

Inland Rail Trail Bikeway

SAN DIEGO ASSOCIATION OF GOVERNMENTS
CITIES OF SAN MARCOS, VISTA, OCEANSIDE, COUNTY OF SAN DIEGO
SAN DIEGO COUNTY, CALIFORNIA

Addendum to the Final Initial Study/Subsequent Mitigated Negative Declaration

*State Clearinghouse No. 1999081121
Final IS/Subsequent MND Adopted July 26, 2013*



Prepared by the San Diego Association of Governments



September 2014

Table of Contents

1. Introduction	1
2. CEQA Requirements.....	1
3. Summary of the Approved Project, Location, and Regional Setting.....	2
4. Summary of Adopted CEQA Documentation for the Approved Project.....	19
5. Proposed Changes to the Approved Project.....	20
6. Required Approvals.....	24
7. Environmental Analysis	24

Figures

Figure 1: Project Vicinity	3
Figure 2: Project Location	4
Figure 3: Project Features.....	5
Figure 4: Properties Affected by Project Changes.....	21
Figure 5: Proposed Re-alignment of Redlands and West Orange Streets.....	23

Tables

Table 1. Properties Proposed for Temporary or Permanent Acquisition	20
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1. Introduction

The San Diego Association of Governments (SANDAG) proposes to make minor changes to the Inland Rail Trail Bikeway Project (hereinafter referred to as “the Project”). The Project was described in the *Inland Rail Trail Bikeway Final Initial Study/Subsequent Mitigated Negative Declaration* (“Final Subsequent MND”) adopted by SANDAG on July 26, 2013. The Project was originally evaluated in the *Final Mitigated Negative Declaration for the Oceanside-Escondido Bikeway Project* (“Final MND”) adopted by the City of San Marcos in 1999, and adopted by SANDAG on July 26, 2013. The Final Subsequent MND and Final MND in their entirety are hereby incorporated by reference into this Addendum pursuant to California Environmental Quality Act (CEQA) Guidelines §15150. All section references are to the CEQA Statutes (Public Resources Code §§21000-21177) or the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§15000-15387) unless otherwise noted.

The purpose of this Addendum is to describe the proposed minor changes to the Project and provide substantial evidence explaining why SANDAG has decided not to prepare a subsequent EIR or negative declaration in compliance with §15162. Pursuant to §15164, this Addendum is required because only minor technical changes and additions are necessary to make the adopted Final Subsequent MND adequate under CEQA. This Addendum identifies all project changes, changed circumstances, and new information of substantial importance since adoption of the Final Subsequent MND, and supports SANDAG’s reasoned conclusion that the revised Project as described herein does not create any of the conditions in §15162 requiring preparation of a Subsequent EIR.

This Addendum will be maintained in the administrative record files at SANDAG located at 401 B Street, Suite 800, San Diego, California 92101. The custodian of these documents is Andrew Martin, Associate Planner. The documents and other materials that constitute the record of proceedings on which SANDAG’s Board will consider adoption of the Addendum to the Final Subsequent Mitigated Negative Declaration will be based include but are not limited to:

- The *Final Mitigated Negative Declaration for the Oceanside-Escondido Bikeway Project* adopted by the City of San Marcos in 1999, and adopted by SANDAG in 2013.
- *Inland Rail Trail Bikeway Final Initial Study/Subsequent Mitigated Negative Declaration* adopted by SANDAG in 2013.
- All public notices issued by SANDAG in conjunction with the project.

2. CEQA Requirements

In accordance with the CEQA Guidelines, “An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary but none of the conditions described in §15162 calling for preparation of a subsequent EIR or negative declaration have occurred.” (§15164[b]) Specifically, §15162 states that, for a project such as this one with an adopted MND, “no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.

Under a scenario in which minor technical changes or additions to the previously adopted MND or certified EIR are necessary, but none of the changes or additions meet the standards for a Subsequent EIR, the lead agency is directed to prepare an addendum to the previous document (§15164). The addendum should include, “a brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162”, and, “the explanation must be supported by substantial evidence.” (§15164[e]). Public review of an addendum is not required, “but can be included in or attached to the final EIR or adopted negative declaration.” (§15164[c]).

3. Summary of the Approved Project, Location, and Regional Setting

SANDAG will design and construct a 7-mile bikeway in the cities of San Marcos, Oceanside, and Vista, and the County of San Diego (Figures 1 and 2). The approved project involves construction of a Class I bikeway generally located in the North County Transit District (NCTD) railroad right-of-way (ROW) between the border of the cities of Vista and Oceanside and the West Mission Road-North Pacific Street intersection in the City of San Marcos (Figure 3). Please refer to the Project Description of the Final Subsequent MND for additional details.

City of Vista/City of Oceanside

From Melrose Drive and West Bobier Drive/Oceanside Boulevard, the approved project travels south along Melrose Drive before heading east and entering NCTD ROW on the north side of the railroad tracks. The project continues east and south on the north side of NCTD ROW toward the Vista Transit Center Station and then the Civic Center-Vista Station, where it enters the south side of the ROW. The portion within City of Vista terminates approximately at the eastern end of Phillips Street, where it enters the County of San Diego.



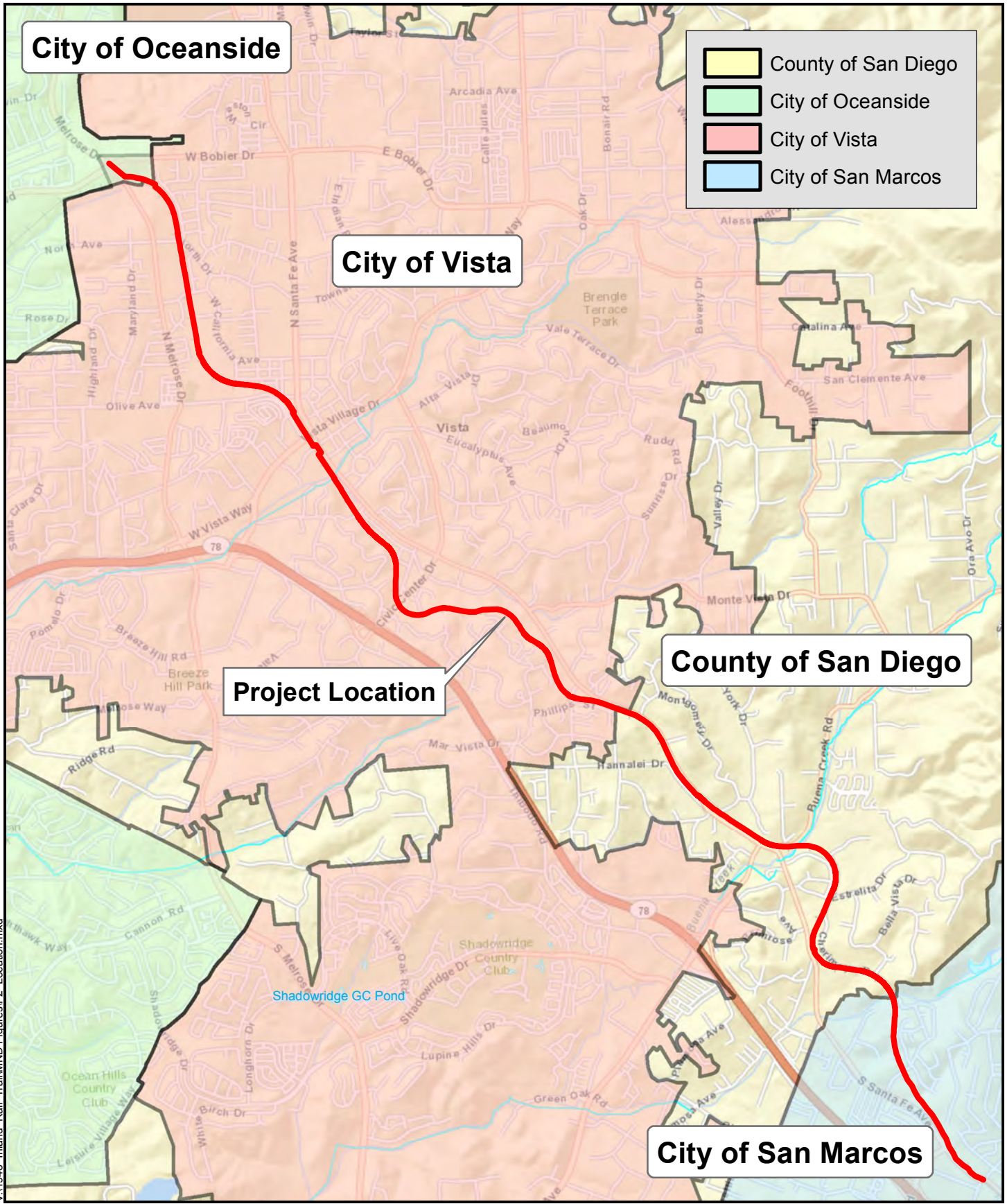
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Source: ESRI 2008; Dokken Engineering 4/1/2013; Created By: timc



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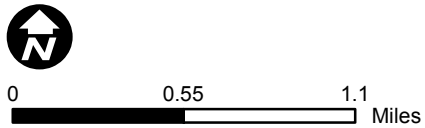
FIGURE 1
Project Vicinity
 Inland Rail Trail Project




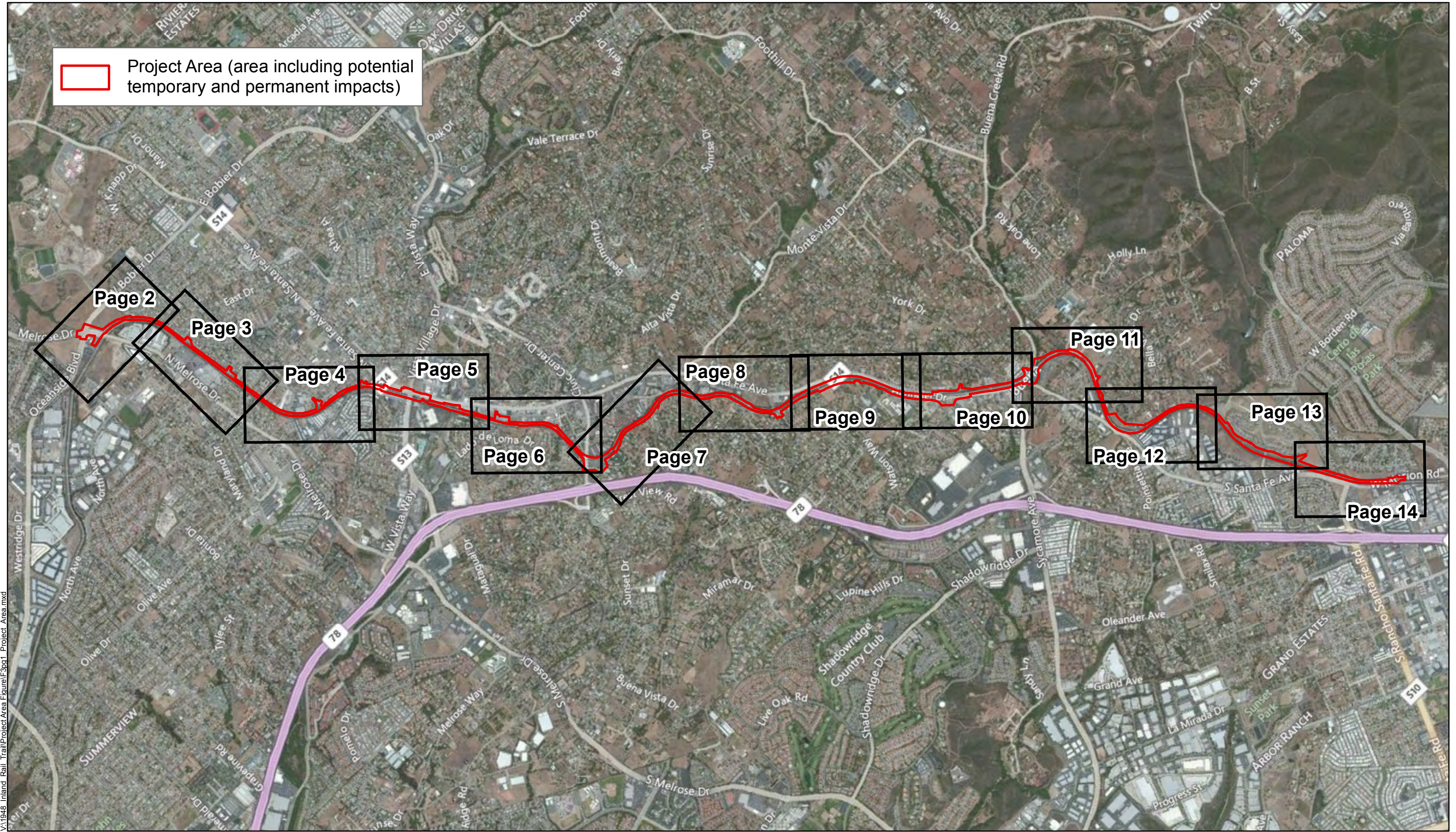
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Source: ESRI 2008; Dokken Engineering/13/2013; Created By: timc

