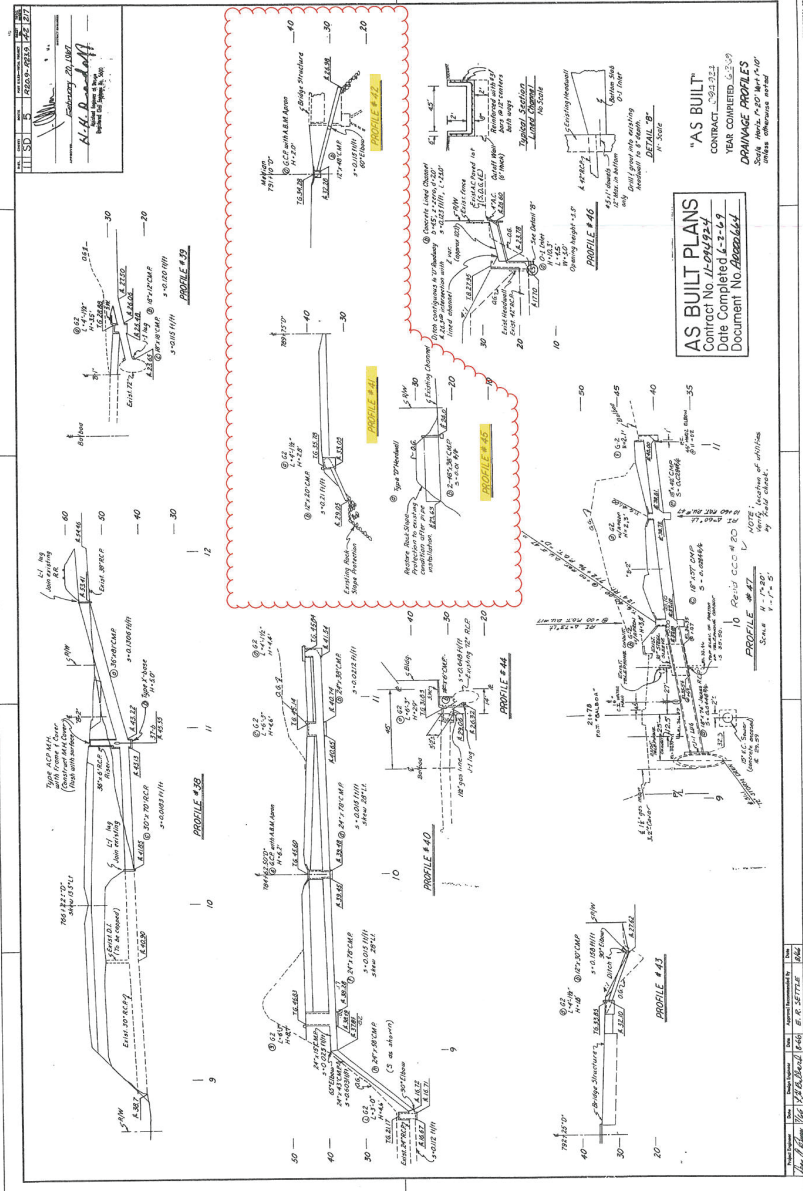












42



THE CITY OF SAN DIEGO

May 9, 2016

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

Submitted via email to: [lauren.esposito@sandag.org](mailto:lauren.esposito@sandag.org)

Subject: **CITY OF SAN DIEGO COMMENTS ON THE RECIRCULATED DRAFT IS/MND FOR ROSE CREEK BIKEWAY PROJECT**

The City of San Diego ("City") CEQA has received the Recirculated Draft Initial Study / Mitigated Negative Declaration (IS/MND) prepared by the San Diego Association of Governments (SANDAG) and distributed it to multiple City departments for review. The City, as a Responsible Agency under CEQA, has reviewed the Recirculated Draft IS/MND and appreciates this opportunity to provide comments to SANDAG. In response to this request for public comments, the City has identified potential environmental issues that may result in a significant impact to the environment. Continued coordination between the City, SANDAG, and other local, regional, state, and federal agencies will be essential. Following are comments on the Recirculated Draft IS/MND for your consideration.

The City's Planning Department and Transportation and Storm Water Department have provided comments to SANDAG on the Recirculated Draft IS/MND for this project, as further detailed below.

