

# Biological Resources Technical Report



## Federal Boulevard De-Channelization and Trail Project

City of San Diego, San Diego County, California

Prepared for:

Groundwork San Diego - Chollas Creek  
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July 28, 2020, updated May 2021

**Biological Technical Report**

**Federal Boulevard Creek**

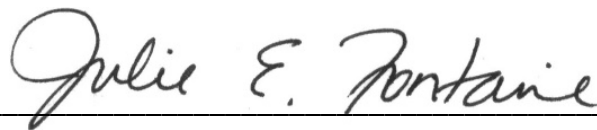
**De-Channelization and**

**Trail Project**

**City of San Diego, San Diego County, California**

The undersigned certify that this report is a complete and accurate account of the findings and conclusions of a biological assessment for the above-referenced project.

Trestles Environmental Corporation



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Julie E. Fontaine

President

May 2021

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## TABLE OF CONTENTS

List of Figures .....	ii
List of Tables .....	ii
Executive Summary.....	i
Section 1 - Introduction .....	1
1.1 Purpose .....	1
1.2 Background .....	1
1.3 Project Location .....	2
1.4 Project Description.....	2
1.5 Regulatory Setting.....	12
Section 2 – Methodology .....	18
2.1 - Approach.....	18
2.2 - Literature & Database Review .....	18
2.3 – Biological Resource Surveys.....	19
2.3.1 - Plant Community/Habitat Classification and Mapping .....	19
2.3.2 - General Plant Inventory.....	19
2.3.3 - Sensitive Plant Surveys .....	20
2.3.4 - General Wildlife Inventory.....	20
2.3.5 - Sensitive Wildlife Surveys .....	20
2.3.6 - Regional Connectivity/Wildlife Movement Corridor Assessment.....	20
2.3.7 - Jurisdictional Wetlands, Waters and Streambeds.....	21
2.4 – Survey Limitations.....	21
Section 3 – Environmental Setting.....	22
3.1 – Regional Setting .....	22
3.2 – Topography .....	22
3.3 – Soils .....	22
3.4 – Vegetation Communities & Flora.....	23
3.5 - Jurisdictional Waters and Wetlands .....	25
3.6 – General Fauna .....	26
3.7 – Special Status Biological Resources .....	27
3.7.1 - Explanation of Sensitive Resource Classification.....	27
3.7.2 - Sensitive Plant Species.....	30
3.7.3 - Sensitive Wildlife Species .....	32
3.8 - Wildlife Movement .....	35
3.9 Critical Habitat & City of San Diego MHPA .....	35
Section 4 – Impact Analysis .....	39
4.1 - Definition of Impacts and Significance .....	39
4.1.1 – Direct Impacts .....	40
4.1.2 – Indirect Impacts .....	41
4.2 – Project Impacts .....	41
4.2.1 –Impacts to Vegetation Communities, Land Cover .....	41
4.2.2 –Impacts to Jurisdictional Resources.....	42

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4.2.3 –Impacts to Sensitive Plant Species.....	46
4.2.4 –Impacts to Wildlife.....	46
4.2.5 –Impacts to Wildlife Corridors and Habitat Connectivity.....	47
4.2.6 – Consistency with Local Policies or Ordinances Protecting Biological Resources .....	47
4.2.7 –Project Consistency Determination with MSCP Land Use Considerations.....	47
4.2.8 – Land Use and Edge Effect on MHPA .....	47
4.2.9 – Introduction of Invasive Species .....	47
4.2.10 – Cumulative Impacts .....	48
Section 5 – Mitigation Program .....	50
5.1 – Mitigation Element .....	50
5.1.1 Mitigation for Direct Impacts to Disturbed Wetland.....	50
Section 6 - References .....	52
Appendix A - Observed Plant & Animal Species .....	54
Appendix B – Site Photos.....	57
Appendix C – Caltrans SR-94 As-Built Plan (1971).....	64

**List of Figures**

Figure 1 – Regional Map .....	7
Figure 2 – Vicinity Map .....	8
Figure 3 – Project Overview.....	9
Figure 4 – Project Plan – Downstream .....	10
Figure 5 – Project Plan – Upstream .....	11
Figure 6– Soils Map.....	36
Figure 7 – Vegetation Communities .....	37
Figure 8 – Chollas Creek Jurisdictional Area .....	38
Figure 9 – Project Impacts .....	49

**List of Tables**

Table 1 - Vegetation Communities within Project Limits .....	23
Table 2 – Jurisdictional Areas.....	26
Table 3 - Special Status Plant Species with Potential to Occur.....	31
Table 4 – Special Status Wildlife Species with Potential to Occur.....	32
Table 5 – Vegetation Community and Land Use Cover Impacts .....	41
Table 6 – Project Mitigation and Revegetation .....	51

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## EXECUTIVE SUMMARY

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A biological resource assessment was conducted for Groundwork San Diego – Chollas Creek (Groundwork) for the purpose of satisfying the requirements of the California Environmental Quality Act (CEQA) and procuring environmental permits for the restoration of a portion of Chollas Creek and installation of a trail adjacent to Federal Boulevard in San Diego, California.

The purpose of the Federal Boulevard De-Channelization and Trail Project (the “Project”) is to remove approximately 1,885 linear feet of concrete lined channel and restore the creek to a more natural condition. In addition the Project would create a pedestrian trail with native landscaping that runs approximately 3,100 linear feet. Groundwork has received grant funding for the design and construction of this project.

The creek restoration work would remove concrete from within the active channel bottom and the banks, and remove an existing bridge that spans the channel. The creek width would be extended beyond the current concrete-lined channel, to accommodate flows and reduce flow velocities. The existing concrete channel would be replaced with a natural channel with cobble stones including drop structures. The rock in the creek bed would be placed to mimic a natural stream meander. Native plants installed in place of channel banks would be characteristic of Diegan coastal sage scrub. A new retaining wall of varying heights (7'-12') would be constructed along the southern right-of-way outside the existing concrete-lined channel footprints and five access ramps would be installed on the north slope of the creek to allow for direct creek access.

At the direction of the City's Transportation and Stormwater Department, native plants installed on the channel banks will be characteristic of Diegan coastal sage scrub. Other portions of the project site are owned by Caltrans and maintenance of these segments will continue to be the responsibility of Caltrans.

The project includes the installation of a new decomposed granite trail ranging from 5-12-feet wide, extending approximately 3,100 linear feet. This trail would begin on the east side of the Interstate 805 underpass just across from the City of San Diego's Sunshine Berardini Park, and terminate just east of Home Avenue. The trail would be constructed above the creek on the south side of Federal Boulevard, in areas currently dominated by non-native vegetation or devoid of vegetation. Native trees including sycamore and coast live oak, with an understory of Diegan coastal sage scrub, would be used for landscaping.

Impacts associated with the de-channelization portion of the project include 2.26 acres of concrete lined channel removal (including 1.52 acres of City defined wetlands and 0.74 acre of concrete lined channel banks), 0.58 acre to disturbed/developed habitat to widen the channel,

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1.74 acres of impacts associated with the impacts to SR-94 engineered slopes to build the retaining wall. Impacts associated with trail and landscaping total 1.76 acres.

Construction is estimated to last 10 months, and to the extent possible, will take place in the non-rainy season. The staging area for construction equipment and material would be on existing disturbed areas located at the western terminus of the project as well as potentially small area disturbed area on the east side of the Interstate 805 underpass.

The Project is located within the City of San Diego Multiple Species Conservation Program (MSCP) but outside the Multiple Habitat Planning Area (MHPA). No impacts to biological resources inside the MHPA are anticipated. Biological studies did not identify any sensitive plants on the project site or in the vicinity. Suitable nesting habitat for raptors was observed on-site on the SR-94 slopes. One California gnatcatcher (CAGN) was observed foraging on the non-native vegetation along Federal Boulevard in disturbed/developed habitat. Suitable habitat is found offsite to the north of the project, but no suitable habitat for nesting is found within the Project limits. There is a low potential for impacts to occur within the Project limits due to lack of suitable habitat and only marginal foraging habitat, which is only seasonally present. The project would comply with the Migratory Bird Treaty Act and California Fish and Game Code Section 3503; no impacts to nesting bird species are anticipated.

The Project lies outside the Coastal Zone boundary. Chollas Creek is an intermittent stream which is concrete lined within this reach. There are no jurisdictional wetland waters of the US/State associated with the project. The segment of Chollas Creek included in the project area is considered a “wetland” under the City definition. Chollas Creek is also regulated by the California Department of Fish and Wildlife (CDFW), the Regional Water Quality Control Board (RWQCB) and by the US Army Corps of Engineers (ACOE). Recent changes in ACOE regulations (January 2020) makes Chollas Creek a Category “(a)(2) Water of the US”, as an intermittent tributary to a Traditionally Navigable Water (Pacific Ocean). Total regulated jurisdiction is 1.52 acres for the City and RWQCB/ACOE, and 2.26 acres for CDFW.

The project would result in impacts to 1.52 acres of City wetland, 2.26 acres under the jurisdiction of CDFW, and 1.52 acres of RWQCB/ACOE waters. Permits from the CDFW, the RWQCB and the ACOE would be required. Following construction, the project site would include approximately 2.11 acres of City jurisdictional wetlands and 2.11 acres of ACOE/RWQCB waters and 2.84 acres of bed, bank and channel under CDFW jurisdiction.

The SR-94 slopes are considered manufactured slopes, which did not exist prior to their construction in 1971. Consequently, impacts to southern mixed chaparral (1.11 acres) vegetation on these slopes would not require mitigation because it was installed as landscaping on manufactured slopes. Impacts to eucalyptus woodland (0.36 acre) and disturbed land (0.27 acre) from construction of the retaining wall would not be considered significant and also would not require mitigation. Diegan coastal sage scrub (1.64 acres) will be planted on these slopes following construction. CSS revegetation on the north side of the creek will sum to 0.73 acre.

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The result of this restoration project would be a net benefit for water quality and flood flow attenuation through the removal of the concrete and widening of the channel, to allow slower water velocities which, will in turn, transform and sequester pollutants. Coastal sage scrub habitat will be established on the north and south banks of the restored channel, providing potential foraging habitat for nearby California gnatcatcher.

The addition of the trail would provide pedestrian recreation opportunities. Non-native vegetation areas within the project limits will be transformed through the planting of native vegetation including sycamore and coast live oak, and native coastal sage scrub understory alongside the trail.

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## Section 1 - INTRODUCTION

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This report presents a summary of findings of biological resources for the Ground San Diego-Chollas Creek's Federal Boulevard Chollas Creek De-Channelization and Trail Project ("Project"). The assessment includes a thorough literature review and site characterization of potentially sensitive biological resources and jurisdictional waters occurring within the project limits. Submittal of this report is intended to satisfy the biological resource requirements of the California Environmental Quality Act (CEQA).

### 1.1 Purpose

The purpose of this study is to acquire administrative and discretionary approval for the removal of approximately 1,885 linear feet of concrete lined channel that comprises Chollas Creek from just east of the Home Avenue overpass to the I-805 South/SR 94 West offramp, and the construction of a 3,100 linear foot decomposed granite trail adjacent to Chollas Creek to the north, extending from Home Avenue to the City of San Diego Sunshine Berardini Park, along Federal Boulevard.

In preparation for this report, general botanical and wildlife surveys were conducted, a jurisdictional delineation of wetlands and waters were completed, and project impacts were calculated based upon 100% design. The results are incorporated into this report.