FIGURE 2
Project Location
 Inland Rail Trail Project



 Project Area (area including potential temporary and permanent impacts)



\\1948 Inland Rail Trail\Project Area Figure\F3g1 Project Area.mxd
Source: BING Maps Online; Dokken Engineering 12/6/2012; Created By: carleneg

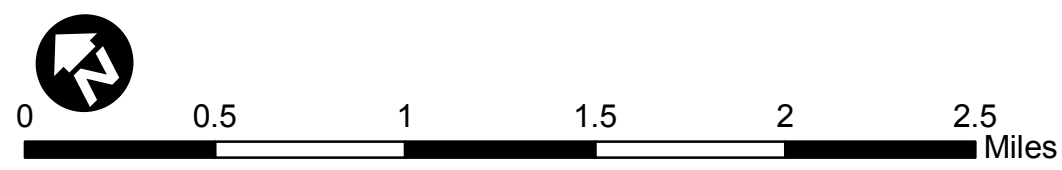
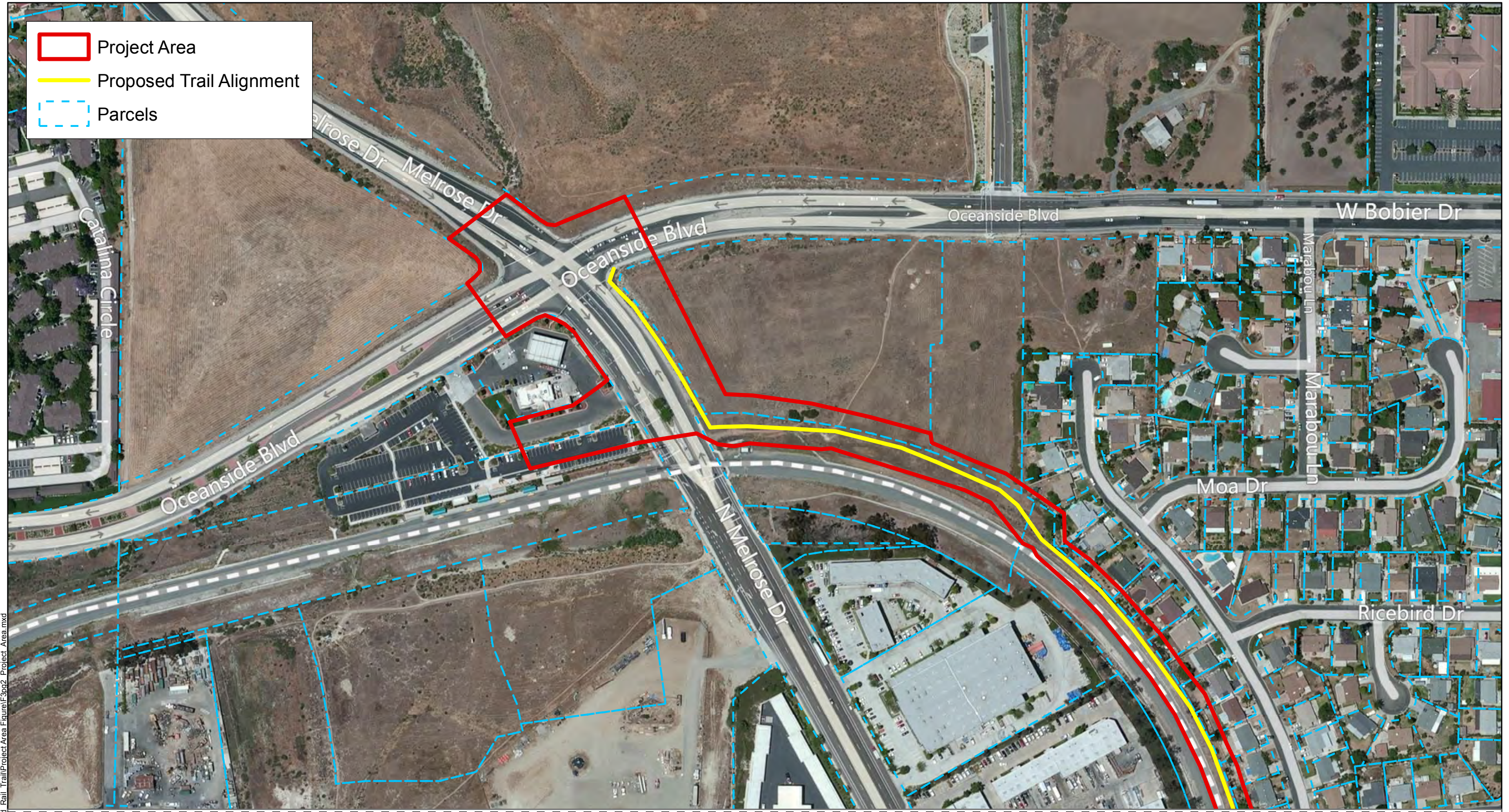


FIGURE 3
Page 1 of 14
Project Area
Inland Rail Trail Project

- Project Area
- Proposed Trail Alignment
- Parcels



Match Line - See Page 3

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Source: BING Maps Online; Dokken Engineering 12/6/2012; Created By: carleneg

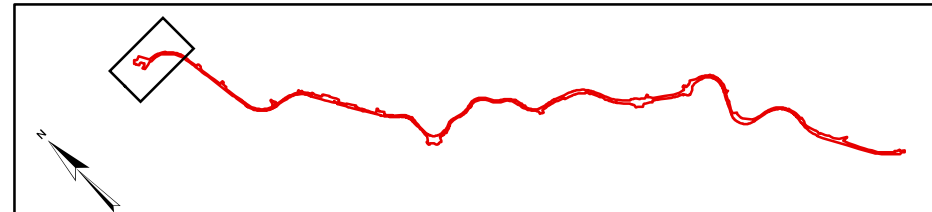
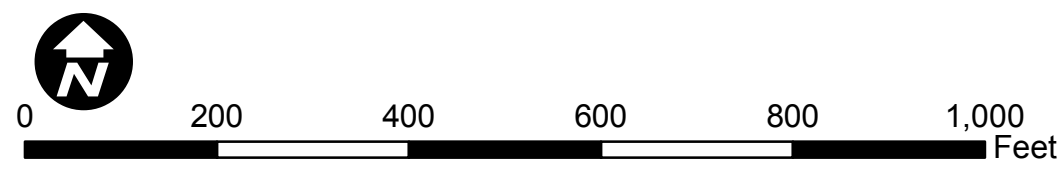



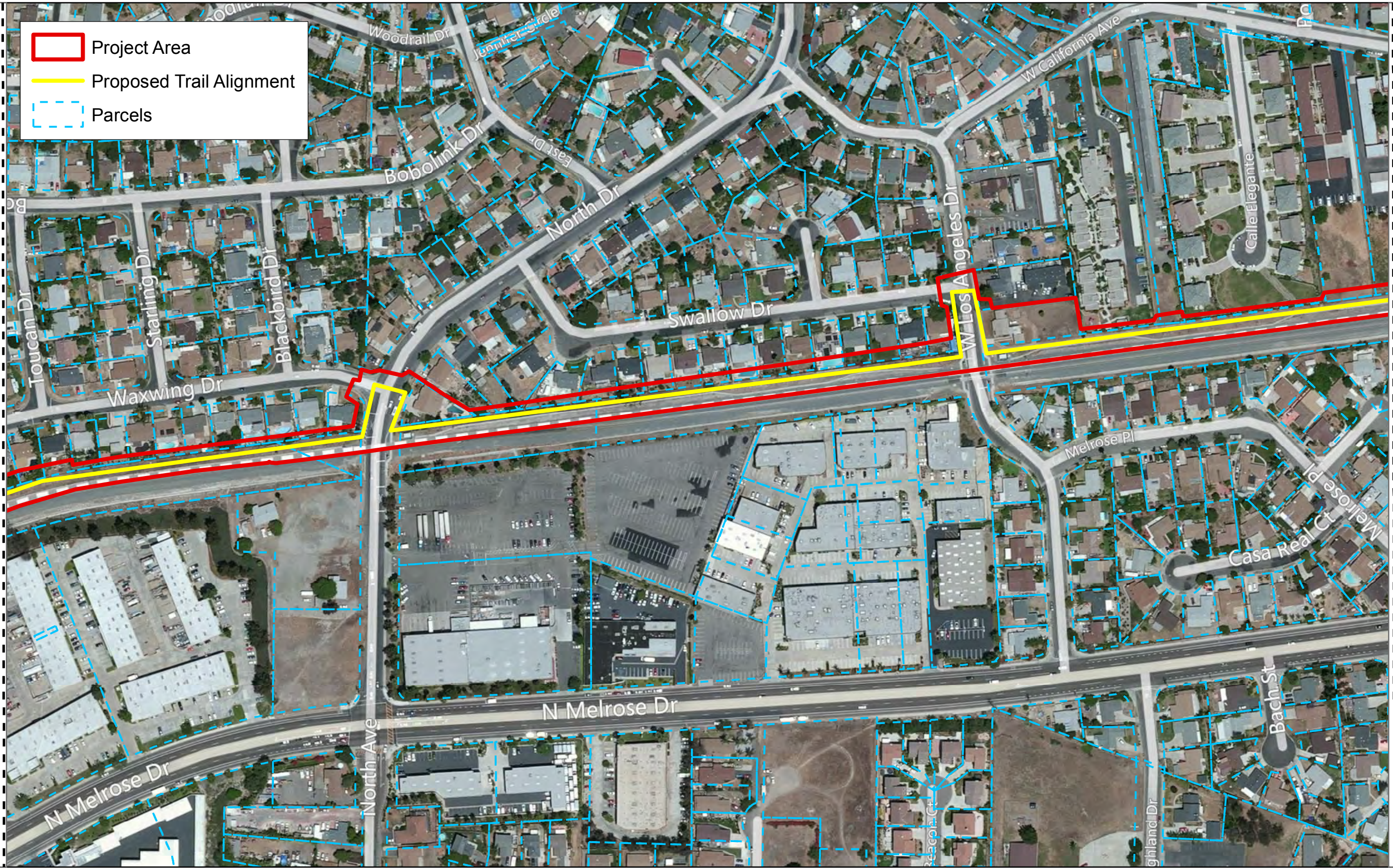


FIGURE 3
Page 2 of 14
Project Area
 Inland Rail Trail Project

Match Line - See Page 2

Match Line - See Page 4

 Project Area
 Proposed Trail Alignment
 Parcels



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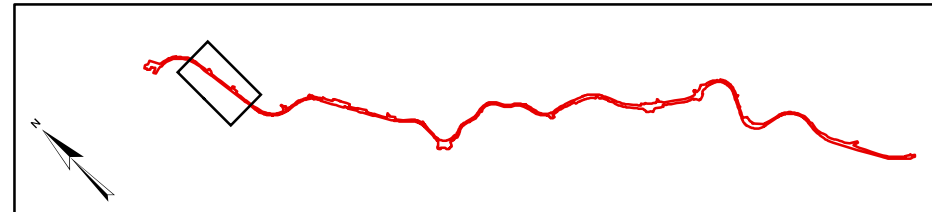
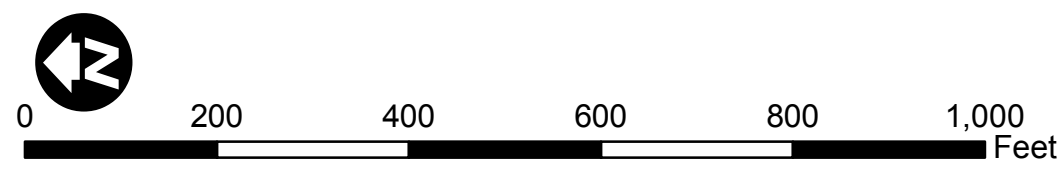