**Planning Department - Myra Herrmann, Senior Environmental Planner** [mherrmann@sandiego.gov](mailto:mherrmann@sandiego.gov), 619-446-5372

The City of San Diego appreciates the opportunity to review the revised and Recirculated Draft MND for the Rose Creek Bikeway Project. The inclusion of additional information and mitigation into the Initial Study Checklist under Cultural Resources (Section 7.5) adequately addresses the issues raised in our original comment letter (City of San Diego January 2016) regarding archaeological and tribal cultural resources in the project APE. Please note however, that one minor edit is required to the last sentence under question E as noted below in underline: "In the unlikely event that human remains are discovered, compliance with HSC §7050.5 and PRC §5097.98 would be required in accordance with Mitigation Measure CUL-2."

**Planning Department**  
1010 Second Avenue, MS 413 - San Diego, CA 92101-4155  
Tel (619) 235-5200

Q-1 This comment provides introductory statements. No response is required.

Q-2 The Final MND has been revised to include the additional text suggested in this comment.

COMMENTS

RESPONSES

Page 2 of 2  
San Diego Association of Governments  
May 9, 2016

**Transportation & Storm Water Department - Mark Stephens, Associate Planner**  
[mgstephens@sandiego.gov](mailto:mgstephens@sandiego.gov), 858-541-4361

Q-3 [ Page 46, Hydrology and Water Quality, Section 7.9.E. Reiterating a comment made on the prior Draft Initial Study/Mitigated Negative Declaration, add the following text from Appendix I, Location Hydraulic Study, page 15, end of first full paragraph. "The 100-year water surface can exceed the rectangular concrete channel banks just downstream of Mission Bay Drive, but is contained within the adjacent earthen slopes. The water surface impacts upstream of the project are 0.1 feet or less and generally diminish before the upstream railroad bridge." There is a distinction between a concrete-lined channel and adjacent riparian slopes, and this would more accurately and fully respond to question "E."

Q-4 [ Page 59, Utilities and Service Systems, Section 7.17.C. Thank you for adding text to the question "C" response referencing compliance with provisions of the Regional Municipal Separate Storm Sewer Systems (MS4) Permit issued by the San Diego Regional Water Quality Control Board and Construction General Permit requirements, and Water Quality Technical Report Best Management Practices (BMPs), including directing runoff from the bike path to adjacent vegetated areas or other non-erodible permeable areas, and replanting disturbed areas with native plant material. Suggest also cross-referencing related discussion in 7.9 Hydrology and Water Quality and 7.17 Utilities and Service Systems here.

Q-5 [ Thank you for the opportunity to provide comments on the Recirculated Draft IS/MND. Please contact me directly if there are any questions regarding the contents of this letter or if SANDAG would like to meet with City staff to discuss our comments. Please feel free to contact me directly via email at [rmalone@sandiego.gov](mailto:rmalone@sandiego.gov) or by phone at 619-446-5371.

Sincerely,



Rebecca Malone, AICP, Environmental Planner  
Planning Department

cc: Reviewing Departments (via email)  
Review and Comment online file

Q-3 The Final MND has been revised to include the additional text suggested in this comment.

Q-4 The water quality discussion in Section 7.9.A has been cross-referenced in the Final MND, as suggested.

Q-5 This comment provides concluding statements. No response is required.



**Friends of Rose Creek \***

*"Connecting Our Communities"*

4629 Cass Street #188  
San Diego CA 92109



May 8, 2016

Lauren Esposito, Environmental Planner II  
San Diego Association of Governments  
401 B Street, Suite 800  
San Diego, CA, 92101  
Phone: (619) 595-5374  
Email: lauren.esposito@sandag.org

RE: "Rose Creek Bikeway - Recirculated Draft Initial Study/Mitigated Negative Declaration"

Dear Ms Esposito:

Thank you for the opportunity to comment on the Rose Creek Bikeway project. We are committed to working with SANDAG and the City of San Diego to create bicycle connectivity that meets the needs of the community and enhances the natural environment.

While we support the project at a high level, we do have a few questions. The project as designed seems to propose degrading the habitat of Rose Creek to create the bikeway. We believe that the habitat can be improved along with the Bikeway to increase the recreational and aesthetic experience for users of the Bikeway. Moreover, in fact, without such enhancement, use of the Bikeway will be significantly reduced due to fears on the part of the public to criminal activity in the area.