The purpose of this biological survey report is to identify biological resources within the project, analyze potential impacts to sensitive vegetation communities, plants, wildlife, and jurisdictional habitats, and to discuss pertinent avoidance and mitigation measures pertaining to the Project.

### 1.2 Background

The Project is located within the Fairmount Park neighborhood of City Heights in the Mid-City Community Planning area. City Heights was identified in the City of San Diego's Chollas Creek Enhancement Program (2002) to benefit from habitat restoration and the development of a trail system to improve water quality and quality of life.

In 2017, Groundwork San Diego obtained a Prop. 1 Disadvantaged Community Involvement (DACI) Grant from the California Department of Water Resources Integrated Regional Water Management (IRWM) Program. Part of this grant was to study the feasibility of removing concrete along the identified 2,100 linear feet of Chollas Creek. The grant included hydrology/hydraulic modeling which revealed that it was possible to remove the concrete without causing downstream changes to the hydrology or impacts to downstream structures. As part of this grant, stakeholders including the City of San Diego and Caltrans (property owners), and the Resource Agencies were consulted; biological impacts were initially assessed; 60% design



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engineering drawings were developed. Two subsequent grants were awarded that covers current permit approvals, final engineering and landscape design, construction costs, and five years of post-construction monitoring.

## 1.3 Project Location

The Project is located within the Fairmount Park neighborhood of City Heights in the Mid-City Community Planning area in the City of San Diego, San Diego County, California. As shown in Figure 1, Project Location, and Figure 2, Vicinity Map, the Project is located north of State Route (SR) 94, east of SR- 15 and Home Avenue, south of Federal Boulevard, and west of Interstate 805. It is in an urban setting surrounded by freeways and roads on all sides, with a City of San Diego Police Department canine facility and a shooting range to the north immediately across Federal Boulevard.

## 1.4 Project Description

### 1.4.1 Project Components

As shown in Figures 3 through 5, the proposed project consists of two main components: (1) the de-channelization (concrete-removal) and widening of 1,885 linear feet of Chollas Creek, and (2) the construction of a 3,100 linear foot trail and landscaping around the trail and on the restored north bank of the Creek.

#### Chollas-Creek De-Channelization & Restoration

Overall, the proposed Project would remove 2.26 acres of impermeable concrete channel and replace it with 2.84 acres of permeable channel lined with natural stone placed to mimic a natural stream meander during low flow, and capable of containing a 100-year flood during high flows (in the existing condition, Federal Blvd and the police facility on the north side of



Federal Blvd would be inundated). Non-native plants on the disturbed north side of the channel would be removed and replaced with native vegetation.

Chollas Creek within the Project limits is currently lined with concrete, extending 50 feet at the top of the concrete and 30 feet in the active channel bottom for the 2,030-foot length, totaling approximately 2.84 acres of hardened channel. The Project would remove concrete on the bottom and sides for 1,885 linear feet and on the channel sides for an additional 145' linear feet (downstream-most reach) and restore it to a more natural condition. Concrete channel would remain for the initial 80 feet from the culvert to just past the I-805 Bridge at the upstream end of the Project. Post restoration acreage of the Creek would be 2.11 acres of City jurisdiction, 2.11 acres of ACOE/RWQCB jurisdiction and 2.84 acres of CDFW (including planted slope and access

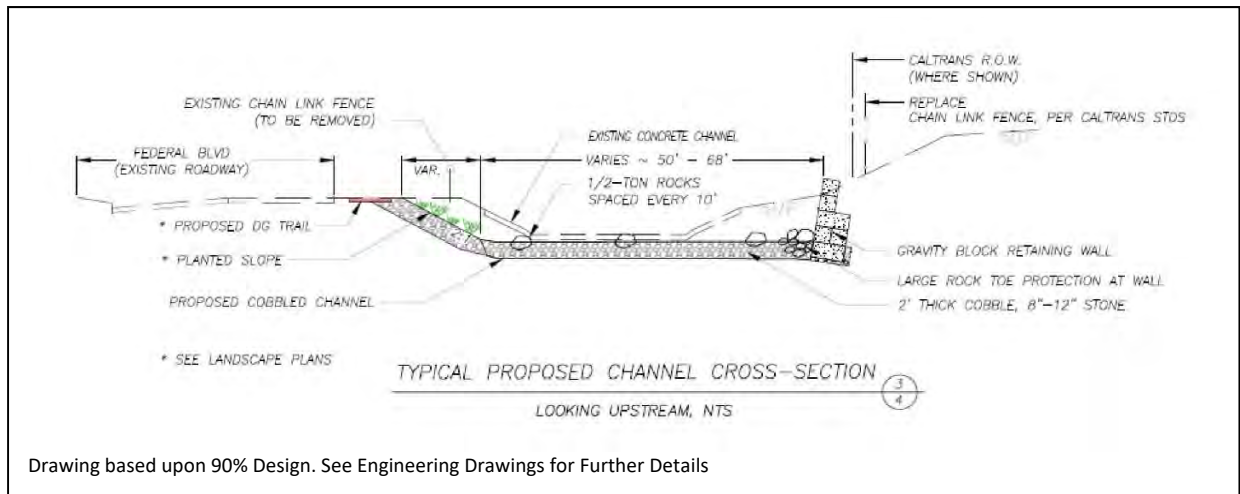
ramps). The restored natural channel would require a larger cross-sectional area than the current concrete channel in order to accommodate flood flows. Following concrete removal, the creek bed would be widened, deepened and lined with natural stone placed to mimic a natural stream meander on the channel bottom. Under existing conditions, the 100-year flood is not contained within the creek and inundates nearby property. This project would reduce flooding and allow for the 100-year flood event to remain within the confines of the creek, with minor overflow at the downstream connection to the existing channel (this overflow is still a reduction of the existing flood condition).

An existing bridge (part of the old Federal Blvd alignment) spans Chollas Creek and is currently used to access the south side of the channel for sewer maintenance. The bridge would be removed and the sewer manhole on the south side of the channel would be removed and replaced with pipe. Channel access would be maintained through the installation of four access ramps on the north side of the channel, which will be stabilized with armorflex (or equivalent) and herbaceous vegetation characteristic of Diegan coastal sage scrub. The proposed active channel would have a top width of about 80 feet, with a gentler channel slope to create velocity reduction. Four ungrouted natural-stone drop structures and one concrete drop structure (at the upstream end of the site) would be installed to create the gentle slope between drop structures, and dissipate energy. The largest drop structure at the upstream end of the project would incorporate a concrete spillway. Larger natural stone would be placed intermittently in the channel bottom, combined with the smaller natural stone to create a natural-looking streambed, similar to nearby reaches of Chollas Creek. Natural stone and natural grade control structures would be ungrouted to best mimic the natural streambed function.



Armorflex

The natural stone would be placed in the channel bottom and on the north side slope by an excavator to form a riffle type channel to create a natural stream meander. The riffle would also have larger, imported natural stone spaced throughout the bottom to encourage a meandering



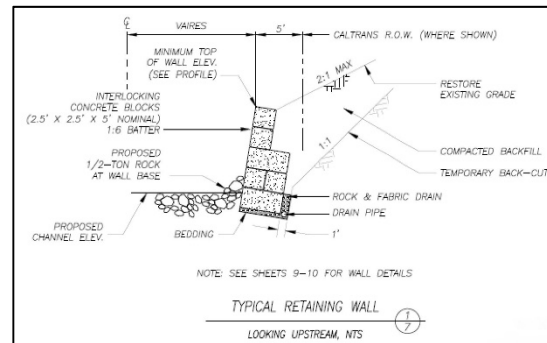
type of flow and to stabilize the creek. The proposed stone in the channel bottom would have a median size of 18-21 inches, with the drop structure stone composed of one to half-ton graded stone.



Channel would be similar to this post-restoration condition (Chollas Creek – Lenox Avenue Creek Restoration).

The larger drop structure at the easterly end of project would be made up of one to two-ton stone and a concrete spillway. The channel bottom would be approximately 2 to 3-feet thick comprised of stone, with the intermittent larger natural stone exposed above the channel flowline. Bedding beneath the natural stone will be 6 inches of 2-inch crushed gravel. The north-channel banks would be graded at a 2:1 slope ratio, lined with natural stone and planted with native vegetation.

A new retaining wall of varying heights (6 to 12 feet) would be needed along the along the southern side of the Creek, mostly along the current City maintenance road situated above the top of channel. The retaining wall structure would be located on City and Caltrans owned property. The adjacent Caltrans SR-94 manufactured slopes would be temporarily disturbed by construction activities as a result of retaining wall construction.



Concrete removed as part of demolition, including removal of the old Federal Boulevard bridge culvert, would be broken with a steel-tracked excavator mounted with a hydraulic concrete breaker. A rubber-tired loader would be used to move broken concrete as needed. An excavator would also be used that would be positioned on the top of the bank outside of the creek channel and its banks. Excavation of the channel would be done using a rubber-wheeled grader. The project earthwork volume, including the removal of the existing concrete channel, is anticipated to be approximately 45,000 cubic yards of excavation.



Staging Area on NW Corner

The proposed staging area for construction equipment and material would be provided at the empty lot located in the northwest corner of the construction site. This area is owned by the City of San Diego, with a Right of Way by the Real Estate Assets Department (READ), managed for use by the Public Utilities Department (PUD) for a monitoring well. A second staging area is proposed on a disturbed area on the east side of the Interstate 805 underpass. As described

further below, the northwestern staging area would be revegetated with a native tree and shrub

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plantings in a park-like setting using native sycamores and coast live oak above the channel with an understory of Diegan coastal sage scrub following project construction.

### **Trail Construction & Landscaping**

A second project component includes the construction of a new asphalt trail, ranging from 5 to 12' wide that extends from the existing sidewalk at Home Avenue to approximately 1,000 feet beyond the I-805 Bridge, just across from the City of San Diego's Sunshine Berardini Park, where it will connect with the existing sidewalk to the east. This ADA compliant ~3,100 linear foot trail parallels Chollas Creek above the top of bank, mostly at street level, then continues east along Federal Boulevard at street level for the remainder of the reach. The trail is designed to provide access to existing trunk sewer manholes in the vicinity.

Landscaping would include native tree and shrub planting that includes sycamore and coast live oak trees, with an understory of coastal sage scrub adjacent to the entire reach of the constructed trail. All trees would be put on permanent bubbler irrigation systems and maintained by the City, pending City Approval. A landscape plan and habitat restoration plan has been prepared as part of this project.

At the west end of the project, the trail would meander through the triangular northwest staging area that is located immediately east of Home Ave. To allow City access to the water monitoring well located in this area, a 50-foot-radius decomposed granite (DG) area would be included around the well, with a fenced DG 15-foot access trail connecting to Federal Blvd. The well would be protected by bollards. Access would also be maintained to the fire hydrant approximately 450 feet east of Home Ave adjacent to Federal Blvd, with DG placed at a minimum of 15 feet to the west and south of the hydrant, and 17 feet to the east (to allow 15 feet for vehicle access). Bollards would be placed around the hydrant for protection. The remaining READ managed area would be planted with native trees and low-growing native vegetation including sycamore and coast live oak trees, with an understory characteristic of coastal sage scrub.

Where the trail is adjacent to the creek, a "wood-crete" fence would be placed between the trail and the creek channel. Where the trail is adjacent to Federal Blvd (beginning just east of the staging area) a 6-inch asphalt curb would be installed along the edge of Federal Blvd, and "No Parking" signs would be installed.