FIGURE 3
Page 3 of 14
Project Area
 Inland Rail Trail Project



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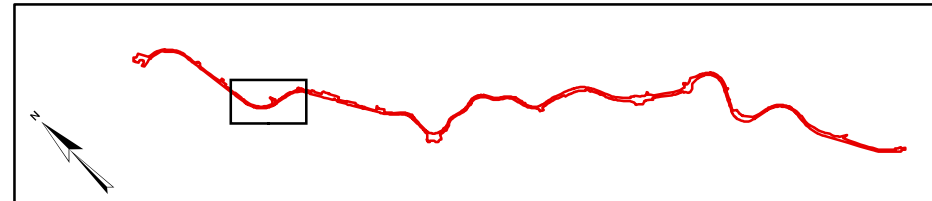
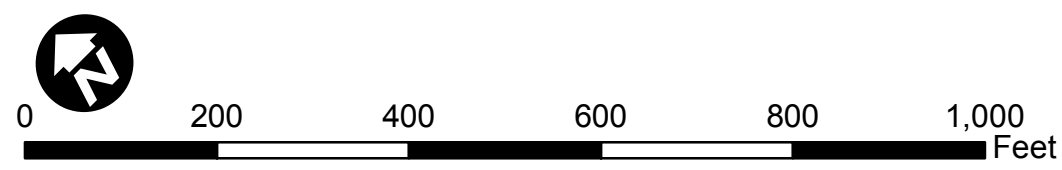



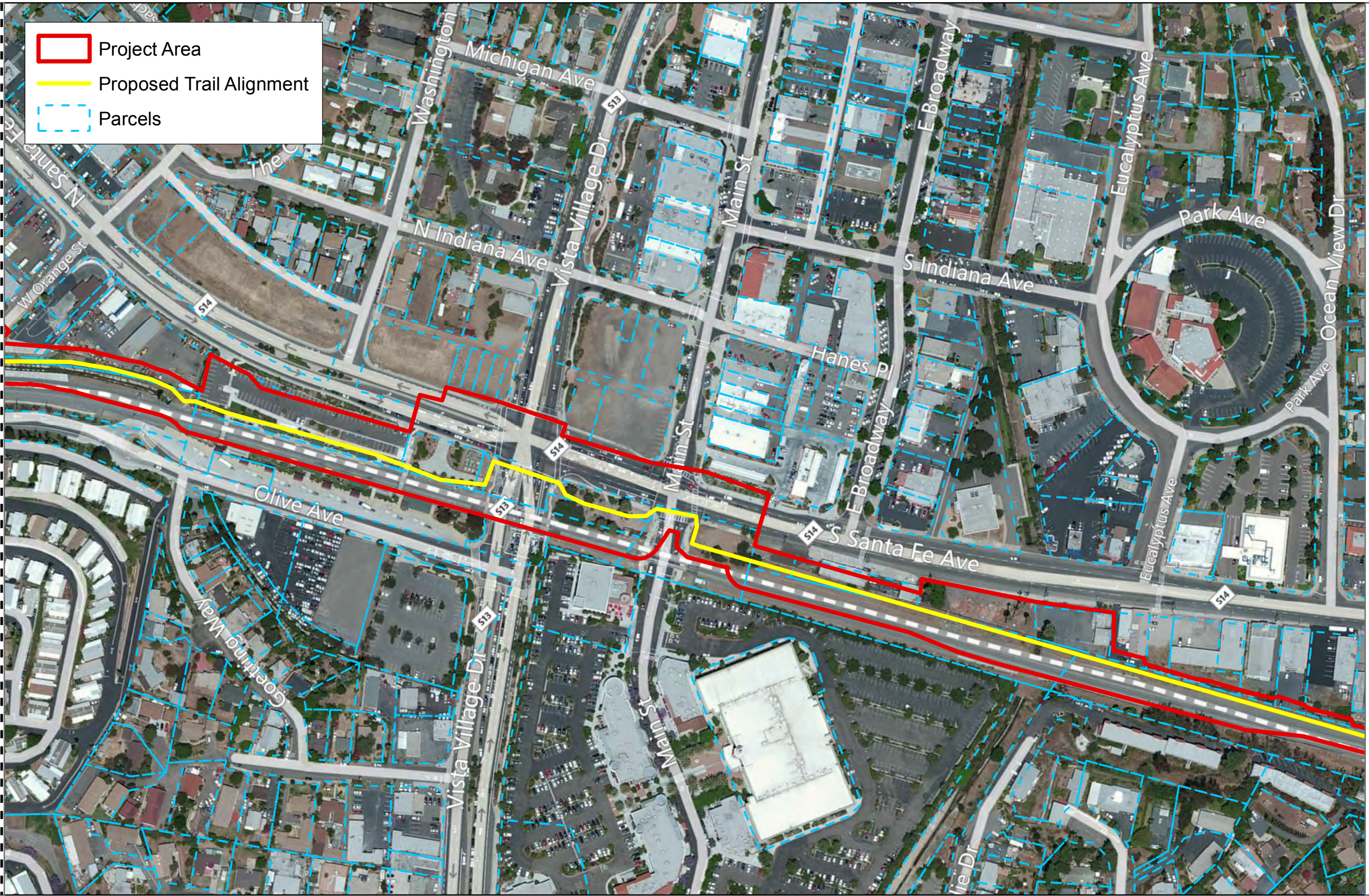


FIGURE 3
Page 4 of 14
Project Area
 Inland Rail Trail Project

Match Line - See Page 4

Match Line - See Page 6

 Project Area
 Proposed Trail Alignment
 Parcels



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Source: BING Maps Online; Dokken Engineering 3/28/2013; Created By: timc

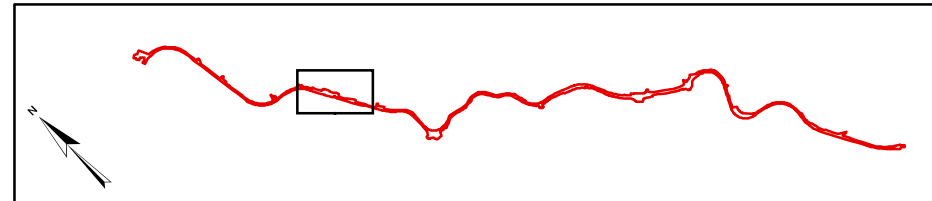
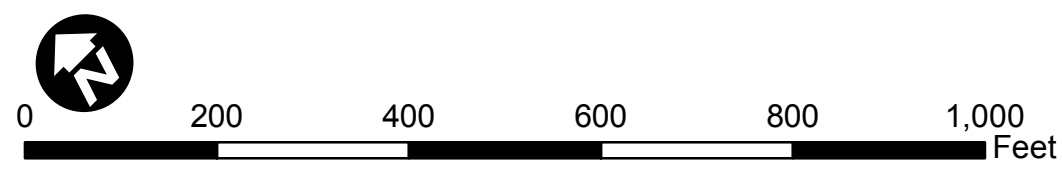





FIGURE 3
 Page 5 of 14
Project Area
 Inland Rail Trail Project

Match Line - See Page 5

Match Line - See Page 7

-  Project Area
-  Proposed Trail Alignment
-  Parcels



Source: BING Maps Online; Dokken Engineering 5/21/2013; Created By: timc

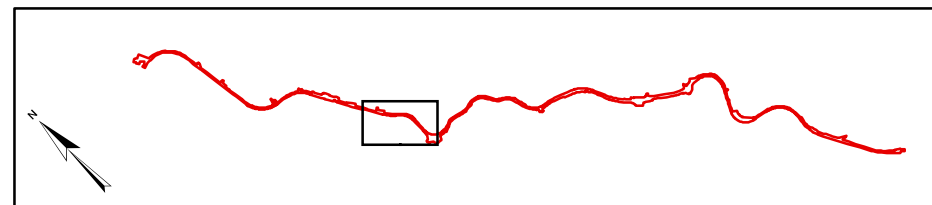
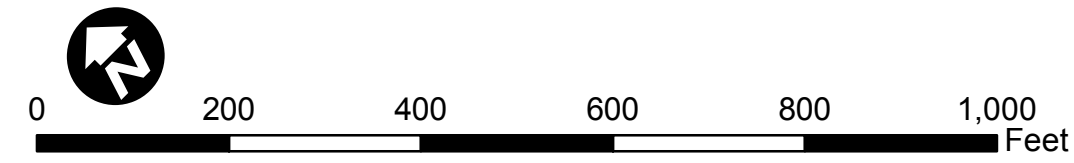
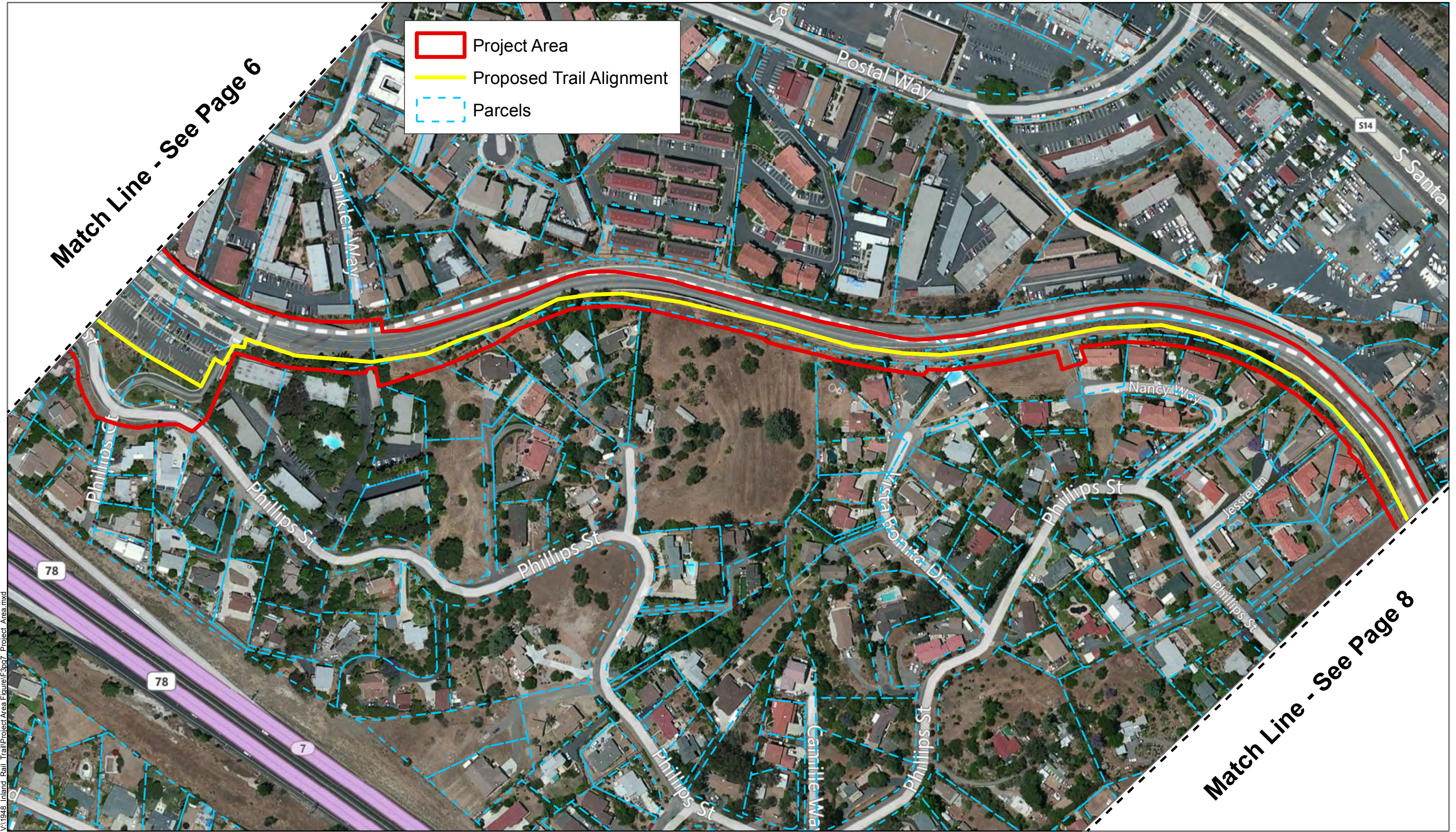