While we appreciate the incorporation of language focusing on mitigation in the Rose Creek Watershed for BIO-4, 5, 6, 7, 8 9, 10, 11, 12, 13, 14, 16, 17 and 18 in the draft Mitigated Negative Declaration (pages 27 – 31), we feel the language still leaves SANDAG the option of mitigating outside the watershed. We are currently working with SANDAG's environmental mitigation program on finding suitable mitigation as close to the point of impact as possible and would appreciate the addition of a sentence to each of the BIO points as follows: "Mitigation will be coordinated with SANDAG's environmental mitigation program."

We do have a number of questions:

- How will the degraded and non-standard existing Rose Creek Bike Path accommodate the increased flow of traffic coming from the Bikeway project?
- How does this project address the impact to the existing Rose Creek Bike Path and surrounding natural habitat?
- What is the justification for running the coastal rail trail outside of the railroad right of way and in a critical habitat area?

*\*A member of the Rose Creek Watershed Alliance  
\*A Friends Group of San Diego Canyonlands, Inc.  
Visit us on-line at <http://www.saverosecreek.org>*

R-1

R-2

R-3

R-4

R-5

R-6

R-1 This comment provides introductory statements. No response is required.

R-2 Areas disturbed by construction within the creek will be revegetated with a native plant mix that will reflect the wetland and upland species that currently exist along the creek.

The opening of the bikeway, and resultant closure of the gap between the two adjacent Class 1 bikeways, will bring more citizens into the area for legitimate recreational and transportation purposes which, SANDAG believes, would reduce the attractiveness of the area to the criminal element.

R-3 SANDAG is committed to prioritizing wetland mitigation within the same watershed, and will continue to work with the Friends of Rose Creek. Mitigation is required to be finalized through consultation with the Resource Agencies with jurisdiction over each habitat type.

R-4 While not built to current standards, the existing Rose Creek Bike Path is capable of handling increased bicycle and pedestrian usage. The maintenance of the existing and proposed bike path is the responsibility of the City of San Diego, and it is expected that the facilities will be maintained appropriately.



COMMENTS

RESPONSES

- R-5 As discussed in response to comment R-4, the proposed bike path is not anticipated to adversely impact the existing Rose Creek Bike Path. Furthermore, as discussed in Section 7.18.C of the IS, the project is not anticipated to have any significant cumulative impacts.
- R-6 In the initial stages of design, SANDAG explored locating the proposed bike path within the railroad right-of-way. However, the space required for the proposed Mid-Coast Trolley, combined with the additional area required to accommodate construction of a second railroad track, precluded the feasibility of also locating the bike path within the railroad right-of-way. Upon completion of the Mid-Coast Trolley and LOSSAN Double Tracking projects, the rail right-of-way will be fully utilized by rail lines from at least State Route 52 all the way to Santa Fe Depot, thus causing a need to look to other alignments and network connectivity. Directly connecting to the Rose Canyon Bike Path to the north, and to the Rose Creek Bike Path to the south, is the most effective way to leverage existing Class I infrastructure, and further connects to the Class I infrastructure encircling Mission Bay, and the San Diego River.

COMMENTS

RESPONSES

R-7 Because the project area is within the City of San Diego, what regulation(s) or legal ruling(s) allow SANDAG an exemption from City of San Diego mitigation ratios?

R-8 We strongly encourage the scope of the project to be expanded to address connectivity to the proposed Mid-Coast Trolley Station on Balboa Avenue either as part of this project or in conjunction with the Mid-Coast trolley project. We feel very strongly that this is a key component to the success of both projects and encourage you to think outside the box.

R-9 During the public meeting process, many members of the public had encouraged this project to look at connectivity to the intersection of Jutland and Morena on the east side of the railroad tracks and had received verbal assurances that this would be incorporated at a high levels. Why was this not included in the Mitigated Negative Declaration?

R-10 Finally, while we appreciate the responses to our initial comments on the bike path lighting we still feel very strongly that the public should have the opportunity to comment on the specific type of lighting fixtures to be installed. Our original comments identified negative impacts based on the type of wavelength, spectrum, colors, etc. and the impacts of different lighting methods on the biologic resources. Without knowing the type of lighting intended to be installed, how can the public be certain that the optimal lighting spectrums are used for human safety and biological compatibility.

R-11 The proposed 3-foot widening would require a retaining wall along an 875-foot section of Rose Creek along Santa Fe Street, up to six feet high, and relocation of various wet and dry utility features, including the relocation or undergrounding of an existing overhead power line and associated poles. We strongly encourage some mitigation to take place in this stretch of the creek, which is an area of diverse habitat and challenges. Doing so would create co-benefits for sidewalk users by further enhancing an area rich in biologic resources.