To facilitate pedestrians who wish to cross from the trail to Sunshine-Berardini Field, red curbs will be extended at 200'-300' prior to the crossing area. Landscaping would include native tree and shrub planting adjacent to the constructed trail wherever space allows which would include sycamores and coast live oak trees with an understory characteristic of Diegan coastal sage scrub above the active channel. All trees would be put on permanent bubbler irrigation systems and maintained by the City, pending City Approval. A landscape plan and habitat restoration plan has been prepared as part of this project.

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### **1.4.2 Project Permitting**

Permitting for the Project would include a Section 1600 Streambed Alteration Agreement with the California Department of Fish and Wildlife (CDFW) and a 401 Certification or a Waste Discharge Requirements (WDR) for habitat restoration from the Regional Water Quality Control Board (RWQCB). A 404 Nationwide Permit #27 for restoration would also be needed from the Army Corps of Engineers (ACOE). In addition, a Site Development Permit from the City of San Diego and a Right of Entry Permit from the City including Transportation and Stormwater Department (TSW), Real Estate Assets Department (READ), as well as from Caltrans will be procured. During implementation, compliance with the permit conditions will be documented and reported as required by the permits.

### **1.4.3 Long-Term Maintenance**

After project completion, the City's TSW and Caltrans will be responsible for long-term maintenance of the restored Chollas Creek pending City and Caltrans approval. Pending City approval, the City's Parks and Recreation Department (PRD) will also assume long-term maintenance responsibilities for the trail and landscaping installed as part of the project. Caltrans will re-assume long-term maintenance responsibilities of the SR-94 slope under their ownership. As a condition of project approval, parties responsible for long-term maintenance will be identified on the plans prior to construction. Revegetation efforts will be conducted per the Habitat Restoration Plan (HRP) prepared as part of this project. Long-term maintenance of the habitat revegetation areas will commence following the short-term maintenance and monitoring program outlined in the HRP.



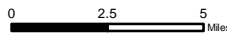
Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Figure 1

**Regional Map**



1 inch = 5 miles



Federal Boulevard Chollas Creek Restoration and Trail Project

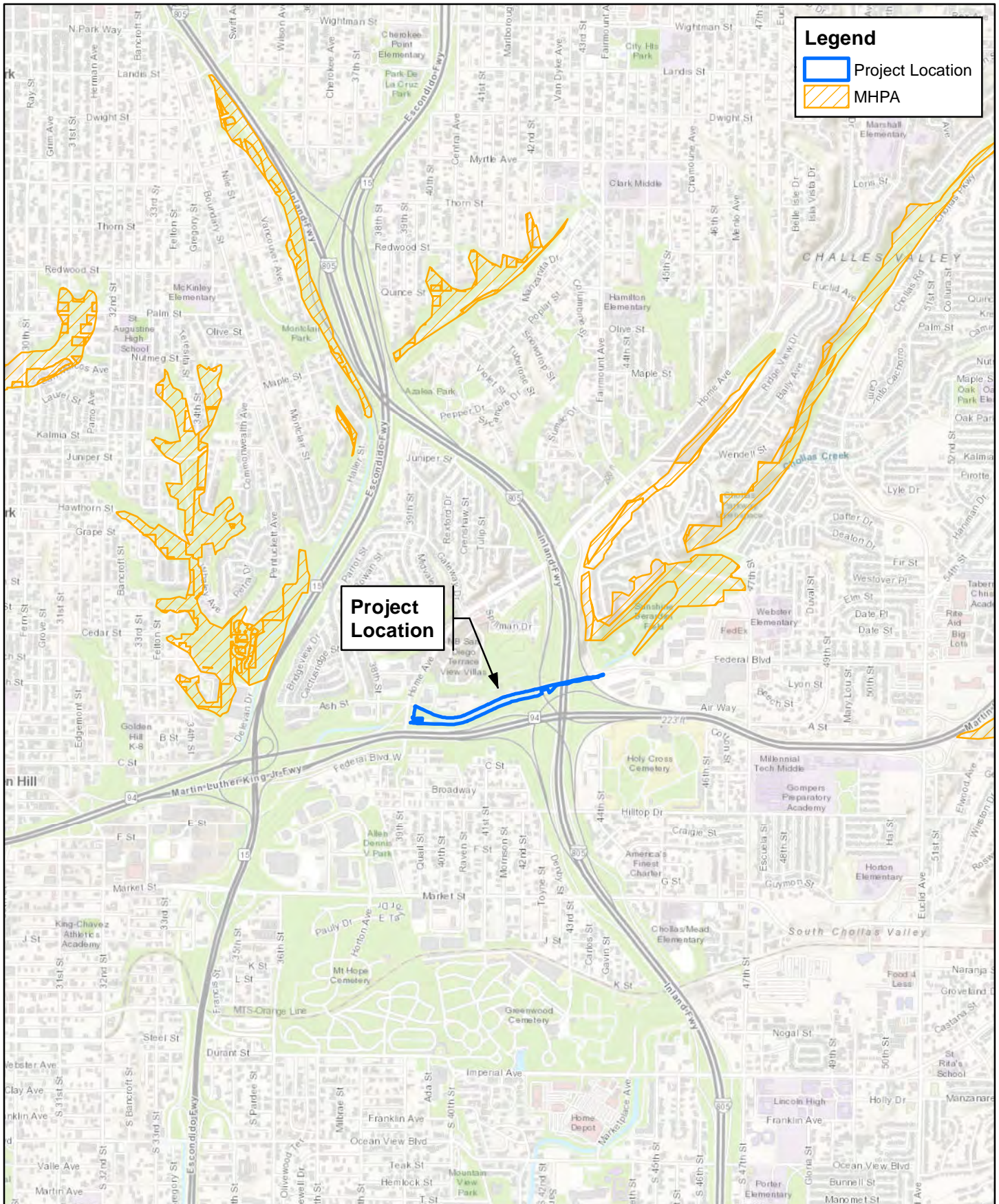
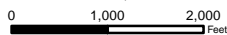


Figure 2







**Vicinity Map**






1 inch = 2,000 feet



Federal Boulevard Chollas Creek Restoration and Trail Project

- Project Features**
-  Channel Area
  -  Trail
  -  Trail Enhancement/Landscaping
  -  Access and Staging Area
  -  Retaining Wall Impacts
  -  Retaining Wall

- Project Features**
-  Trail
  -  Access and Staging Area
  -  Landscape Trees and Shrubs



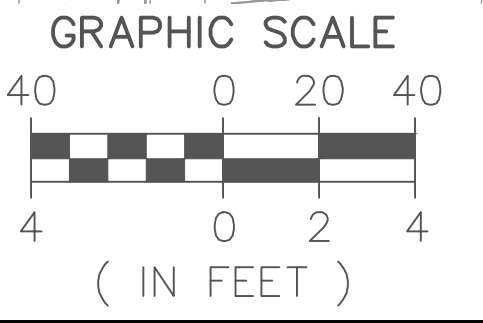
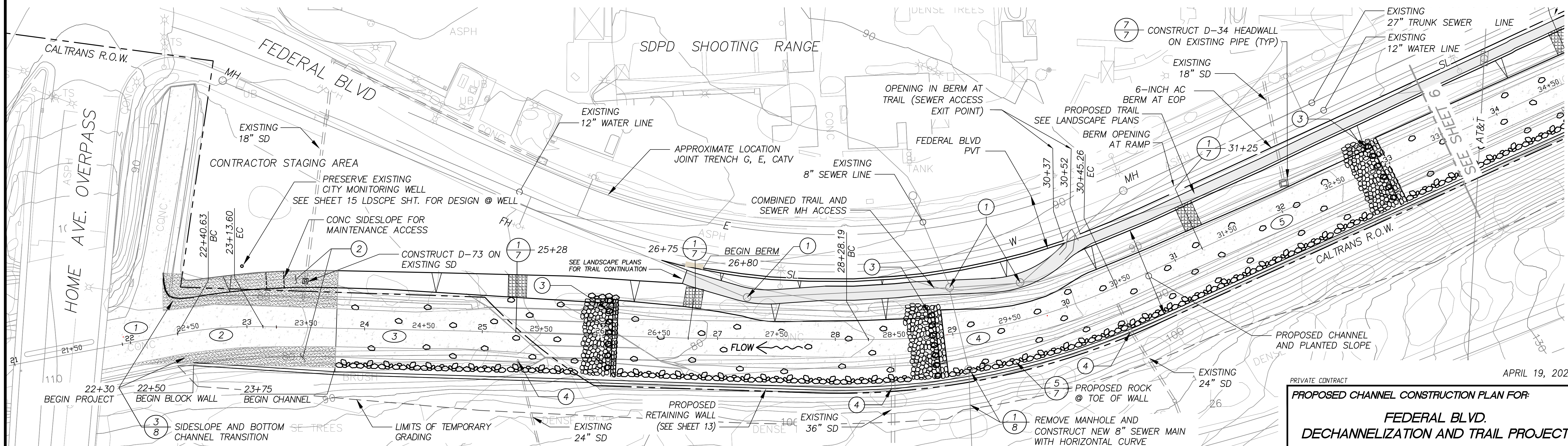
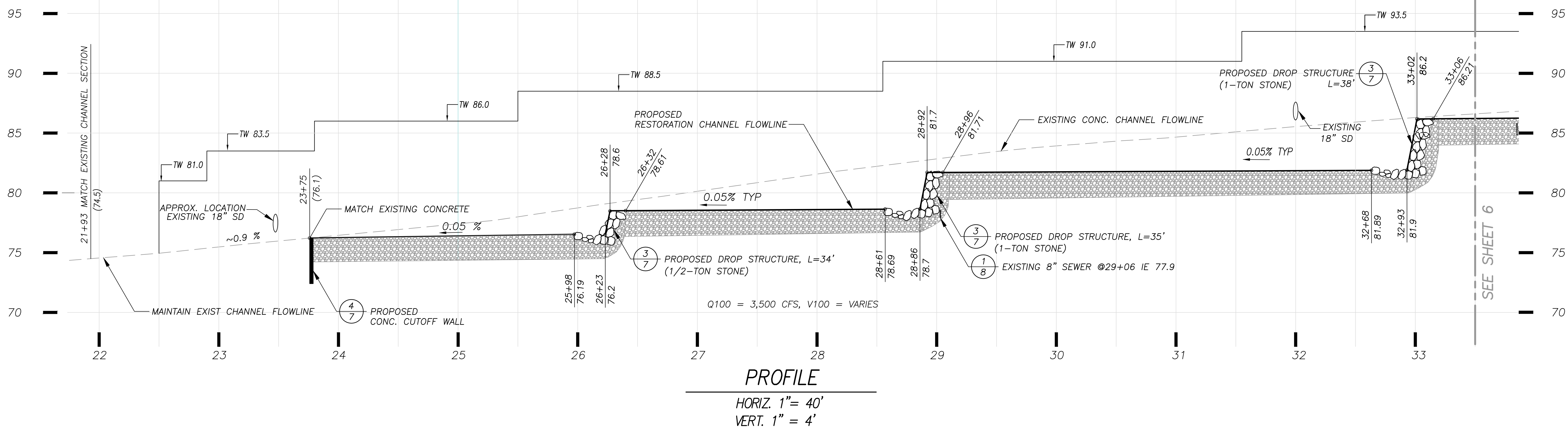
Aerial Photo: Nearmap 2021



Figure 3  
Federal Boulevard De-Channelization  
& Trail Project

Site Plan





Channel Centerline Data			
Data Symbol	Delta or Bearing	Length (FT)	Radius (FT)
1	$\Delta = 11^\circ 56' 45''$	47.63	-
2	N $79^\circ 16' 51''$ E	72.79	350
3	N $88^\circ 09' 17''$ W	514.59	-
4	$24^\circ 52' 27''$	217.07	500
5	N $65^\circ 34' 15''$ E	541.82	-

Figure 4. Project Plan - Downstream

- CONSTRUCTION NOTES:**
- LOWER SEWER MH RIM TO MATCH TRAIL PER STD M-02
  - PROPOSED CONCRETE SIDE WALLS AND CHANNEL BOTTOM (560-C-3250 CONCRETE, 12" THICK) SEE DETAIL SHEET 8
  - PLACE ROW OF 2-TON ROCK ALONG DROP STRUCTURE TOE SPACED ~3-FT APART (TYP)
  - CUT STORM DRAIN AT OUTER FACE OF WALL. CAST-IN-PLACE CUSTOM FILLET HEADWALL TO BE FORMED AND CONSTRUCTED CONCURRENT WITH BLOCK PLACEMENT.