FIGURE 3
Page 6 of 14
Project Area
 Inland Rail Trail Project

- Project Area
- Proposed Trail Alignment
- Parcels

Match Line - See Page 6

Match Line - See Page 8



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Source: BING Maps Online; Dokken Engineering 3/28/2013; Created By: timc

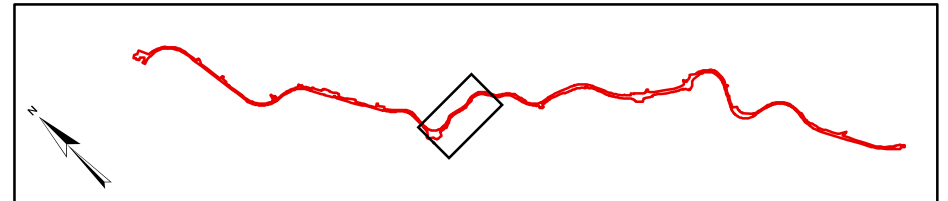
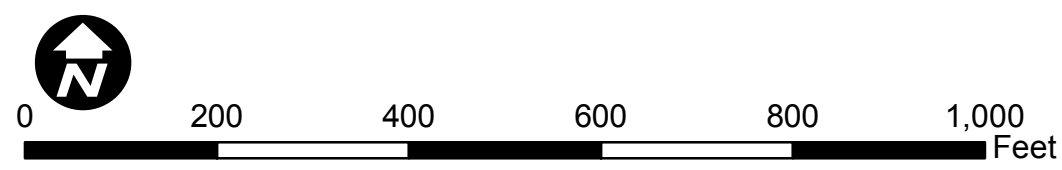





FIGURE 3
Page 7 of 14
Project Area
 Inland Rail Trail Project

Match Line - See Page 7

Match Line - See Page 9

 Project Area
 Proposed Trail Alignment
 Parcels



Source: BING Maps Online; Dokken Engineering 12/6/2012; Created By: carleneg
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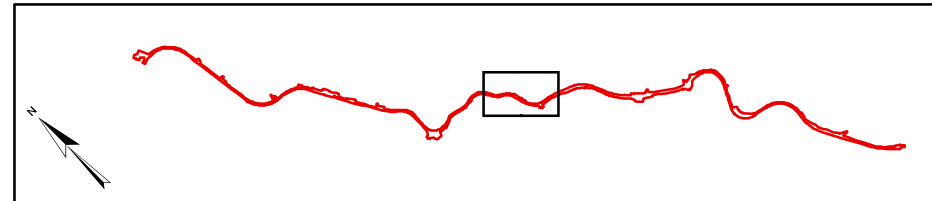
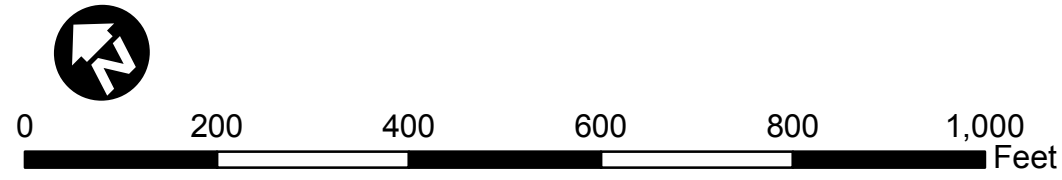





FIGURE 3
Page 8 of 14
Project Area
 Inland Rail Trail Project

Match Line - See Page 8

Match Line - See Page 10

-  Project Area
-  Proposed Trail Alignment
-  Parcels



Source: BING Maps Online; Dokken Engineering 12/6/2012; Created By: carleneg

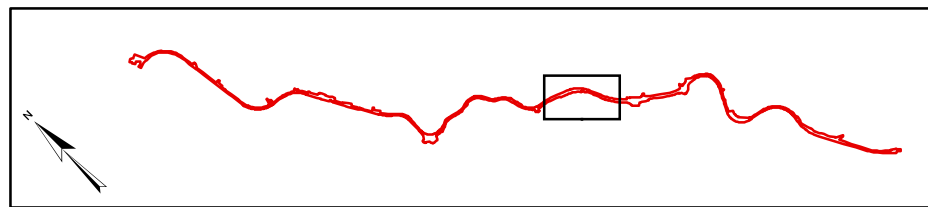
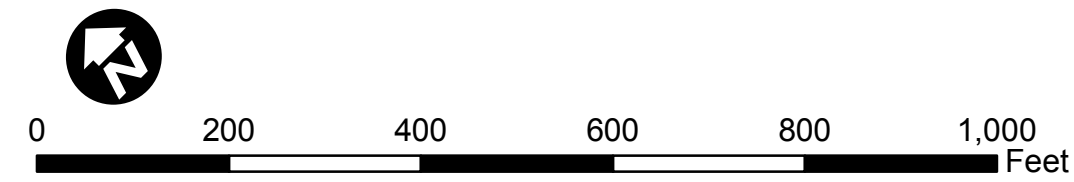



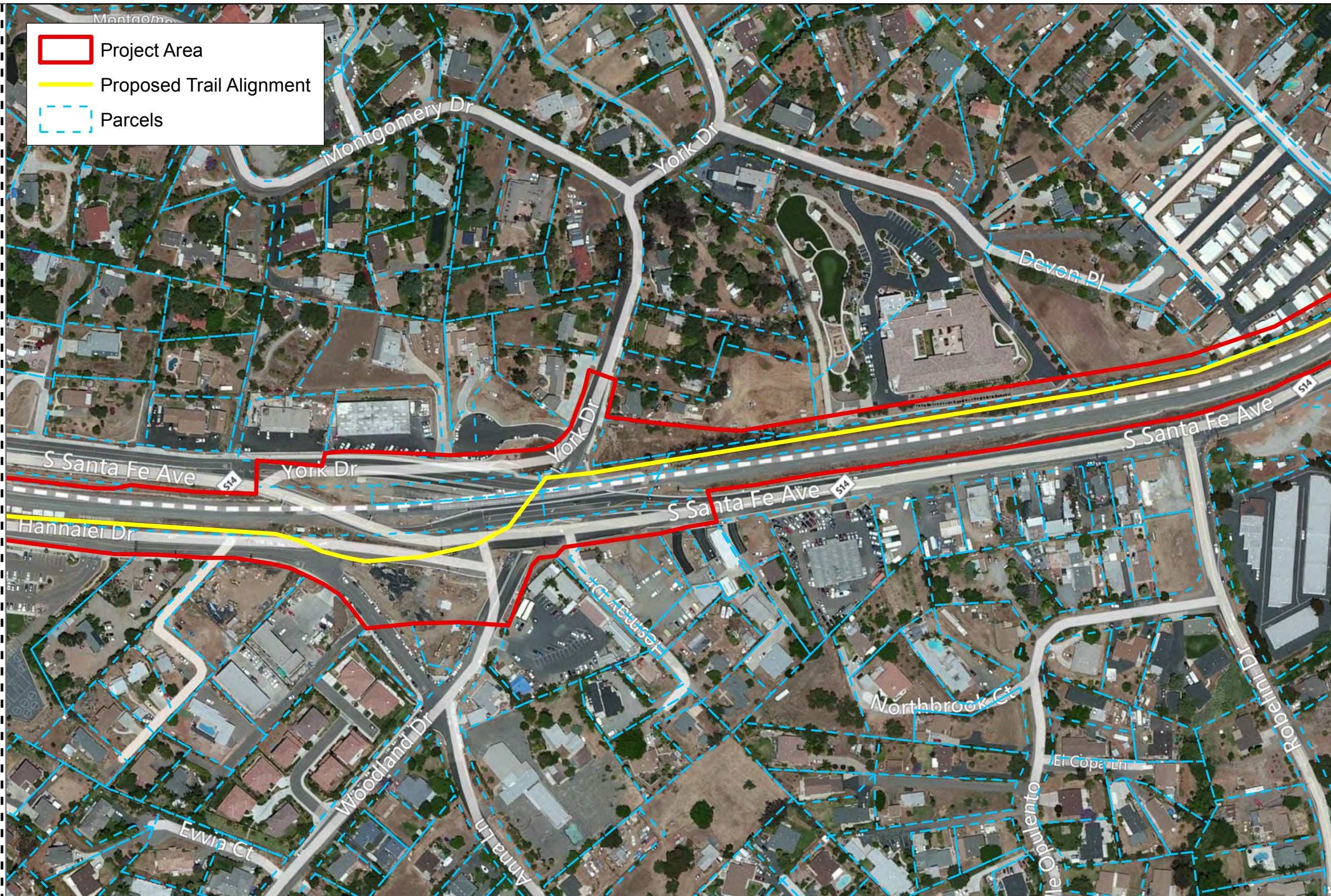


FIGURE 3
Page 9 of 14
Project Area
 Inland Rail Trail Project

Match Line - See Page 9

Match Line - See Page 11

-  Project Area
-  Proposed Trail Alignment
-  Parcels



Source: BING Maps Online; Dokken Engineering 12/6/2012; Created By: carleneg

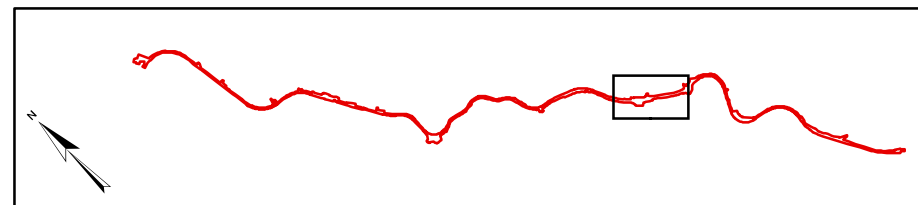
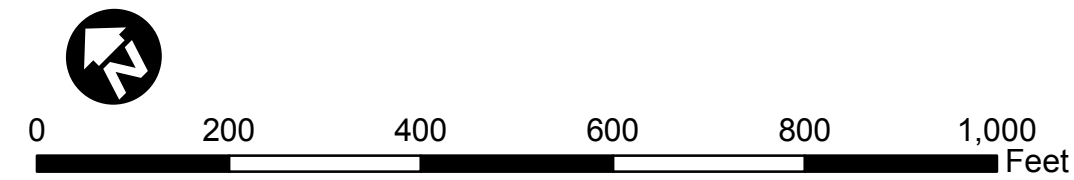
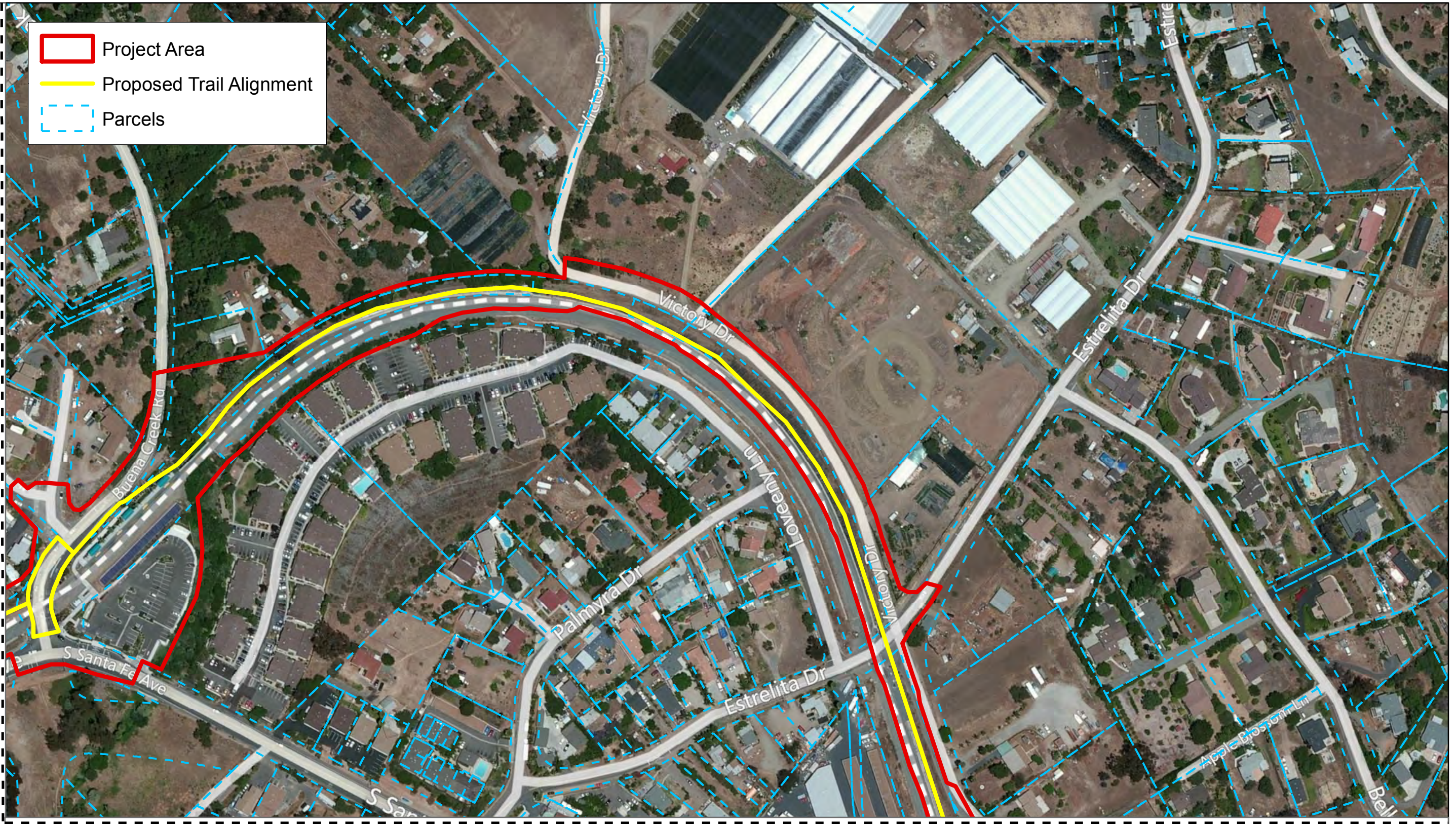