R-12 We hope the final Mitigated Negative Declaration (under CEQA Section 15070) incorporates our recommendations. We strongly recommend that the project planners revise the document incorporating our recommendations. In closing, we look forward to working through these challenges with SANDAG and the project team. By incorporating these recommendations, we feel that users of the Bikeway will experience additional benefits including the enjoyment of Rose Creek. Our goal is to create a bike path that the community will enjoy for years to come.

Sincerely,

Karin Zirk, Ph.D.  
Executive Director  
On Behalf of the Friends of Rose Creek  
~~~ Connecting Our Communities ~~~

*A member of the Rose Creek Watershed Alliance
*A Friends Group of San Diego Canyonlands, Inc.
Visit us on-line at <http://www.saverosecreek.org>

R-7 See response to comment G-4.

R-8 See response to comment D-11.

R-9 A high-level engineering feasibility study for a bridge over Rose Creek connecting Santa Fe to Morena Boulevard/Jutland Drive was performed. The proposed bridge was determined to constitute a very complex and expensive project in itself. To include it in this project (and associated MND) would have cost more than the Rose Creek Bikeway project budget allowed for, considering the level of engineering design, hydraulic analysis, and environmental study that would be required. As the primary purpose of the proposed bikeway is to provide the missing 2-mile link between the Rose Creek Bike Path and the Rose Canyon Bike Path, SANDAG decided not to include a connection to Morena Boulevard and Jutland Drive in the Rose Creek Bikeway proposal.

R-10 Lighting will be provided in accordance with City of San Diego standards. Additionally, as the U.S. Fish and Wildlife Service (Service) has jurisdiction over species in adjacent habitat to the project area, conservation measures would be mandated by the Service to ensure lighting does not impact those species and the measures would be implemented by SANDAG.

R-11 Biological Mitigation Measures BIO-6, BIO-7, BIO-12, and BIO-13 will mitigate for the loss of southern willow scrub and Diegan coastal sage scrub in this location.

R-12 This comment provides concluding statements. No response is required.

COMMENTS

RESPONSES

From: [FreedomPleaseOrg dMbEnterprises](#)
To: [Esposito, Lauren](#); [FreedomPleaseOrg dMbEnterprises](#); [daniel_beeman@yahoo.com](#); [chriscate@sandiego.gov](#)
Subject: RE: Rose Creek Bikeway project-draft Mitigated Negative Declaration (MND)
Date: Tuesday, May 10, 2016 9:41:29 AM

Ms. Esposito (SANDAG),

S-1

I believe that a connection should be made from the Rose Creek Bikeway to Morena Blvd. under the south crossing of Rose Creek to under rail line(s) to Morena via a path up & thru parking lot of WestCoast Paddle Sports. I see there is an existing path down to the drainage channel/Rose Creek on google maps. This way bikes could either meet a NEW bike pathway along the east side of the new Mid-Coast Trolley extension or at least get to Morena Blvd to cycle south to the current Trolley Station on Friars Road. Missing this opportunity to make good connectivity would be tragic. The roads are closest in this area, and grade change is minimal here.

San Diegans are hopeful for more biking access. Also we are preparing for more public transit use, see Mid-Coast Trolley and it's new stations on Balboa, Clairemont Dr. and Tecolote Creek area. With more Federal & State dollars to help via Rose Creek Bikeway this could make a effective transition.

Thank you for your time and consideration.

Sincerely yours,
Daniel

--
 Daniel Beeman ~human
 858-571-6058
 & FreedomPleaseOrg 619.318.0891 (text only pls)
 aka Walk with Him (facebook)

S-1 SANDAG reviewed a connection at this location during the preliminary phase of the project. Although not exactly in the configuration suggested by the author, it was part of an eastern-side-of-the-corridor emphasis alignment analyzed in determining the overall project alignment. The feasibility of a path crossing or going under the four rail sets, either in the creek bed/bank or as an at-grade crossing included extreme challenges. The creek bed/bank alignment has poor overhead clearance, and would be subject to severe hydraulic forces at high stream flows and inundation. An at-grade crossing of four tracks is also anticipated to have an extremely low chance of approval from the California Public Utilities Commission and the Federal Railroad Administration. Due to the high cost, environmental impacts, and feasibility of other alternatives, the project scope was limited to completing the missing link in the regional network between the Rose Creek Bike Path and the Rose Canyon Bike Path.