PRIVATE CONTRACT APRIL 19, 2021

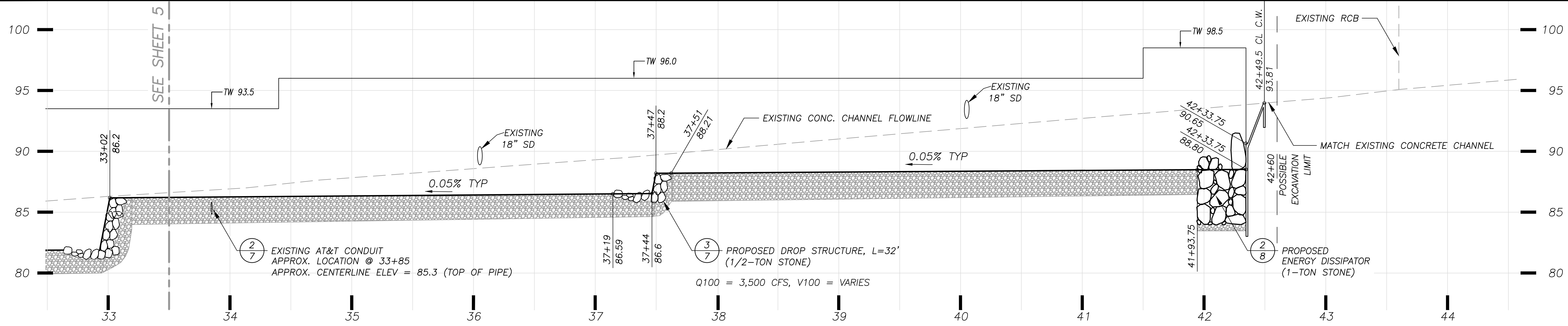
**PROPOSED CHANNEL CONSTRUCTION PLAN FOR:**  
**FEDERAL BLVD.**  
**DECHANNELIZATION AND TRAIL PROJECT**

CITY OF SAN DIEGO, CALIFORNIA  
 DEVELOPMENT SERVICES DEPARTMENT  
 SHEET 5 OF 22 SHEETS

FOR CITY ENGINEER		DATE		V.T.M.
DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL	XXX			
AS-BUILTS				
CONTRACTOR	DATE STARTED			
INSPECTOR	DATE COMPLETED			

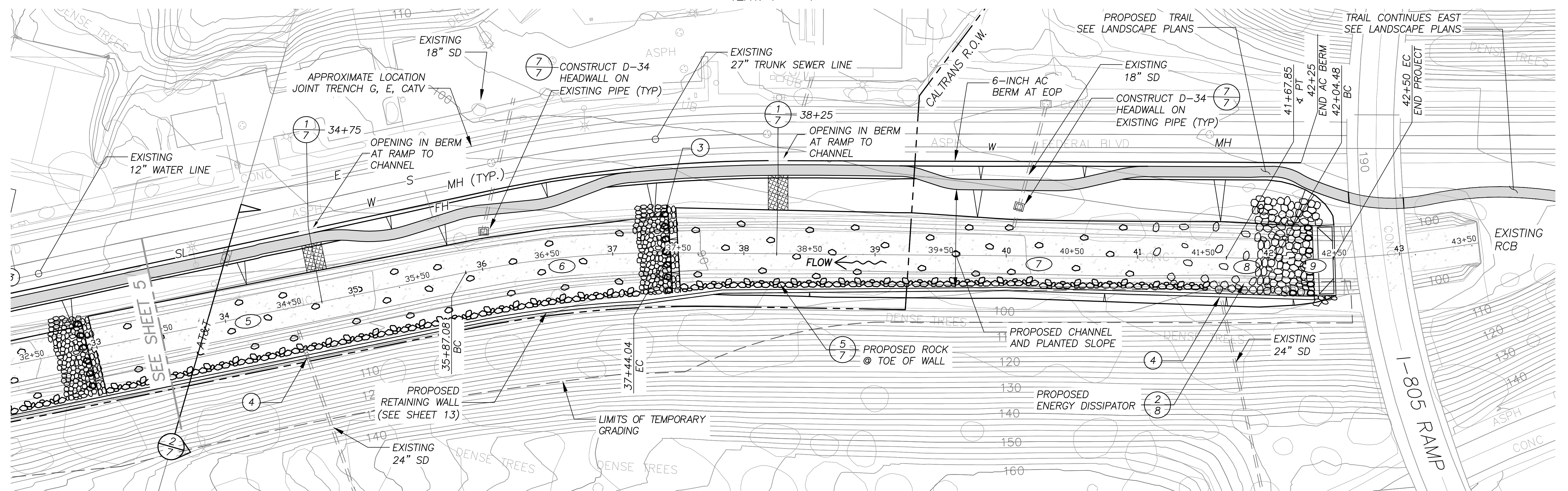
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 NAD83 COORDINATES  
 194-1725  
 LAMBERT COORDINATES  
 XXXXX-5-D





**PROFILE**

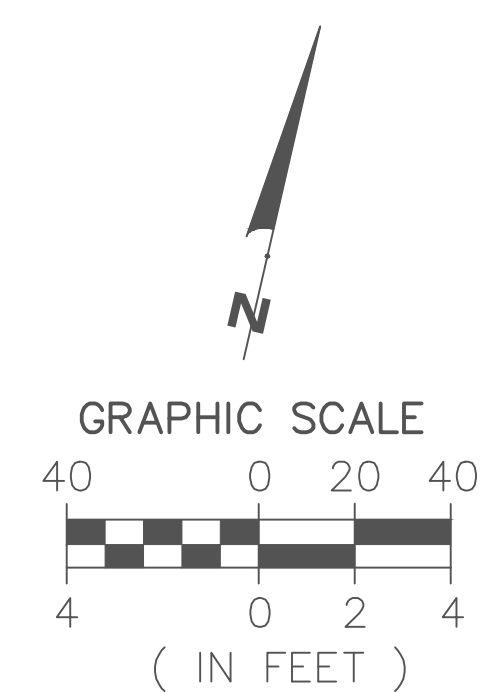
HORIZ. 1" = 40'  
VERT. 1" = 4'



**PLAN**

1" = 40'

Channel Centerline Data			
Data Symbol	Delta or Bearing	Length (FT)	Radius (FT)
5	N 65° 34' 15"	541.82	-
6	∧ = 11° 59' 26"	156.96	750
7	N 77° 33' 41"	423.21	-
8	N 78° 10' 13"	35.05	-
9	∧ = 03° 13' 27"	45.02	300



**CONSTRUCTION NOTES:**

- ③ PLACE ROW OF 2-TON ROCK ALONG DROP STRUCTURE TOE SPACED ~3-FT APART (TYP)
- ④ CUT STORM DRAIN AT OUTER FACE OF WALL. CAST-IN-PLACE CUSTOM FILLET HEADWALL TO BE FORMED AND CONSTRUCTED CONCURRENT WITH BLOCK PLACEMENT.

Figure 5. Project Plan - Upstream



PRIVATE CONTRACT APRIL 5, 2021

**PROPOSED CHANNEL CONSTRUCTION PLAN FOR:**  
**FEDERAL BLVD.**  
**DECHANNELIZATION AND TRAIL PROJECT**

CITY OF SAN DIEGO, CALIFORNIA DEVELOPMENT SERVICES DEPARTMENT SHEET 6 OF 22 SHEETS		PROJECT NO. _____
FOR CITY ENGINEER		DATE
DESCRIPTION	BY	APPROVED
ORIGINAL	XXX	DATE
AS-BUILTS		DATE
CONTRACTOR	DATE STARTED	
INSPECTOR	DATE COMPLETED	
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194-1725 LAMBERT COORDINATES		
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## 1.5 Regulatory Setting

The following provides a general description of the applicable regulatory requirements for the Project, including federal, state, and local policies and guidelines.

### 1.5.1 Federal

#### 1.5.1.1 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918, as amended, is designed to protect birds that migrate and cross state lines to provide management of migratory birds at a federal level. The MBTA prohibits the kill or transport of native migratory birds, or any part, nest, or egg of such bird unless allowed by another regulation adopted in accordance with the MBTA.

#### 1.5.1.2 Federal Endangered Species Act

The Federal Endangered Species Act (FESA) was established to protect wildlife species and habitats from extinction and diminishment. The FESA is administered by the USFWS and applies to federally listed species and habitat occupied by the federally listed species. FESA Section 9 forbids acts that directly or indirectly harm listed species. Specifically, Section 9 identified prohibited acts related to endangered species, and all persons, including federal, state, and local governments, from taking listed fish and wildlife species, except as specified under the provisions for exceptions (16 U.S.C. 1539). The term ‘take’ is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such activity (16 U.S.C. 1532[18]).

#### 1.5.1.3 Federal Clean Water Act

In 1948, Congress passed the Federal Water Pollution Control Act. The Act was later amended in 1972 and became known as the Clean Water Act (CWA). The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States. The act specifies a variety of regulatory and non-regulatory tools to sharply reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff.

- Sections 303 and 304 provide for water quality standards, criteria, and guidelines.
- Section 401 requires every applicant for a federal permit or license for any activity that may result in a discharge to a water body to obtain a water quality certification that the proposed activity will comply with applicable water quality standards. Under Section 401 of the CWA, the State Water Resources Control Board (SWRCB) must certify that actions receiving authorization under Section 404 of the CWA also meet state water quality standards.
- Section 402 regulates point- and nonpoint-source discharges to surface waters through the National Pollutant Discharge Elimination System (NPDES) program. In California, the SWRCB oversees the NPDES program, which is administered by the Regional Water Quality Control Boards. The NPDES program provides for both general permits (those that

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cover a number of similar or related activities) and individual permits. Anti-backsliding requirements provided for under CWA Sections 402(o)(2) and 303(d)(4) prohibit slackening of discharge requirements and regulations under revised NPDES permits. With isolated/limited exceptions, these regulations require effluent limitations in a reissued permit to be at least as stringent as those contained in the previous permit.

- Section 404 of the Clean Water Act establishes a program to regulate the discharge of dredged and fill material into Waters of the U.S., including some wetlands. Activities in Waters of the U.S. that are regulated under this program include fills for development, water resource projects (e.g., dams and levees), infrastructure development (e.g., highways and airports), restoration projects and conversion of wetlands to uplands for farming and forestry. This program is administered by the U.S. Army Corps of Engineers.