FIGURE 3
Page 10 of 14
Project Area
 Inland Rail Trail Project

Match Line - See Page 10

- Project Area
- Proposed Trail Alignment
- Parcels



Match Line - See Page 12

Source: BING Maps Online; Dokken Engineering 3/28/2013; Created By: timc

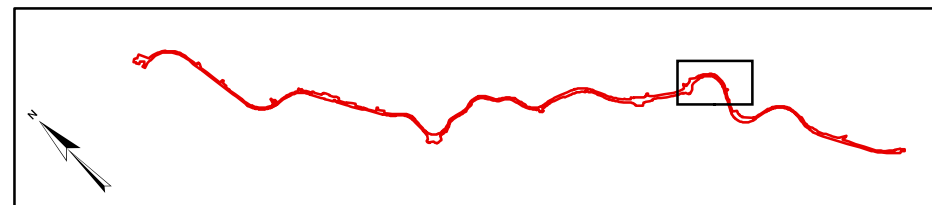
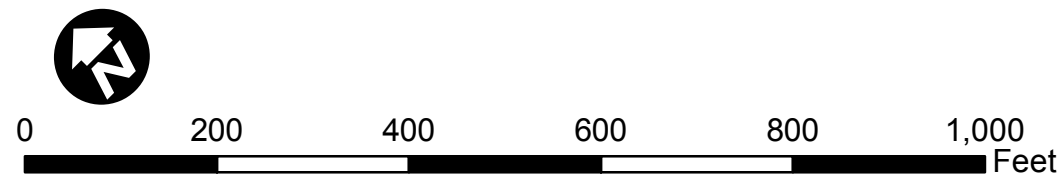

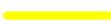



FIGURE 3
Page 11 of 14
Project Area
Inland Rail Trail Project

Match Line - See Page 11

-  Project Area
-  Proposed Trail Alignment
-  Parcels



Match Line - See Page 13

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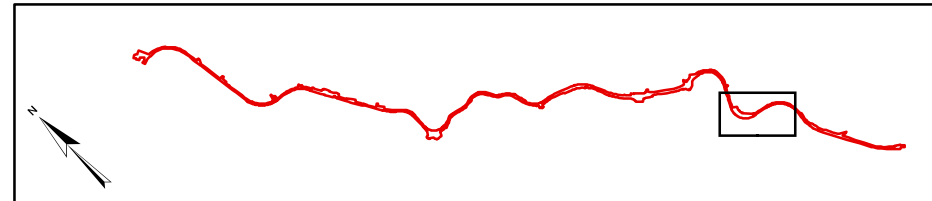
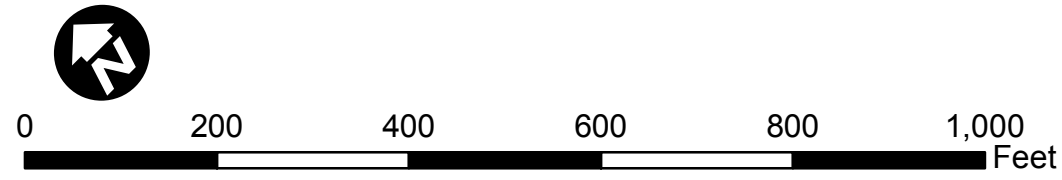
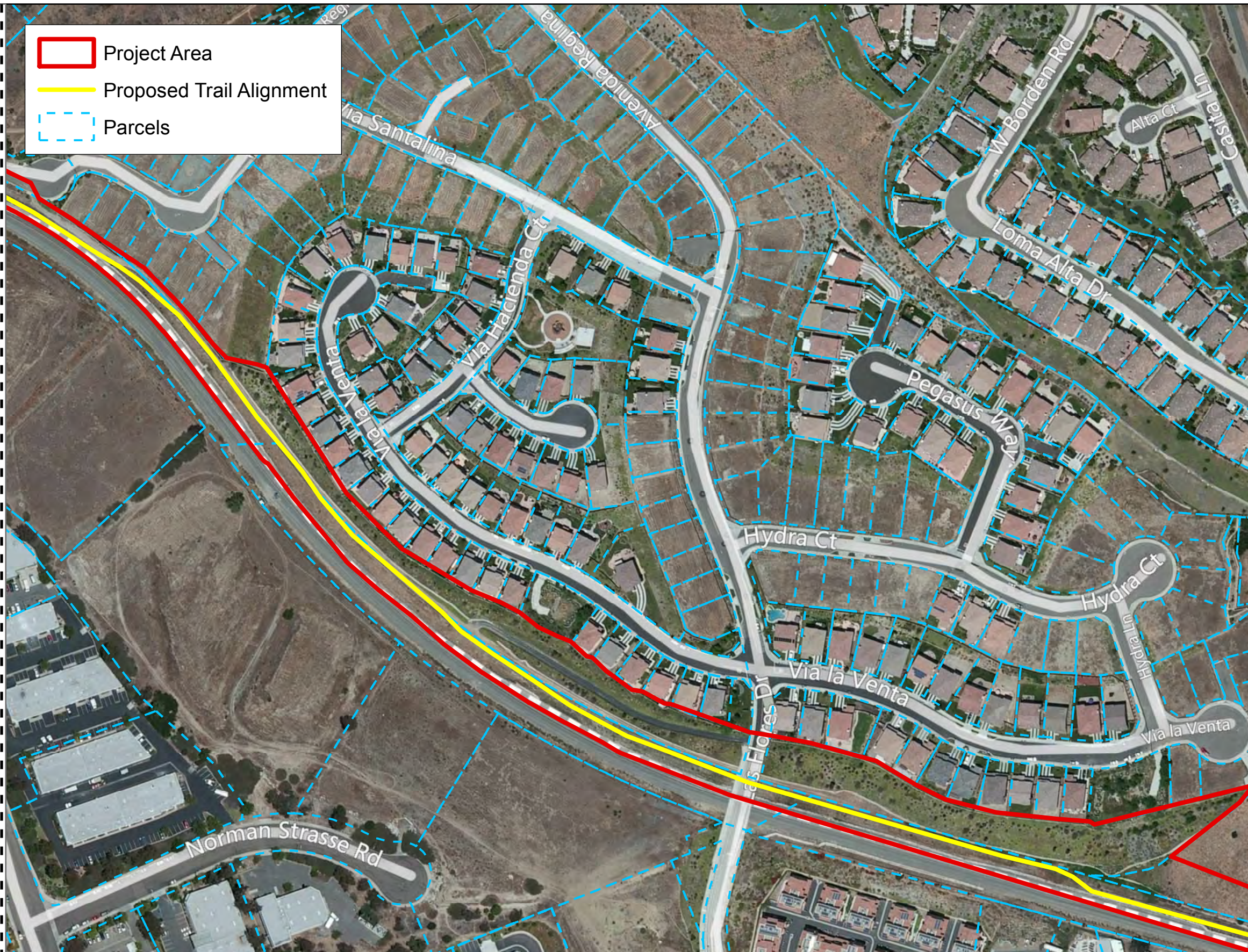


FIGURE 3
Page 12 of 14
Project Area
Inland Rail Trail Project

Match Line - See Page 12

- Project Area
- Proposed Trail Alignment
- Parcels



Match Line - See Page 14

\\1948_Inland_Rail_Trail\Project Area Figure\F3g13_Project Area.mxd

Source: BING Maps Online; Dokken Engineering 3/28/2013; Created By: timc

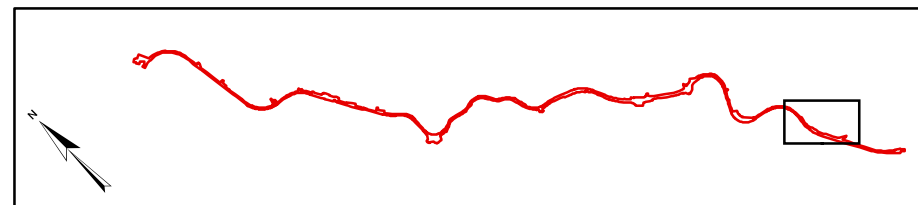
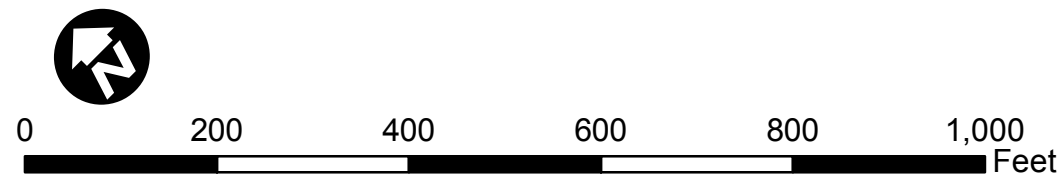