## **1.5.2 State**

### **1.5.2.1 California Endangered Species Act**

The California Endangered Species Act (CESA) is similar in many ways to the FESA. CESA is administered by the CDFW. CESA provides a process for CDFW to list species as threatened or endangered in response to a citizen petition or by its own initiative (Fish and Game Code § 2070 et seq.). Section 2080 of CESA prohibits the take of species listed as threatened or endangered pursuant to the Act (Fish and Game Code § 2080). Section 2081 allows CDFW to authorize take prohibited under Section 2080 provided that: (1) the taking is incidental to an otherwise lawful activity; (2) the taking will be minimized and fully mitigated; (3) the applicant ensures adequate funding for minimization and mitigation; and (4) the authorization will not jeopardize the continued existence of listed species (Fish and Game Code § 2081).

### **1.5.2.2 California Department of Fish and Game Code**

The California Fish and Game Code (CFG) regulates the taking of birds, mammals, fish, amphibians, and reptiles, as well as natural resources such as wetlands and waters of the State. It includes the CESA (Sections 2050-2115), Section 3503 and 3503.5 (prohibiting take of bird nests), and Streambed Alteration Agreement regulations (Sections 1600-1616). Any project impact to State-listed species within or adjacent to a project site would require a permit under CESA. Also, if a project proposes to alter a State-defined regulated drainage, then a Streambed Alteration Agreement would be required from CDFW.

### **1.5.2.3 California Native Plant Protection Act**

The California Native Plant Protection Act (CNPPA) of 1977 (Fish and Game Code Sections 1900–1913) is intended to preserve, protect, and enhance endangered or rare native plants in California and gives the CDFW authority to designate State endangered, threatened, and rare plants and provides specific protection measures for identified populations. The Act also directs the California Fish and Game Commission to adopt regulations governing taking, possessing, propagation, and sale of any endangered or rare native plant.

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Vascular plants listed as rare or endangered by the California Native Plant Society (2011), but which have no designated status or protection under federal or State endangered species legislation, are defined as follows:

- Rank 1A: Plants Believed Extinct.
- Rank 1B: Plants Rare, Threatened, or Endangered in California and elsewhere.
- Rank 2: Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere.
- Rank 3: Plants About Which More Information is Needed - A Review List.
- Rank 4: Plants of Limited Distribution - A Watch List.

#### **1.5.2.4 California Porter-Cologne Water Quality Control Act**

The Regional Water Quality Control Board has the responsibility to implement and enforce the Porter-Cologne Act which regulates waste discharge into water of the State. In the Porter-Cologne Act, the legislature declared that the “state must be prepared to exercise its full power and jurisdiction to protect the quality of waters in the state from degradation” (California Water Code Section 13000). Porter-Cologne Act grants the regional water boards the authority to implement and enforce the water quality laws, regulations, policies and plans to protect the groundwater and surface water of the State. Under the auspices of the U.S. Environmental Protection Agency, the state and regional water boards also have the responsibility of granting Clean Water Act permits, including waste discharge permits and water quality certifications. The Regional Water Quality Control Board collaborates with other agencies on the enforcement of the act.

#### **1.5.2.5 Natural Community Conservation Planning Program**

The Natural Community Conservation Program (NCCP) Act, Sections 2800-2840 of the State Fish and Game Code, authorized the preparation of NCCPs to protect natural communities and species while allowing a reasonable amount of economic development. The MSCP, adopted by the County of San Diego, serves as a Habitat Conservation Plan (HCP) pursuant to the NCCP Act and pursuant to Section 10 (a)(1)(B) of the FESA.

### **1.5.3 Local**

#### **1.5.3.1 Multiple Species Conservation Program (MSCP)**

The City of San Diego has developed the Multiple Species Conservation Program (MSCP), which is a regional, multijurisdictional plan that provides a coordinated program issuing “take” authorization for covered species for projects that comply with the plan. The MSCP provides for the preservation of a network of habitat and open space, protecting biodiversity, and enhancing the region's quality of life. The plan has been designed to preserve native vegetation and meet the habitat needs of multiple species, rather than focusing preservation efforts on one species at

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a time. By identifying priority areas for conservation and other areas for future development, the MSCP streamlines existing permit procedures for development projects that impact habitat.

### **1.5.3.2 City of San Diego MSCP Subarea Plan**

The City of San Diego's MSCP Subarea Plan (City of San Diego 1997) has been adopted based upon the general outline developed by the USFWS and CDFW to meet the requirements of the California Natural Communities Conservation Planning (NCCP) Act of 1992. The Subarea Plan forms the basis for the implementing agreement, which is the contract between the City and the wildlife agencies that ensures implementation of the Subarea Plan and thereby allows the City to issue take permits at the local level. The ultimate goal of the MSCP is to create a regional habitat preserve system within the MHPA, while allowing development projects to occur. The MSCP provides for a streamlined development review system that avoids the traditional project-by-project review by regulatory agencies.

### **1.5.3.3 City of San Diego Municipal Code – Land Development Code**

#### **Environmentally Sensitive Land Regulations**

The Environmentally Sensitive Lands (ESL) Regulations provide a compliance and implementation mechanism for the MSCP Subarea Plan and its Implementing Agreement. According to the City Land Development Code (LDC) Section 143.0101, the purpose of the ESL Regulations are to “protect, preserve, and, where damaged restore, the ESL of San Diego and the viability of the species supported by those lands” (City of San Diego 2019). Specific development regulations pertaining to sensitive biological resources exist in the LDC in the ESL Regulations and the OR-1-2 Zone.

The ESL Regulations and LDC Section 113.0103 define sensitive biological resources as upland and/or wetland areas that meet any one of the following criteria:

- a) Lands that have been included in the City of San Diego Multiple Species Conservation Program Preserve;
- b) Wetlands;
- c) Lands outside the MHPA that contain Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats;
- d) Lands supporting species or subspecies listed as rare, endangered, or threatened under Section 670.2 or 670.5, Title 14, California Code of Regulations, or the Federal Endangered Species Act, Title 50, Code of Federal Regulations, Section 17.11 or 17.12, or candidate species under the California Code of Regulations;
- e) Lands containing habitats with Narrow Endemic

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## City of San Diego Wetland Definition

The extent of City wetland jurisdiction is determined based on the City definition of “wetland” that are regulated by the City under the ESL regulations, which states the following:

“Wetlands” are defined as areas which are characterized by any of the following conditions:

1. All areas persistently or periodically containing naturally occurring wetland vegetation communities characteristically dominated by hydrophytic vegetation, including but not limited to salt marsh, brackish marsh, freshwater marsh, riparian forest, oak riparian forest, riparian woodlands, riparian scrub, and vernal pools;
2. Areas that have hydric soils or wetland hydrology and lack naturally occurring wetland vegetation communities because human activities have removed the historic wetland vegetation or catastrophic or recurring natural events or processes have acted to preclude the establishment of wetland vegetation as in the case of salt pannes and mudflats;
3. Areas lacking wetland vegetation communities, hydric soils and wetland hydrology due to non-permitted filling of previously existing wetlands;
4. Areas mapped as wetlands on Map No. C-713 as shown in Chapter 13, Article 2, Division 6 (Sensitive Coastal Overlay Zone).

It is intended for this definition to differentiate for the purposes of delineating wetlands, between naturally occurring wetlands and wetlands intentionally created by human actions, from areas with wetlands characteristics unintentionally resulting from human activities in historically non-wetland areas. With the exception of wetlands created for the purpose of providing wetland habitat or resulting from human actions to create open waters or from the alteration of natural stream courses, areas demonstrating wetland characteristics, which are artificially created are not considered wetlands by this definition. Taking into account regional precipitation cycles, all adopted scientific, regulator, and technological information available from the State and Federal resource agencies shall be used for guidance on the identification of hydrophytic vegetation, hydric soils and wetland hydrology.

Under the definition, an area is considered wetland based on the presence at least one of three physical criteria (vegetation, hydrology, soils). The same code section defines wetland buffers as additional “areas or feature(s) that protects functions and values of the adjacent wetland” where the functions and values include, “absorption and slowing of flood waters for flood and erosion control, sediment filtration, water purification, [and] ground water recharge.”

## City of San Diego Biology Guidelines

In addition to the City’s MSCP Subarea Plan, other local planning policy documents include the City of San Diego Guidelines for Conducting Biology Surveys (City of San Diego 2018, as amended) and the City of San Diego Land Development Code Biology Guidelines (City of San Diego 2018). As described in these guidelines, the City of San Diego established Environmentally Sensitive

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Lands (ESLs) regulations to assure protection of resources consistent with CEQA and the City's MSCP. ESLs include lands within the MHPA, wetlands, sensitive vegetation communities, habitat for listed species, lands supporting narrow endemics, and steep slopes. The regulations encourage avoidance and minimization of impacts to ESLs. Biology guidelines have been established that define the survey and impact assessment methodologies and mitigation requirements for unavoidable impacts.

### **Chollas Creek Enhancement Program**

The Chollas Creek Enhancement Program (CCEP) was developed and adopted by the City of San Diego in 2002. The goal of the CCEP is to create an open space system that lends identity to this area and provides a safe recreational and natural resource for the region. This planning document provides design and development guidelines for wetland restoration and rehabilitation, channel reconstruction, landscaping, trail system, public art and education/interpretive programs. Concrete channel removal is specifically discussed as a primary goal, along with removal of invasive species, restoration of native habitats, improve flood safety, recharging the Creek's aquifer, and providing passive recreational opportunities.



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## Section 2 – METHODOLOGY

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### 2.1 - APPROACH

A comprehensive records search of the California Department of Fish and Wildlife's California Natural Diversity Database (CNDDDB) (CNDDDB, 2020) was conducted to determine if any sensitive species have been reported in the vicinity of the Project. In May and July of 2019 Christina Schaefer of Schaefer Ecological Solutions and in April, May and July of 2020 Julie Fontaine of Trestles Environmental Corporation conducted biological reconnaissance surveys of the project limits, in addition to a 150' buffer around the project. The surveys were conducted in the morning hours to increase the detectability of such sensitive species as the coastal California gnatcatcher (CAGN) and other sensitive species potentially occurring in the project area. Continuous excessive noise from the I-805 and SR-94 highway as well as noise from the San Diego Police Department's shooting range and canine training facility masked any bird calls and audio detectability was limited.

### 2.2 - LITERATURE & DATABASE REVIEW

Existing biological resource conditions within the Project limits were investigated through review of relevant scientific literature. Federal register listings, protocols, and species data provided by the USFWS were reviewed to determine the federally listed species potentially occurring within the project limits. The CNDDDB, a California Department of Fish and Game (Natural Heritage Division) species account database, was also reviewed for information regarding the locations of known occurrences of sensitive species in the vicinity of the project limits. The City of San Diego Multiple Habitat Conservation Program Subarea Plan (MSCP) was also consulted, as well as other online databases listed below. In addition, regional floral and faunal field guides were utilized in the identification of species and suitable habitats. Sources of information included consultations with, and identification by, qualified experts in relevant fields, and unpublished biological resource letter reports and assessments.

The following data were consulted:

- USFWS. 2020a. Environmental Conservation Online Mapping Tool for Federally-listed species occurrences. <https://ecos.fws.gov/ecp/>.
- USFWS. 2020b. Information for Planning and Conservation (IPac) Online Reporting Tool for Federally-protected resources. <https://ecos.fws.gov/ipac/>.
- CDFW. 2020. California Natural Diversity Data Base (CNDDDB). Sacramento, California.
- CNPS. 2020. CNPS Electronic Inventory. [www.cnps.org](http://www.cnps.org).
- City of San Diego. 2020. SanGIS MHPA and Topographical Map.
- United States Department of Agriculture Natural Resources Conservation Service (NRCS). USDA Online Web Soil Survey 2020.

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- San Diego Natural History Museum. 2020. San Diego County Plant Atlas. [www.sdplantatlas.org](http://www.sdplantatlas.org).
  - City of San Diego MSCP Subarea Plan (City of San Diego 1997)
  - San Diego Municipal Code, Land Development Code—Biology Guidelines (SDBG; City of San Diego 2018).
  - San Diego Bird Atlas (Unitt 2004).

## **2.3 – BIOLOGICAL RESOURCE SURVEYS**

Biological surveys were conducted on foot with the aid of existing aerial photographs to identify biological resources. Special attention was paid to sensitive habitats or those areas potentially supporting sensitive flora or fauna. Aerial photographs were used in the field to aid with the identification and delineation of sensitive resources. Surveys were conducted on May 3<sup>rd</sup> and July 22-23<sup>rd</sup>, 2019 by Christina Schaefer and on April 15, May 11 and July 27, 2020 by biologist Julie Fontaine. The survey area included those biological communities and habitat that are found within the project footprint as well as a 150' buffer area directly around the Project (Project Limits).

The 2020 site visits included surveys for rare plants, general vegetation classification, sensitive birds and wetlands and waters jurisdiction, which represented an update of the 2019 field investigation. Vegetation communities were identified based on the dominant plant species and vegetation structure, and mapped onto an aerial photograph. Vegetation nomenclature is based on the Vegetation Communities of San Diego (Oberbauer et al. 2008, Holland 1986). Plant and animal species observed during the survey were recorded and are included in Appendix A. Site Photos are depicted in Appendix B.

### **2.3.1 - Plant Community/Habitat Classification and Mapping**

Plant communities were mapped with the aid of aerial photographs and Google Earth. The maps were used as a guide in delineating project boundaries onto the aerial photograph. Plant community boundaries were delineated directly onto the aerial map while in the field. Table 3 and Figure 7 in this document depict the plant communities identified.

### **2.3.2 - General Plant Inventory**

Plants observed during surveys were either identified in the field or collected and identified using taxonomic keys. Plant surveys were completed in combination with other surveys. All plant species observed were recorded in field notes. Plant taxonomy follows Hickman (1993). Common plant names, when not available from Hickman (1993), were taken from Munz (1974), Abrams (1974 and 1976), Abrams and Ferris (1980) and McCauley (1996). Scientific names are included only during the first mention of a species; thereafter, common names alone are used.

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### **2.3.3 - Sensitive Plant Surveys**

Databases used to generate known or potential sensitive plants included CNDDDB and SANDAG were accessed as well as previous sensitive plant surveys conducted within the project limits. The discussions in this document of sensitive plants potentially known to occur within the project limits are based on the result of previous and current focused surveys on habitats used by the species and their geographic ranges.

### **2.3.4 - General Wildlife Inventory**

All animals identified during the field surveys by sight, call, track, nests, scat, or other signs were recorded. In addition to species actually detected, expected use of the site by other wildlife was derived from the analysis of habitats, combined with known habitat preferences of regionally occurring wildlife species.

Vertebrate taxonomy followed in this report is according to The Center for North American Herpetology ([www.CNAH.org](http://www.CNAH.org)) for amphibians and reptiles, the American Ornithologists' Union (1983 and supplemental) for birds, and Jones *et al.* (1997) for mammals. Scientific names are used during the first mention of a species; common names only are used in the remainder of the text.

Avian and other wildlife surveys were conducted on foot in appropriate habitats simultaneous with the other surveys. Birds were detected both by sight and by call. In addition to the species actually detected, expected use of the project limits by other species was postulated from an evaluation of the habitat types present on or adjacent to the site, in conjunction with known habitat preferences of species found in the region. All species observed were recorded in field notes.

Surveys for the presence of nesting raptors (birds of prey) were conducted simultaneously with other field surveys. Such efforts included directed and incidental observation of raptor nests and the identification of raptor species flying overhead.

### **2.3.5 - Sensitive Wildlife Surveys**

Databases used to generate known or potential sensitive plants included CNDDDB and SANDAG were accessed. The discussions in this document of sensitive wildlife potentially present within the project limits are based on the habitats used by the species and their geographic ranges.

### **2.3.6 - Regional Connectivity/Wildlife Movement Corridor Assessment**

The analysis of wildlife movement corridors associated with the project is based on information compiled from online literature, analysis of the aerial photographs, and direct observations made in the field during survey work. The City's MSCP was consulted to determine if the project limits fall within any regional or local wildlife corridors or wildlife corridor planning zone.

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### **2.3.7 - Jurisdictional Wetlands, Waters and Streambeds**

Wetlands and waters regulated by the federal and state government were identified within the project limits. Trestles biologist Julie Fontaine conducted site visits in April and May of 2020 to evaluate potential jurisdictional features within the Project's limits pursuant to the Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Wildlife (CDFW). The delineation was conducted in accordance with the (1) Arid West Supplement to the 1987 Wetlands Delineation Manual and the January 2020 New ACOE Navigable Waters Protection Rule, (2) Section 1600 of the California Fish and Game Code, and (3) the RWQCB New Wetland Definition and Procedures of 2019, including the Implementation Guidance for the Dredge or Fill Procedures - April 21, 2020. Jurisdictional boundaries were mapped to delineate wetlands and waters within the survey area for the purpose of procuring environmental restoration permits from the appropriate resource agencies.

### **2.4 – SURVEY LIMITATIONS**

Survey limitations include access restrictions (steep slopes, right-of-entry limitations, and inaccessibility certain areas due to fencing) and a diurnal wildlife bias. Binoculars were used where areas were not directly accessible. Wildlife species that are secretive in their habitats, nocturnally active, or may require trapping efforts to determine presence/absence would not have been observed or detected during the general wildlife surveys. Birds represent the largest component of the vertebrate fauna, and because most birds are active in the daytime, diurnal surveys maximize the number of observations of this portion of the fauna.

There was a noise-related limitation due to excessive noise from the two adjacent highways (I-805 and SR-94), as well as barking dogs at the San Diego Police Department canine facility and the shooting range (2019 surveys) which is located across Federal Boulevard from the project area; therefore, some bird species may not have been detected.

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## Section 3 – ENVIRONMENTAL SETTING

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### 3.1 – REGIONAL SETTING

The Project is located in southwestern San Diego County within the City of San Diego limits. Within the City’s Subarea Plan it is found in the Urban Areas setting, and characterized as “Other Urban Areas” (pg 18) (City of San Diego, 2017), and has no Preserve-specific MHPA guidelines that applies to the urban setting of the Project site. The watershed is mostly developed, but Chollas Creek and its’ associated canyons have important pockets of habitat that would allow regional wildlife movement and provide habitat, albeit isolated from larger preserves.

### 3.2 – TOPOGRAPHY

Within the Project limits, Chollas Creek topography consists gentle grades between 1 and 2% slope. The proposed pedestrian trail also is flat with similar topography. Site topography consists of steep north facing engineered slopes of the SR-94 highway to the south, steep engineered slopes associated with the I-805 to the east of Chollas Creek, and flat valley bottom to the north and west of the Project limits. The elevation ranges from 85 feet above mean sea level (AMSL) in the western-most area of Chollas Creek corner up to 140 feet AMSL on the on the SR-94 Caltrans manufactured slopes on the southeastern part of the Project near the I-805 bridge.

### 3.3 – SOILS

Soils mapped within the Project limits are primarily classified as “Made Land” (Figure 6), including the current location of Chollas Creek and the SR-94 slopes (see Caltrans SR-94 As-Built in Appendix C). A small pocket of Redding-Urban Land Complex mapped unit also is found within the Project limits. Within the study area other mapped soils in addition to the Made Land and Redding-Urban Land Complex includes Huerhuero loam and Terrace Escarpments (USDA, 2020). The “Made Land” classification is generally associated with highly disturbed or altered land, such as the placement of fill or other materials, in urban areas.

By definition it reads: *Made Land consists of areas filled artificially with earth, trash, or both, and smoothed. It occurs most commonly in and around urban areas.*

For the Redding-Urban Land Complex, where there are mixtures or complexes of spots of recognizable series extensive areas of cut and fill made land, both intermixed with urban areas of streets, houses and industrial areas, a name combining the identified series and urban land is used. Redding soils consists of a cobbly to gravelly loam in the upper surface with a hardpan layer typically 20-40 inches below the surface. This hardpan restricts downward movement of water, and allows the concentration of clays just above this layer.

Soils of the Huerhuero series are now included with the Antioch series. These are soils that are clays with a strong shrink-swell capacity, and have very high salt content in the subsurface Bt

horizon. Terrace escarpments consist of long, narrow, rocky areas that rise abruptly from the mean tide line to the coastal plain terraces or plateaus. This land type consists of steep faces that separate the terraces from the lower lying land. The faces are composed of soft coastal sandstone, hard shale, or hard, weather-resistant, fine-grained sandstone.

### 3.4 – VEGETATION COMMUNITIES & FLORA

Total acreages of recorded vegetation communities are provided below. Table 1 provides a breakdown of acreages, providing details of vegetation community types within the Project footprints. Figure 7 provides a map of the vegetation communities. A full plant species compendium is included in Appendix A. Special-status plant species are discussed in Section 3.7.

**Table 1 - Vegetation Communities within Project Limits**

<b>Vegetation Community (Holland/Oberbauer Code)</b>	<b>SDBG Vegetation Community</b>	<b>Tier/Wetland*</b>	<b>Acreage</b>
Southern Mixed Chaparral	Mixed Chaparral	IIIA	1.11
Disturbed Wetland	Disturbed Wetland	Wetland	1.52
Disturbed Concrete Lined Channel Banks	Disturbed Land	IV	0.74
Disturbed/Developed/Upland Habitat	Disturbed Land	IV	2.61
Eucalyptus Woodland/ Ornamental Planting	Eucalyptus woodland/ Ornamental Planting	IV	0.36
Total:			6.34

\*per City of San Diego Biology Guidelines (2018)

#### **Disturbed Wetland (Holland 11200)**

This land cover is the concrete-lined channel bottom of Chollas Creek, and is defined as “areas permanently or periodically inundated by water, which have been significantly modified by human activity.” Site factors in this land classification include waterways with artificial structures such as concrete lining, barricades, rip-rap, piers, or gate, which are often unvegetated. Vegetation present occupies less than 5% cover and include: Tree of Heaven (*Ailanthus altissima*), Mexican fan palm (*Washingtonia robusta*), Canary palm (*Phoenix canariensis*), fountain grass (*Pennisetum setaceum*), and shamel ash (*Fraxinus uhdei*). This land cover includes the main Chollas Creek channel, and encompasses 1.52 acres.

#### **Disturbed/Developed Upland (Holland 11300)**

This category includes areas that have been physically disturbed or invaded by non-native species, such that few or no native plant species remain (disturbed) or areas that have been graded or otherwise physically altered such that conditions no longer exist to support native

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vegetation (developed). Disturbed habitats consist of non-native vegetation or compacted soil such that no vegetation is growing.

Most plants are non-native species and include the following herbaceous invasives: crown daisy (*Glebionis coronaria*), fountain grass, tree tobacco (*Nicotiana glauca*), ripgut brome (*Bromus diandrus*), slender oat (*Avena barbata*), storksbill (*Erodium cicutarium*), wild raddish (*Raphanus raphanistrum*) and wild fennel (*Foeniculum vulgare*). Invasive, exotic tree species include oleander (*Nerium oleander*), Peruvian pepper tree (*Schinus molle*), and Brazilian pepper tree (*Schinus terebinthifolius*). A few scattered mule fat (*Baccharis salicifolia*) individuals occur on the upper slopes just beyond the concrete lined channel, but do not form a continuous plant community.