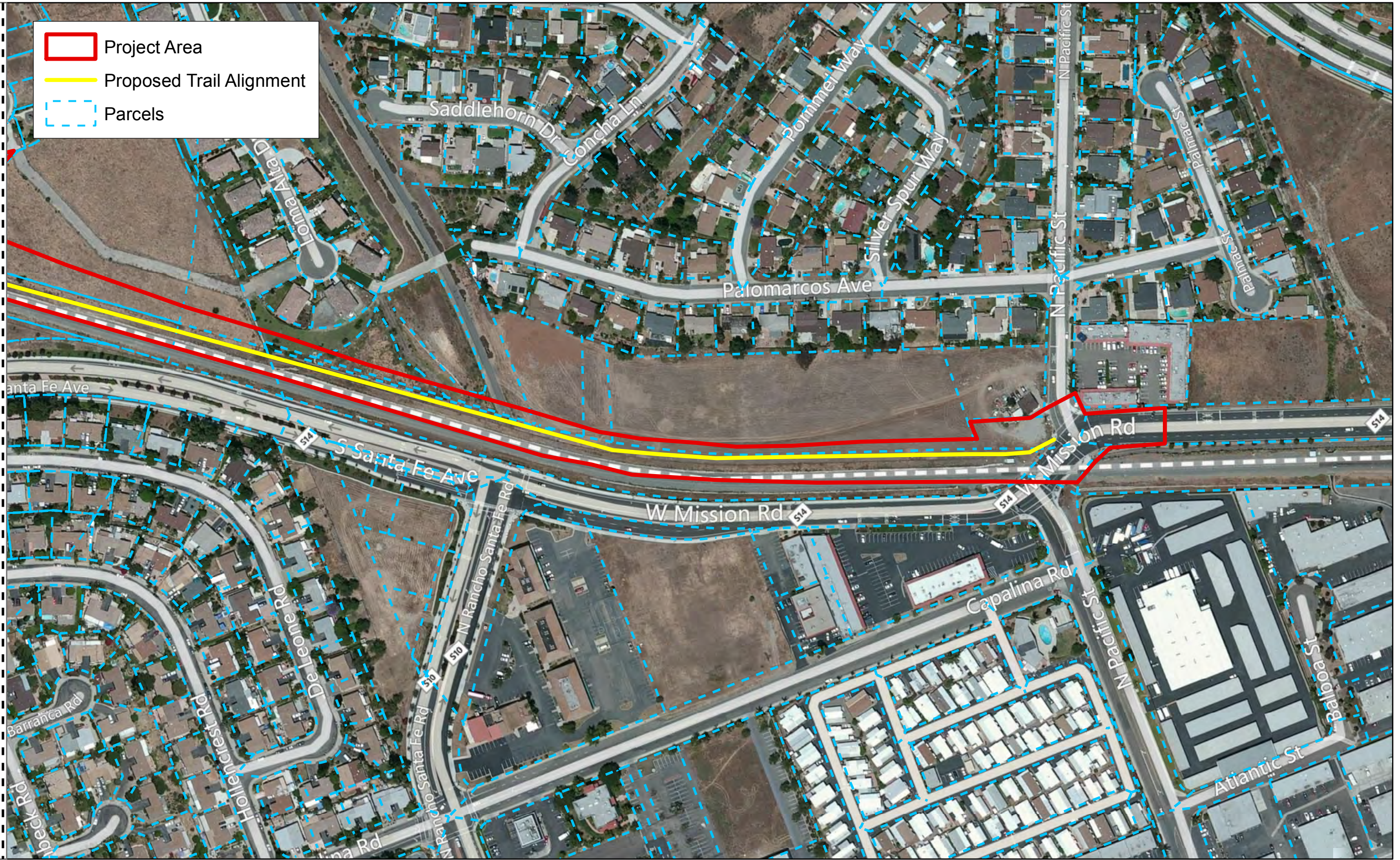


FIGURE 3
Page 13 of 14
Project Area
Inland Rail Trail Project

Match Line - See Page 13

-  Project Area
-  Proposed Trail Alignment
-  Parcels



Source: BING Maps Online; Dokken Engineering 5/23/2013; Created By: timc

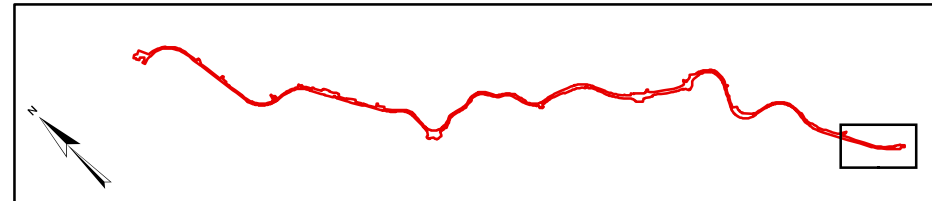
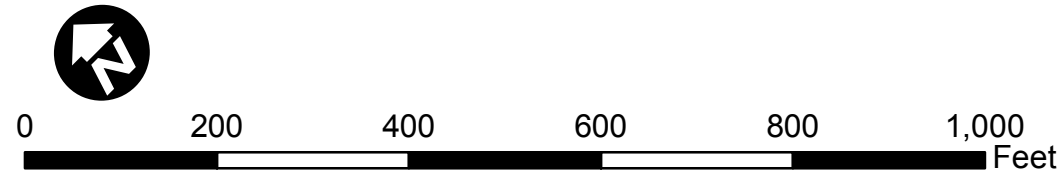


FIGURE 3
Page 14 of 14
Project Area
 Inland Rail Trail Project

County of San Diego

From the eastern end of Phillips Street, the approved project continues east along the south side of NCTD ROW, adjacent to sports fields and Hannalei Drive. At Woodland Drive/York Drive and South Santa Fe, it transitions to the north side of NCTD ROW. The project then passes Buena Creek Station, and a bridge will be constructed over Buena Creek, adjacent to the existing railroad bridge. Beyond Buena Creek, it continues along the north side of NCTD ROW. South of El Corto Drive and before Via Santalina, the project enters the City of San Marcos.

City of San Marcos

Within the City of San Marcos, the approved project continues along the north side of NCTD ROW, goes underneath the Las Flores Drive Bridge, and then crosses West Mission Road at-grade at North Pacific Street, where it connects with the existing bikeway.

Project Features

The approved project typically consists of two 5-foot paved bicycle lanes and two 2-foot unpaved shoulders, for a total width of 14 feet. Additional project features include fencing, landscaping, lighting, retaining walls, and brow ditches.

4. Summary of Adopted CEQA Documentation for the Approved Project

Final Mitigated Negative Declaration for the Oceanside-Escondido Bikeway Project

The City of San Marcos approved the Oceanside-Escondido Bikeway Project and adopted the Final MND on October 6, 1999. The City of San Marcos served as the CEQA lead agency representing the cities of Escondido, Vista, Oceanside, and the County of San Diego. The Final MND was adopted by the City of San Marcos in 1999 pursuant to §15070(a). The Final MND concluded that the project would not have any significant adverse effects on the environment with the implementation of mitigation measures. Mitigation measures identified in the Final MND would ensure that impacts remain less than significant for: Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise. Impacts for all other resource topics were less than significant, or no impact would occur. The SANDAG Board of Directors adopted the Final MND on July 26, 2013, prior to taking action on the Final Subsequent MND.

Final Initial Study/Subsequent Mitigated Negative Declaration for the Inland Rail Trail Bikeway

On July 26, 2013, the SANDAG Board of Directors adopted the Final Subsequent MND for the Project. The Final Subsequent MND evaluated environmental effects for the following resource topics: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, utilities and service systems.

The Final Subsequent MND identified less than significant impacts with the implementation of mitigation measures for the following resource topics: biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, and noise. All other impacts would be less than significant or no impact would occur.

5. Proposed Changes to the Approved Project

This Addendum addresses proposed changes to the Project within the City of Vista and the County of San Diego. These changes were proposed after adoption of the Final Subsequent MND by the SANDAG Board of Directors in 2013, during final engineering design of the Project. The following section describes the changes; none are proposed in the City of San Marcos or the City of Oceanside.

City of Vista

Proposed changes within the City of Vista include the temporary acquisition of four privately-owned properties for purposes of access and equipment staging during construction of the Project. Temporary and permanent acquisition is proposed for an approximately 1,000 square foot corner of a fifth privately-owned parcel. The five properties are described in Table 1 and shown on Figure 4.

Except for the changes described below the Project within the City of Vista would remain as described in Section 3.

Table 1. Properties Proposed for Temporary or Permanent Acquisition

APN	Area Proposed for Acquisition*	Purpose of Acquisition
163-420-20	10,000 sf (0.22 acre)	Temporary construction easement
163-420-01	11,000 sf (0.25 acre)	Temporary construction easement
180-141-06	10,000 sf (0.22 acre)	Temporary construction easement
180-141-50	15,000 sf (0.34 acre)	Temporary construction easement
175-116-06	1,000 sf (0.02 acre)	Temporary construction easement; permanent acquisition

Notes:

APN = assessor's parcel number

sf = square feet

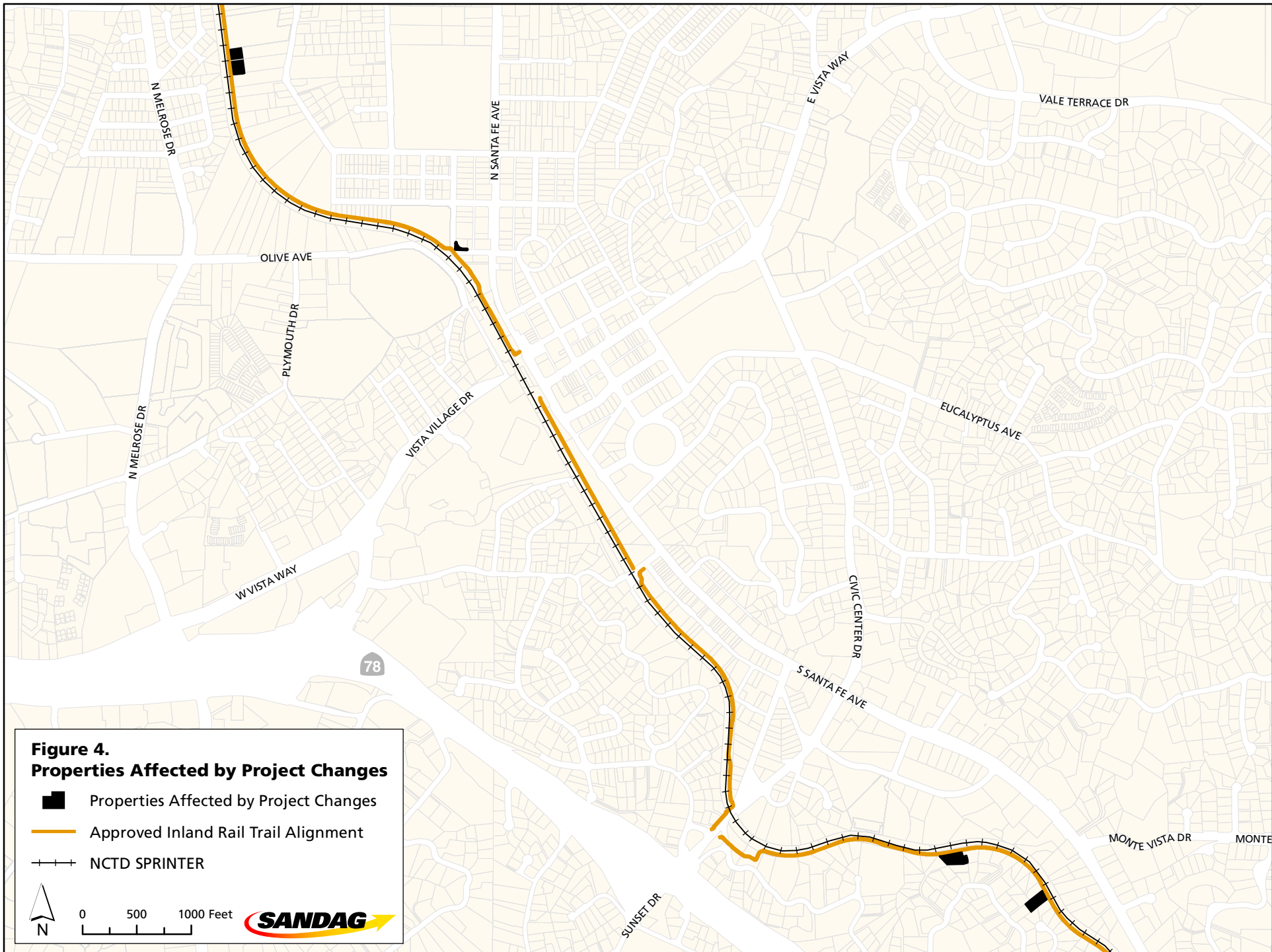
* all acreages are approximate

APNs 163-420-20, 163-420-01, 180-141-06

SANDAG proposes to acquire temporary construction easements on APNs 163-420-20 (0.22 acre), 163-420-01 (0.25 acre), and 180-141-06 (0.22 acre) for necessary activities associated with the construction of the Project, including laying down, use and storage of tools, machinery, materials and equipment, temporary stockpiling of excavation material, and similar activities that reflect standard construction industry practices. Each is undeveloped and vacant and located adjacent to the Project and railroad right of way.

APN 180-141-50

SANDAG proposes to acquire a temporary construction easement on APN 180-141-50 (0.34 acre) for necessary activities associated with the construction of the Project, including laying down, use and storage of tools, machinery, materials and equipment, temporary stockpiling of excavation material, and similar activities that reflect standard construction industry practices. With the exception of minor stormwater infrastructure, the property is undeveloped and vacant and located adjacent to the Project and railroad right of way.



In addition, SANDAG proposes to make minor improvements on the property within existing City of Vista stormwater and sewer easements. An existing drainage ditch along the western boundary would become redundant and would be removed due to adjacent installation of a drainage ditch as part of the Project. The existing drainage and sewer easements, approximately 20-foot-wide along the southern boundary, would be paved, and an existing ditch would be relocated to the southern boundary. A new fence would be provided between the property and the NCTD right of way, with the gate relocated to align with the paved easement.