Several native shrubs have been able to establish, but represent less than 5% of total plant cover. These include coyote brush (*Baccharis piularis*), sugarbush (*Rhus ovata*), California sagebrush (*Artemisia californica*) and black sage (*Salvia mellifera*). A complete species list is included in Appendix A. Developed areas include permanently impacted areas such as structures, roads, interchanges, the concrete-lined banks of Chollas Creek, and other paved surfaces. A total of 3.35 acres of Disturbed and Developed habitat occurs within the project limits, including 0.74 acre within Chollas Creek that includes the banks of the concrete lined channel. This is a Tier IV habitat.

### **Eucalyptus Woodland/ Ornamental Planting (Holland 79000/11000)**

Stands of mature eucalyptus and other ornamental plantings are found on the Caltrans slopes of SR-94 as well as on the slopes of the I-805 Bridge. Gum trees (*Eucalyptus* sp.) form an open canopy and mostly restrict undergrowth of plants. The eucalyptus woodland is interspersed with other non-native and ornamental trees such as Peruvian peppertree, Brazilian peppertree, tea tree, bottle bush, Western sycamore and a variety of palm species, presumably installed during the construction of the slopes for SR-94 around 1971. In larger opening between the trees occurs a few native shrubs including coyote brush, California buckwheat, sugarbush, and laurel sumac.



Western sycamore (*Platanus racemosa*), bottle brush (*Melaleuca viminalis*), tea tree (*Leptospermum* sp.) and Australian acacia (*Acacia* sp) are planted trees in ornamental stands, likely installed during the construction of the SR-94 manufactured slope. Understory herbaceous vegetation is sparse and mostly consist of the invasive ripgut brome. This habitat type occurs over 0.36 acre. This is a Tier IV habitat.

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### Southern Mixed Chaparral (Holland 37120)

Southern Mixed Chaparral (SMC) occurs on the manufactured north-facing Caltrans slopes between Chollas Creek and the SR-94 freeway. This habitat occurs on the mesic toe of slope along Chollas Creek, and extends up the manufactured slopes closer to the I-805 Bridge. Interspersed within the native plants are Caltrans planted trees including Western sycamore, bottlebrush, Australian acacia and tea tree. Dominant native species are large evergreen shrubs including toyon (*Heteromeles arbutifolia*), lemonade berry (*Rhus integrifolia*), sugarbush and laurel sumac (*Malosma laurina*).



A minor component of this habitat found in small patches include coastal sage species such as California buckwheat (*Eriogonum fasciculatum*), California sagebrush and black sage. Understory and in openings between the shrubs are occupied primarily by the non-native ripgut brome. SMC occurs on 1.11 acres. This is a Tier IIIA vegetation community.

### 3.5 - JURISDICTIONAL WATERS AND WETLANDS

Chollas Creek within the Project Limits extends for 2,100 linear feet and is concrete lined. It is classified as an intermittent stream. Chollas Creek falls under the jurisdiction of two state agencies and one federal agency: the CDFW, the RWQCB and ACOE. It is outside the coastal zone. See Figure 8 for a map of CDFW/RWQCB/ACOE jurisdiction within Chollas Creek. There are no jurisdictional “wetland waters of the US/State” associated with the project.

Chollas Creek in this reach meet the City of San Diego (City) wetland definition and would be classified as a “Disturbed Wetland”. Though the streambed does not support wetland vegetation, its channelization would be considered substantial modification by human activities. Because wetland hydrology is present, the segment of Chollas Creek affected by the project is considered City wetland. The area of regulatory jurisdiction within the Project footprints would include the channel from the culvert immediately west of the I-805/SR-94 on-ramp, extending downstream to the Home Avenue Bridge. Within the project survey area is also a concrete-lined tributary flowing into Chollas Creek on the north side, immediately east of the Home Avenue Bridge. Jurisdictional resources are identified in Table 2. The full Jurisdictional Delineation Report that describes existing conditions has been prepared as a separate document.





The concrete lined channel would be considered a “non-wetland water of the US/State”. The channel bottom is 30 feet wide, and extends to 50 feet wide spanning across the top of the concrete banks. Some plants have established within the cracks of the concrete but are mostly invasive species. Under the 2020 ACOE new “Navigable Waters Protection Rule” this reach would be considered a “Category (a)(2) Water of the US”, which is a tributary to a Traditionally Navigable Water (Pacific Ocean) due to its intermittent flow.

Total regulated jurisdiction for the CDFW jurisdiction and 1 foot above the Ordinary High Water Mark (OHWM) for the City/ACOE/RWQCB, total 2.26 acres and 1.52 acres, respectively within the Project footprint. CDFW jurisdiction includes the 1.52 acres of the City/ACOE/RWQCB jurisdiction.

**Table 2 – Jurisdictional Areas**

<b>Jurisdiction</b>	<b>Existing (acres)</b>
CDFW Jurisdictional Waters of the State*	2.26
City/ACOE/RWQCB Non-Wetland Waters of the US/State	1.52
* CDFW acreage also includes ACOE/RWQCB acreage	
Source: Trestles, 2021	

The Project would require permits from the CDFW, RWQCB, and from the ACOE to be able to work within their jurisdiction.

**Existing Wetland Buffer**

The land surrounding Chollas Creek within the development footprints is urbanized and land use is not anticipated to change or be altered. Under existing conditions directly to the north abutting Chollas Creek is a narrow strip of low-quality non-native vegetation adjacent to Federal Boulevard. Trash and other disturbance from vehicles driving currently provide poor wetland buffer function. To the south of Chollas Creek, the wetland buffer is comprised of a manufactured slope vegetated with southern mixed chaparral and eucalyptus woodland.

**3.6 – GENERAL FAUNA**

Wildlife species observed or detected through direct observation or observation of other signs such as vocalization, scat, tracks, remains, etc. are those typically observed within an urban setting. Wildlife species observed include: western fence lizard (*Sceloporus occidentalis*), side-bloched lizard (*Uta stansburiana*), lesser goldfinch (*Spinus psaltria*), house finch (*Haemorhous mexicanus*), song sparrow (*Melospiza melodia*), mourning dove (*Zenaida macroura*), American crow (*Corvus brachyrhynchos*), California towhee (*Pipilo crissalis*), Allen’s hummingbird (*Selasphorus sasin*), American cliff swallow (*Petrochelidon pyrrhonota*) and black phoebe (*Sayornis nigricans*). Red-tailed hawk (*Buteo jamaicensis*) and red-shouldered hawk (*Buteo lineatus*) were also observed and may utilize the mature eucalyptus trees on the SR-94 slopes for nesting. Urban wildlife such as coyote (*Canis latrans*) raccoon (*Procyon lotor*), striped skunk

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(*Mephitis mephitis*) and Virginia opossum (*Didelphis virginiana*) also are expected to utilize habitat within the Project. A complete list of animal species observed or detected are included in Appendix A.

### **3.7 – Special Status Biological Resources**

The following discussion describes the plant and wildlife species present, or potentially present within the watershed, that have been afforded special recognition by federal, state, city or local resource conservation agencies and organizations, principally due to the species' declining or limited population sizes, usually resulting from habitat loss. Also discussed are habitats that are unique, of relatively limited distribution, or of particular value to wildlife. Under provisions of the state and federal Endangered Species Acts, protected sensitive species are classified by either state or federal resource management agencies, or both, as threatened or endangered. Vulnerable or "at-risk" species that are proposed for listing as threatened or endangered (and thereby for protected status) are categorized administratively as "candidates" by the USFWS. CDFW uses various terminology and classifications to describe vulnerable species. There are additional sensitive species classifications applicable in California; these are described below.

Sensitive biological resources are habitats or individual species that have special recognition by federal, state, city or local conservation agencies and organizations as endangered, threatened, or rare. The CDFW, the USFWS, and special groups like the CNPS maintain watch lists of such resources. For the purpose of this assessment sources used to determine the sensitive status of biological resources are:

**Plants:** San Diego Municipal Code Chapter 11.3.1.18, City of San Diego Land Development Manual – Biology Guidelines, U. S. Fish and Wildlife Service (USFWS 2020), California Department of Fish and Wildlife (CDFW 2020), California Natural Diversity Data Base (CNDDDB 2020), MSCP Species Database, the San Diego Natural History Museum's (SDNHM) Bird and Mammal Atlas database and California Native Plant Society (CNPS) (2020);

**Wildlife:** San Diego Municipal Code Chapter 11.3.1.18, California Wildlife Habitat Relationships Database System (CWHRDS 1991), USFWS, CDFW, CNDDDB; and

**Habitats:** San Diego Municipal Code Chapter 11.3.1.18, CNDDDB (2020).

#### **3.7.1 - Explanation of Sensitive Resource Classification**

##### **Federal Protection and Classifications**

The Federal Endangered Species Act of 1973 (FESA) defines an endangered Species as "any species, which is in danger of extinction throughout all or a significant portion of its range..." Threatened species are defined as "any species, which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." Under provisions of Section 9(a)(1)(B) of the FESA it is unlawful to "take" any listed species. "Take" is

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defined as follows in Section 3(18) of the Act: "...harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Further, the USFWS, through regulation, has interpreted the terms "harm" and "harass" to include certain types of habitat modification as forms of "take". These interpretations however, are generally considered and applied on a case-by-case basis and often vary from species to species. In a case where a property owner seeks permission from a federal agency for an action, which could affect a federally listed plant and animal species, the property owner and agency are required to consult with USFWS. Section 9(a)(2)(b) of the federal Endangered Species Act addresses the protections afforded to listed plants.

In 1996 the USFWS instituted changes in the listing status of former candidate species. Former C1 (candidate) species are now referred to simply as candidate species and represent the only candidates for listing. Former C2 species (for which the Service had insufficient evidence to warrant listing) and C3 species (either extinct, no longer a valid taxon or more abundant than was formerly believed) are no longer considered as candidate species. Therefore, these species are no longer maintained in list form by the Service, nor are they formally protected. However, some USFWS field offices have issued memoranda stating that former C2 species are henceforth to be considered "federal species of concern". This term is employed in this document, but carries no official protections. All references to federally protected species in this report (whether listed, proposed for listing or candidate) include the most current published status or candidate category to which each species has been assigned by USFWS.

### **State of California Protection and Classifications**

California's Endangered Species Act (CESA) defines an endangered species as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease." The State defines a threatened species as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as rare on or before January 1, 1985 is a threatened species." Candidate species are defined as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list." Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Game Commission. Unlike the federal ESA, CESA does not include listing provisions for invertebrate species.

Article 3, Sections 2080 through 2085, of the California Endangered Species Act addresses the taking of threatened or endangered species by stating "No person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any

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part or product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided.” Under the California Endangered Species Act, “take” is defined as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” Exceptions authorized by the state to allow a “take” require “permits or memorandums of understanding” and can be authorized for “endangered species, threatened species, or candidate species for Scientific, educational, or management purposes.” Sections 1901 and 1913 of the California Fish and Game Code provide that notification is required prior to disturbance.

Additionally, some sensitive mammals and birds are protected by the state as Fully Protected Mammals or Fully Protected Birds, as described in the California Fish and Game Code, Sections 4700 and 3511, respectively. California Species of Special Concern (“special” animals and plants) listings include special status species, including all state and federal protected and candidate taxa, Bureau of Land Management and U.S. Forest Service sensitive species, species considered to be declining or rare by the California Native Plant Society or National Audubon Society, and a selection of species which are considered to be under population stress but are not formally proposed for listing. This list is primarily a working document for the CDFW CNDDDB project. Informally listed taxa are not protected per se, but warrant consideration in the preparation of biotic assessments. For some species, the CNDDDB is only concerned with specific portions of the life history, such as roosts, rookeries, or nest sites.