APN 175-116-06

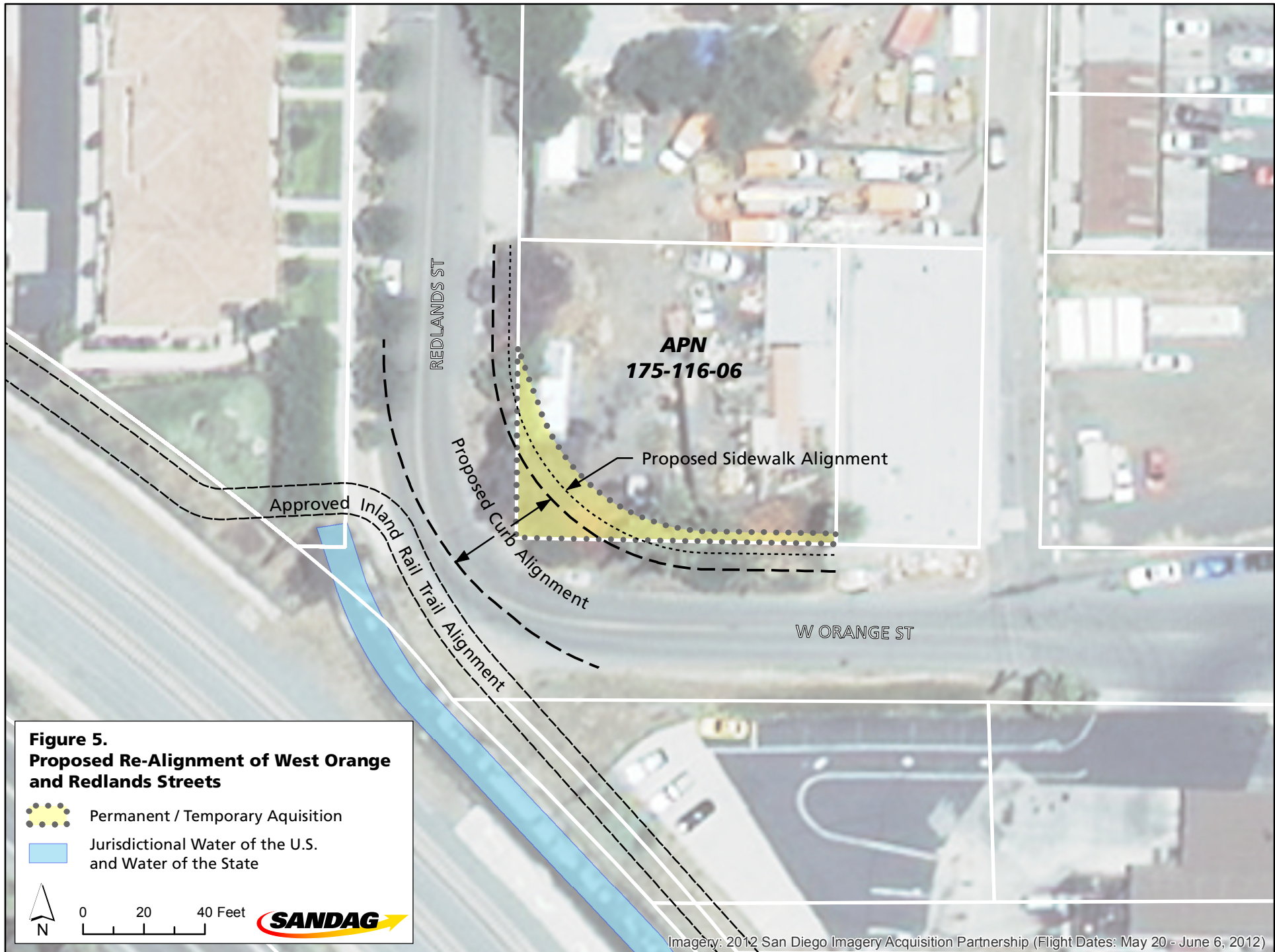
The proposed changes also include a minor eastward realignment of the bike path adjacent to the intersection of Redlands and West Orange streets in order to avoid impacts to biological resources (i.e., waters protected by Section 404 of the Clean Water Act) (Figure 5). The realigned bike path would be constructed within the existing roadway right-of-way, primarily within the existing paved area. The eastward realignment of the bike path in this area would require a corresponding eastward realignment of the adjacent roadway intersection. In addition to moving the roadway intersection eastward, the Project proposes to improve traffic safety by increasing and improving visual sight distance through the intersection, and pedestrian safety through construction of a sidewalk. The combination of the eastward shift and safety improvements would require temporary and permanent acquisition of an approximately 1,000 square foot corner of the privately-owned parcel used for industrial/office and storage located at the corner of Redlands and West Orange streets. Existing ornamental landscaping and fencing would be removed. New landscaping and a new fence could be installed.

County of San Diego

The proposed change in the County of San Diego consists solely of a change to mitigation measure BIO-12 that was included in the Mitigation Monitoring and Reporting Program adopted by SANDAG for the Project. Except for the changes described below the Project within the County of San Diego would remain as described in Section 3.

During final design of the Project, SANDAG staff determined that the adopted language of BIO-12, which is presented below, would not be feasible to implement. Because of the proximity of proposed Buena Creek Bridge to the SPRINTER rail line, it would not be feasible to install the bridge during the hours of passenger rail service operation (approximately every 30 minutes and 4 a.m. to 9 p.m., with later trains on Fridays and Saturdays). Therefore, night time construction activities are required in order install the bridge without interruptions to SPRINTER passenger rail service.

Adopted BIO-12: To protect nocturnal riparian species during construction, no night work (defined as the period between one hour prior to dusk and one hour after dawn) shall be permitted within 100 feet of the Buena Creek riparian corridor.



As a result, staff proposes the following revised language for BIO-12, which would allow for feasible construction of the Buena Creek Bridge. SANDAG consulted with professional biologists to develop the revised language for BIO-12. The intent of the original measure was to avoid adverse impacts to wildlife species that may use Buena Creek as a migratory corridor; most wildlife species migrate during the night time period as defined in BIO-12. Based on their knowledge of biological resources in the project area, the biologists developed the following revised language for BIO-12 which, in their professional judgment and opinion, would ensure that construction activities associated with installation of the Buena Creek bridge would not result in significant effects to the movement or migration of any wildlife species or to any migratory wildlife corridors.

Proposed BIO-12: To protect nocturnal riparian species during construction, night time (defined as the period between one hour prior to dusk and one hour after dawn) work within 100 feet of the Buena Creek riparian corridor shall be limited to “short periods” defined as lasting no longer than seven consecutive nights.

While limited night work would be allowed to occur under the proposed BIO-12, the allowance of night work would allow for the bridge to be pre-assembled and then installed via a crane without any temporary or permanent impacts to Buena Creek. If night work were prohibited under all circumstances – as required by the previously adopted BIO-12 – then it would not be feasible to install the bridge without substantial conflict with passenger rail service. Without allowing for night work, the construction of the bridge would result in temporary and permanent impacts (e.g., temporary and potentially permanent realignment of creek flows, temporary bridge footings and construction disturbance) to Buena Creek. The proposed revised BIO-12 would ensure that adverse effects to biological resources remain less than significant and are minimized to the maximum feasible extent, while also ensuring avoidance of any significant transportation impacts by avoiding substantial disruptions to passenger rail service.

6. Required Approvals

This Addendum to the Final Subsequent MND has been prepared to address the proposed changes to the Project. The Addendum to the Final Subsequent MND must be adopted by the SANDAG Board of Directors in order to incorporate the proposed changes into the Project.

7. Environmental Analysis

The following analysis supports the determination that the project changes, changed circumstances, and new information of substantial importance since adoption of the Final Subsequent MND would not result in any new significant impacts that were not previously identified or a substantial increase in the severity of any previously identified significant impacts. Because there were no previously identified significant impacts, the analysis does not examine whether a substantial increase in the severity of a previous identified significant impact would occur. Rather, the analysis focuses on whether any new significant impacts that were not previously identified would occur.

In the analysis of each resource topic that follows, the project changes include temporarily using properties adjacent to the Project area for storage of construction equipment and related activities, minor improvements to stormwater infrastructure and fencing, removal of existing walls and ornamental landscaping, activities associated with removal and installation of pavement, and the revision to mitigation measure BIO-12 (see Section 3 for a detailed description of the project changes). To avoid repetition and improve the readability of the analysis, this description is not repeated under each resource topic. Instead, reference is made to the “project changes.” In some cases resource topic discussions have been combined in order to further avoid repetition (e.g., air quality and greenhouse gas emissions are combined).

Aesthetics

The aesthetic impacts of the approved project are analyzed in the Final Subsequent MND (pages 35-37), which determined that impacts would be less than significant or no impact would occur.

The aesthetics impacts of activities similar to the project changes were analyzed in the Final Subsequent MND. However, these actions were not analyzed on the specific parcels that would be affected by the project changes. Performing these activities on additional properties would not result in any new significant aesthetic impacts. The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. However, short-term night-time construction lighting required to install the bridge would not be considered a substantial source of light that would adversely affect night-time views because of its limited duration (conservatively, night-time bridge construction would occur over a period of three consecutive nights) and the relatively limited area of effect (the Buena Creek Bridge represents a minor portion of the approximately 7-mile-long Project). Therefore, night-time lighting associated with Buena Creek Bridge construction would not create a new significant aesthetic impact.

There are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the aesthetic impacts of the Project.

Agriculture and Forest Resources

The agriculture and forest resources impacts of the approved project are analyzed in the Final Subsequent MND (pages 38-39), which determined that no impacts would occur.

The project changes would not directly or indirectly affect any agricultural or forest lands or timberlands, or any lands zoned or otherwise designated for such uses. Therefore, these changes would not result in any new significant agriculture or forest resources impacts.

There are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the agriculture and forest resources impacts of the Project.

Air Quality and Greenhouse Gas Emissions

The air quality and greenhouse gas emissions impacts of the approved project are analyzed in the Final Subsequent MND (pages 40-41, and 59-60, respectively), which determined that impacts would be less than significant or no impact would occur.

The air quality and greenhouse gas emissions impacts of activities similar to the project changes were analyzed in the Final Subsequent MND. Performing these activities on additional properties would not result in any new significant air quality or greenhouse gas emissions impacts. The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. However, the change from day-time to night-time construction of the bridge would not meaningfully change the air pollutant or greenhouse gas emissions of Project construction. Therefore, night-time Buena Creek Bridge construction would not create a new significant air quality or greenhouse gas emissions impact.

There are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the air quality and greenhouse gas emissions impacts of the Project.

Biological Resources

The biological resources impacts of the approved project are analyzed in the Final Subsequent MND (pages 42-53), which determined that impacts would be less than significant with mitigation for candidate, sensitive, or special status species and habitats, sensitive natural communities, wetlands, wildlife movement or corridors, and adopted conservation plans. Impacts would be less than significant for local policies protecting biological resources.

The biological resources impacts of activities similar to the project changes were analyzed in the Final Subsequent MND. However, these actions were not analyzed on the specific parcels affected by the project changes. As a result, SANDAG directed professional biologists to perform field review and desktop research on all five of the properties affected by the project changes. The field review and research did not identify any endangered, rare, or threatened species, or habitat for such species. The project changes would not substantially reduce the number or restrict the range of any endangered, rare, or threatened species. These findings indicate that the changes would not result in any new significant biological resources impacts.

The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. During final design of the Project, SANDAG staff determined that the adopted language of BIO-12, which is presented below, would not be feasible to implement. Because of the proximity of the proposed Buena Creek Bridge to the SPRINTER rail line, it would not be feasible to install the bridge during the hours of passenger rail service operation (approximately every 30 minutes from 4 a.m. to 9 p.m., with later trains on Fridays and Saturdays). Therefore, night-time construction activities are required in order to install the bridge without interruptions to SPRINTER passenger rail service.

Adopted BIO-12: To protect nocturnal riparian species during construction, no night work (defined as the period between one hour prior to dusk and one hour after dawn) shall be permitted within 100 feet of the Buena Creek riparian corridor.

Staff proposes the following revised language for BIO-12, which would allow for feasible construction of the Buena Creek Bridge. SANDAG consulted with professional biologists to develop the revised language for BIO-12. The intent of the original measure was to avoid adverse noise impacts to wildlife species that may use Buena Creek as a migratory corridor; most wildlife species migrate during the night-time period as defined in BIO-12. Based on their knowledge of wildlife in the project area, the biologists developed the following revised language for BIO-12 which, in their professional judgment and opinion, would ensure that noise generated during night-time construction of the Buena Creek Bridge would not result in significant effects to the movement or migration of any wildlife species through Buena Creek.

Proposed BIO-12: To protect nocturnal riparian species during construction, night time (defined as the period between one hour prior to dusk and one hour after dawn) work within 100 feet of the Buena Creek riparian corridor shall be limited to “short periods” defined as lasting no longer than seven consecutive nights.

Night work would allow for the bridge to be pre-assembled and then installed via a crane without any temporary or permanent impacts to Buena Creek. If night work were prohibited under all circumstances – as required by the adopted version of BIO-12 – then it would not be feasible to install the bridge without substantial conflict with passenger rail service. Without allowing night work, the construction of the bridge would result in temporary and permanent impacts (e.g., temporary and potentially permanent realignment of creek flows, temporary bridge footings and construction disturbance) to Buena Creek. The revised version of BIO-12 would ensure that there are no new significant impacts to biological resources; adverse effects to biological resources remain less than significant and are minimized to the maximum feasible extent. All other mitigation measures applicable to Buena Creek construction and the Project as a whole would continue to be implemented where applicable.

Other than the information provided above, there are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the biological resources impacts of the Project.

Cultural Resources

The cultural resources impacts of the approved project are analyzed in the Final Subsequent MND (pages 54-55), which determined that impacts would be less than significant with mitigation for archaeological resources. All other impacts would be less than significant, or no impact would occur.

The cultural resources impacts of activities similar to the project changes were analyzed in the Final Subsequent MND. However, these actions were not analyzed on the specific parcels that would be affected by the project changes. As a result, SANDAG directed professional cultural resources consultants to conduct field review and desktop research on all five of the properties included in the project changes. The project changes would not directly or indirectly affect any buildings or structures. No prehistoric or historic archaeological resources or any other cultural resources were observed. Moreover, visual inspection of the properties suggests that the project changes would not result in adverse effects to other surface or below-ground cultural resources. Compliance with mitigation measure CUL-1 and with existing laws and regulations identified in the Final Subsequent MND would ensure that any impacts to unknown cultural resources, in the unlikely event they are encountered during construction activities, would remain less than significant. Measure CUL-1 requires that earth-moving activity be put on hold within and immediately around any cultural resources discovery until a qualified archaeologist can assess the nature of the discovery and determine the need for additional action, if any. Therefore, these changes would not result in any new significant cultural resources impacts.

The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. However, the change from day-time to night-time construction would not create a new significant cultural resources impact.

There are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the cultural resources impacts of the Project.

Geology, Soils, and Mineral Resources

The geology and soils impacts and mineral resources impacts of the approved project are analyzed in the Final Subsequent MND (pages 56-58, and page 70, respectively), which determined that impacts would be less than significant or no impact would occur.

The geology, soils, and mineral resources impacts of activities similar to the project changes were analyzed in the Final Subsequent MND. However, these actions were not analyzed on the specific parcels that would be affected by the project changes. Because the geologic, soils, and mineral characteristics of the properties affected by the project changes are comparable to those analyzed in the Final Subsequent MND, these changes would not result in any new significant geology, soils, or mineral resources impacts.

The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. However, the change from day-time to night-time construction would not create a new significant geology, soils, or mineral resources impact.

There are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the geology, soils, or mineral resources impacts of the Project.

Hazards and Hazardous Materials

The hazards and hazardous materials impacts of the approved project are analyzed in the Final Subsequent MND (pages 61-63), which determined that impacts would be less than significant with mitigation for risks associated with wildland fires. All other impacts would be less than significant, or no impact would occur.

The hazards and hazardous materials impacts of activities similar to the project changes were analyzed in the Final Subsequent MND. Moreover, the proposed locations of the project changes are adjacent to the Project area and were included in the search area of the Hazardous Waste Initial Site Assessment performed for the approved project (see Appendix E to the Final Subsequent MND). Mitigation measure HAZ -1, which requires development and implementation of a brush management plan to avoid significant impacts related to wildland fires, would continue to be implemented as part of the Project, and the brush management plan would incorporate the project changes as necessary. Therefore, these changes would not result in any new significant hazards and hazardous materials impacts.

The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. However, the change from day-time to night-time construction would not create a new significant hazards or hazardous materials impact.

There are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the hazards and hazardous materials impacts of the Project.

Hydrology and Water Quality

The hydrology and water quality impacts of the approved project are analyzed in the Final Subsequent MND (pages 64-67), which determined that impacts would be less than significant with mitigation for water quality standards and waste discharge requirements and degradation of water quality. All other impacts would be less than significant, or no impact would occur.

The hydrology and water quality impacts of activities similar to the project changes were analyzed in the Final Subsequent MND, including the improvements proposed on APN 180-141-50, which include removal of an existing drainage ditch, paving of the existing 20-foot drainage and sewer easements, and relocation of an existing ditch. However, these actions were not analyzed on the specific parcels that would be affected by the project changes. Mitigation measures WQ-1 through WQ-6, which require water quality permit approvals prior to construction and implementation of measures to minimize water quality impacts, would continue to be implemented as part of the Project, including for the project changes where applicable. Because the drainage and other hydrologic characteristics of the properties affected by the project changes are comparable to those analyzed in the Final Subsequent MND, these changes would not result in any new significant hydrology or water quality impacts.

The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. However, the change from day-time to night-time construction would not create a new significant hydrology or water quality impact. In fact, for the reasons described above under Biological Resources, the revisions to mitigation measure BIO-12 to allow for construction to occur outside of Buena Creek, which in turn would avoid hydrological and water quality impacts to the creek that would occur if night-time construction were prohibited.

There are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the hydrology or water quality impacts of the Project.

Land Use and Planning, Population and Housing

The land use and planning and population and housing impacts of the approved project are analyzed in the Final Subsequent MND (pages 68-69, page 73, respectively), which determined that no impacts would occur.

The project changes would not physically divide an established community or directly or indirectly displace any people or housing. Furthermore, the changes would not induce substantial population growth, and would not conflict with any applicable land use plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, these changes would not result in any new significant land use and planning or population and housing impacts.

The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. However, the change from day-time to night-time construction would not create any new significant land use and planning or population and housing impacts.

There are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the land use and planning and population and housing impacts of the Project.

Noise

The noise impacts of the approved project are analyzed in the Final Subsequent MND (pages 71-72), which determined that impacts would be less than significant with mitigation for temporary noise levels generated during construction. All other noise impacts would be less than significant or no impact would occur.

The noise impacts of activities similar to the project changes were analyzed in the Final Subsequent MND. However, these actions were not analyzed on the specific parcels that would be affected by the project changes. The location of the project changes would not meaningfully change the magnitude or duration of temporary noise levels to which people in the surrounding area are exposed during construction. The project changes would not increase permanent noise levels during operation of the Project. Therefore, these changes would not result in any new significant noise impacts.

The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. Sensitive receptors, such as residents of the surrounding area, would be exposed to temporary increases in ambient noise levels above those existing without the Project (e.g., a crane would be operated to install the bridge deck). However, a conservative estimate of night-time construction duration would be three consecutive nights. Noise levels anticipated during night-time construction would be comparable to noise levels generated by similar infrastructure projects throughout the San Diego region. While night-time construction noise would likely cause annoyance for at least some nearby residents, the magnitude and duration of the temporary noise increase would not cause human health or safety problems. Therefore, night-time Buena Creek Bridge construction would not create a new significant noise impact. Noise impacts to wildlife movement as a result of night-time construction are addressed above under Biological Resources.

Other than the information described above, there are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the noise impacts of the Project.

Public Services, Recreation, and Utilities and Service Systems

The public services, recreation, and utilities and service systems impacts of the approved project are analyzed in the Final Subsequent MND (pages 74-75, page 76, pages 79-81, respectively), which determined that fire protection impacts would be less than significant with mitigation. All other impacts would be less than significant or no impact would occur.

The public services, recreation, and utilities and service systems impacts of activities similar to the project changes were analyzed in the Final Subsequent MND. However, these actions were not analyzed on the specific parcels that would be affected by the project changes. The location of the project changes would not induce demand for additional public services, including recreation, that would in turn lead to construction of new or altered governmental facilities, including parks. Mitigation measure HAZ-1, which requires preparation of a brush management plan prior to construction, would continue to be implemented as part of the Project, including for the project changes. Implementation of the brush management plan would ensure that impacts to fire protection service remain less than significant. Furthermore, the project changes would not meaningfully change the Project's demand for water, and sufficient supplies would remain available to serve the Project. The minor improvements to stormwater infrastructure included in the Project change are comparable to those previously analyzed in the Final Subsequent MND. Utilities and service systems impacts related to wastewater, water, solid waste, and landfills would not be meaningfully changed by the project changes. Therefore, these changes would not result in any new significant public services, recreation, or utilities and service systems impacts.

The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. However, the change from day-time to night-time construction would not create any new significant public services, recreation, or utilities and service systems impacts.

There are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the public services, recreation, and utilities and service systems impacts of the Project.

Transportation and Traffic

The transportation and traffic impacts of the approved project are analyzed in the Final Subsequent MND (pages 77-78), which determined that impacts would be less than significant or no impact would occur.

The transportation and traffic impacts of activities similar to the project changes were analyzed in the Final Subsequent MND. However, these actions were not analyzed on the specific parcels that would be affected by the project changes. The location of the project changes would not meaningfully change the amount of traffic generated during construction of the Project, or change the location of traffic such that traffic operations of nearby roadways or intersections would be adversely affected. Adverse impacts to pedestrian, bicycle, and public transit facilities would not occur, and the changes would not substantially increase any hazards. In fact, the project changes would improve traffic safety by increasing and improving visual sight distance through the intersection of Redlands and West Orange streets, and improve pedestrian safety through construction of a sidewalk. Therefore, these changes would not result in any new significant transportation and traffic impacts.

The revisions to mitigation measure BIO-12 would allow for night-time construction of a bridge over Buena Creek instead of day-time construction, which was considered in the Final Subsequent MND. However, the change from day-time to night-time construction would not create any new significant transportation and traffic impacts.

In fact, the change to night-time construction at Buena Creek would ensure there are no adverse impacts to passenger rail service on the SPINTER during construction. Freight services conduct night-time operations on the SPINTER line approximately two times per week. While SANDAG proposes to construct the bridge on nights in which freight service does not occur, it is possible, although unlikely, that night-time bridge construction could coincide with a night-time freight operation. However, SANDAG will coordinate bridge construction with NCTD, which as the railroad owner will ensure that the night-time construction schedule avoids or minimizes conflicts with freight service to the maximum feasible extent.

There are no changes with respect to the circumstances under which the Project will be undertaken, and there is no new information of substantial importance that has become available, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final Subsequent MND was adopted, regarding the transportation and traffic impacts of the Project.

Mandatory Findings of Significance

Mandatory Findings of Significance for the approved project are provided in the Final Subsequent MND (pages 82-83). As described above under Biological Resources, the project changes, including the revision to mitigation measure BIO-12, would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal. Other than the change to mitigation measure BIO-12, biological mitigation measures identified in the Final Subsequent MND and adopted by the SANDAG Board of Directors would be continue to be implemented as part of the Project.

As described above under Cultural Resources, the project changes would not eliminate important examples of the major periods of California history or pre-history. Compliance with mitigation measure CUL-1 and with existing laws and regulations identified in the Final Subsequent MND would ensure that any impacts to unknown cultural resources, in the unlikely even they are encountered during construction activities, would remain less than significant.

The environmental impacts of activities similar to the project changes were analyzed in the Final Subsequent MND. The Final Subsequent MND concludes the Project would not achieve short-term environmental goals to the disadvantage of long-term environmental goals. These project changes, including the revision to mitigation measure BIO-12, do not change this conclusion. As demonstrated in the previous environmental analyses adopted for the Project and this Addendum, the bike path would result in long-term benefits to air quality, greenhouse gas emissions, and traffic congestion. Moreover, the analysis of this Addendum demonstrates that the project changes would not cause substantial adverse effects on human beings, either directly or indirectly. While the project changes would result in nominal changes to environmental effects of the Project as described in the Final Subsequent MND, no new significant impacts would occur, and the incremental environmental effects of the Project would remain less than cumulatively considerable when considered together with other past, present, and probable future projects causing related impacts.