### **California Native Plant Society**

The California Native Plant Society (CNPS) is a private plant conservation organization dedicated to the monitoring and protection of sensitive species in the state. CNPS has compiled an inventory comprised of the information focusing on geographic distribution and qualitative characterization of rare, threatened, or endangered vascular plant species of California. The list serves as the candidate list for listing as threatened and endangered by CDFW.

CNPS has developed five categories of rarity (California Rare Plant Rank):

List 1A:	Presumed extinct in California.
List 1B:	Rare, threatened, or endangered throughout their range.
List 2:	Rare, threatened, or endangered in California, but more common in other states.
List 3:	Plant species for which additional information is needed before rarity can be determined.
List 4:	Species of limited distribution in California (i.e., naturally rare in the wild), but whose existence does not appear to be susceptible to threat.

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Sensitive species that occur or potentially could occur within the project limits are based on one or more of the following:

- 1) The direct observation of the species on the property during one of the biological surveys;
- 2) A record reported in the California Natural Diversity Data Base (CNDDDB); and
- 3) The project limit is within known distribution of a species and contains appropriate habitat.

The potential for each to occur on the project area based on the following definitions:

- **Low Potential:** The project site and/or immediate vicinity provides low quality habitat for a particular species, such as improper soils, disturbed or otherwise degraded habitat, improper assemblage of desired vegetation, and/or the site is outside of the known elevation range of the species.
- **Moderate Potential:** The project site and/or immediate vicinity provides suitable habitat for a particular species. For example, proper soils may be present, but the desired vegetation assemblage or density is less than ideal; or soils and vegetation are suitable, but the site is outside of the known elevation range of the species.
- **High Potential:** The project site and/or immediate vicinity provide high quality or ideal habitat (i.e., soils, vegetation assemblage, and topography) for a particular species and/or there are known occurrences in the general vicinity of the project area.
- **Present:** The species or vegetation community/habitat was observed within the project site and/or immediate vicinity during surveys or the species has been previously reported within the project area.

### 3.7.2 - Sensitive Plant Species

Sensitive plants include those listed, candidates for listing, or identified to be of concern by USFWS, CDFW, City of San Diego MSCP and California Rare Plant Rank (particularly list 1A, 1B, and 2). The CNDDDB reported several plant species that could be found within the project limits. Table 3 lists the sensitive flora species with the potential to occur.

### Results

During spring biological surveys (May 2019 and April and May 2020) particular attention was paid to survey for special status plant species. No special-status plant species were observed.

**Table 3 - Special Status Plant Species with Potential to Occur**

Species	Status <sup>1</sup> Federal/State/ CRPR/ City MSCP	Habitat Requirements	Potential to Occur
California adophia ( <i>Adolphia californica</i> )	--/--/2.1B/ Not Covered	Associated with clay soils in chaparral CSS, grasslands.	<b>Low.</b> Chaparral present, but soils consist of fill material of unknown texture. Not present.
Singlewhorl burrowbrush ( <i>Ambrosia monogyra</i> )	--/--/2.1B/ Not Covered	Mixed chaparral and woodland habitats.	<b>Low.</b> CNDDDB occurrence <1 mile from Project. Suitable habitat found onsite. Not present.
Aphanisma ( <i>Aphanisma blitoides</i> )	--/-- /1B.2/ Covered	Occurs primarily on coastal bluffs, but also within CSS.	<b>Low.</b> Coastal bluffs not present. Only scattered CSS individuals found onsite.
Wart-stemmed ceanothus ( <i>Ceanothus verrucosus</i> )	--/-- /1B.1/ Covered	Southern maritime chaparral, southern mixed chaparral communities.	<b>Low.</b> CNDDDB occurrence <1 mile from Project. Suitable habitat found onsite, however species not present onsite.
Snake cholla ( <i>Cylindropuntia californica</i> var. <i>californica</i> )	--/-- /1B.1/ Covered	Maritime succulent scrub on dry south facing slopes on coastal bluffs.	<b>Low.</b> Suitable habitat not present onsite.
Palmer's goldenbush ( <i>Ericameria palmeri</i> var. <i>palmeri</i> )	--/-- /1B.1/ Covered	Found in scrub and chaparral habitats <600m on fine, clayey soils.	<b>Low.</b> Potential habitat in chaparral onsite, however species not present onsite.
San Diego barrel cactus ( <i>Ferocactus viridescens</i> )	FSC/--/2B.1/ Covered	Chaparral, coastal scrub, valley and foothill grassland. On exposed, level or south-sloping areas; often in coastal scrub; sand, gravel and cobbly substrates. 3-485m.	<b>Low.</b> Suitable habitat not present onsite.
Decumbent goldenbush ( <i>Isocoma menziesii</i> var. <i>decumbens</i> )	--/--/1B.2/ Not Covered	Chaparral and coastal scrub, sometimes in grassy ectotones, preference for clay soils; 10-135m.	<b>Low.</b> Potential habitat in chaparral onsite. However, species not present onsite.
Willow monardella ( <i>Monardella viminea</i> )	FE/SE/1B.1/ Covered	Ephemeral alluvial washes or cobbly open areas in associated chaparral, coastal scrub and riparian habitats; 50-200m	<b>Low.</b> Suitable habitat not present onsite.
Nuttall's scrub oak ( <i>Quercus dumosa</i> )	--/-- /1B.1/ Not Covered	Maritime chaparral, coastal scrub. Generally on sandy soils near the coast; sometimes on clay loam; 15-400m.	<b>Low.</b> Potential habitat in chaparral onsite. However, species not present onsite.
Oil neststraw ( <i>Stylocline citroleum</i> )	--/-- /1B.1/ Not Covered	Found in saline soils between <i>Atriplex</i> plants on edges of drainages. Chenopod scrub.	<b>Low.</b> Last CNDDDB record was 1883. Presumed extirpated. Suitable habitat not present.

Species	Status <sup>1</sup>	Habitat Requirements	Potential to Occur
	Federal/State/ CRPR/ City MSCP		

<sup>1</sup> Description of status codes:

FE = Listed as endangered under the FESA, FT = Listed as threatened under the FESA, FSE – Federal Species of Concern

ST= Listed as threatened under the CESA, SE = Listed as endangered under the CESA

CRPR = California Rare Plant Rank (CNPS, 2020)

CRPR 1B.1 = Seriously threatened in California and elsewhere, CRPR 1B.2 = Fairly threatened in California and elsewhere

CRPR 1B.3 = Not very threatened in California and elsewhere, CRPR 2B.2 = Fairly threatened in California, but more common elsewhere

CRPR 4.2 = Fairly threatened in California, placed on a watch-list due to limited distribution throughout its range

CRPR 4.3 = Plant of limited distribution, not very threatened in California

Covered = Covered under the City of San Diego MSCP, Not covered = Not covered under the City of San Diego MSCP

### 3.7.3 - Sensitive Wildlife Species

A list of CNDDDB reported sensitive wildlife species are identified in Table 4 below. Sensitive wildlife includes those listed, candidates for listing, or identified to be of concern by USFWS, and CDFW. The table identifies whether the species is covered under the San Diego MSCP. Because the urban nature of the Project, the likelihood of sensitive species nesting within the Project is limited. The eucalyptus woodlands may be utilized by two species of raptors (observed flying overhead). On July 27, a CAGN was observed foraging in the roadside disturbed non-native vegetation. Suitable nesting habitat does not occur onsite and foraging quality is low.

**Table 4 – Special Status Wildlife Species with Potential to Occur**

Species	Status <sup>1</sup>	Habitat Requirements	Potential to Occur
	Federal/State/City MSCP		
<b>Reptiles</b>			
Orange-throated whiptail ( <i>Aspidoscelis hyperythra</i> )	-- /SSC/ Covered	Species requires intact habitat within chaparral, cismontane woodland and coastal scrub plant communities.	<b>Low.</b> Requires open scrub, intact habitat. Suitable habitat not present onsite.
Coast horned lizard ( <i>Phrynosoma coronatum blainvillii</i> )	FCS/SSC/Not Covered	Known to occur in sandy washes within chaparral or coastal scrub habitat. Requires loose soil for burial and abundant supply of harvester ants.	<b>Low.</b> Suitable habitat not present onsite.

Coast patch-nosed snake ( <i>Salvadora hexalepis virgulata</i> )	FCS/SSC/Not Covered	Inhabits semi-arid brushy areas and chaparral in canyons, rocky hillsides, and plains.	<b>Low.</b> Onsite habitat too mesic.
Two-striped gartersnake ( <i>Thamnophis hammondi</i> )	--/SSC/ Not Covered	Habitat includes marsh and swamp, riparian scrub, riparian woodland, and wetland. Highly aquatic, found in or near permanent fresh water. Often along streams.	<b>Low.</b> Although freshwater present, channel is concrete lined and does not support habitat for this species.
<b>Birds</b>			
Coopers hawk ( <i>Accipter cooperi</i> )	--/WL/ Covered	Found in riparian areas, and open woodlands, chiefly of open, interrupted or marginal type. Nests in riparian growths of deciduous trees and live oak woodlands	<b>Low.</b> Riparian woodlands not present.
Southern California rufous-crowned sparrow ( <i>Aimophila ruficeps canescens</i> )	FCS/SSC/ Covered	Known to frequent relatively steep, often rocky hillsides with grass and forb species. Resident in southern California coastal sage scrub and mixed chaparral.	<b>Low.</b> Mixed chaparral present, but suitable rocky substrate not present.
Red-tailed hawk ( <i>Buteo jamaicensis</i> )	BEPA/SSC/ Not Covered	Occurs in urban habitat and woodlands, including eucalyptus woodlands.	<b>Moderate.</b> Observed flying over project. Eucalyptus trees and other mature trees may be suitable for nesting.
Red-shouldered hawk ( <i>Buteo lineatus</i> )	BEPA/SSC/ Not Covered	Occurs in open woodlands, grasslands and open fields. Requires mature trees for nesting.	<b>Moderate.</b> Observed flying over project. Eucalyptus trees and other mature trees may be suitable for nesting.



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Coastal California  
gnatcatcher  
(*Polioptila californica californica*)

FT /SSC/ Covered

Species is an obligate, permanent resident of coastal sage scrub in southern California. Low, coastal sage scrub in arid washes, on mesas and slopes.

**Present (foraging).** One adult was observed on July 27, 2020 foraging in the non-native vegetation adjacent to Federal Blvd., directly across the street from the MHPA area. Patches of coastal sage scrub species onsite in SMC are too small and surrounding SMC habitat too dense to provide nesting habitat. Site not suitable for nesting.

This FT specie has a 2015 CNDDDB record of occurrence offsite, and 500 feet from the Project on hillsides behind the Police Department, to the north of Federal Boulevard.

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<sup>1</sup> Description of status codes:

**FE** = Listed as endangered under the FESA,

**FT** = Listed as threatened under the FESA

**FSC** = Federal Species of Concern,

**BCC** = Bird of Conservation Concern,

**WL**= Watch listed

**SE** = Listed as endangered under the CESA,

**SSC** = State Species of Special Concern

**FP** = Listed as fully protected under CDFG code

Covered = Covered under the City of San Diego MSCP, Not covered = Not covered under the City of San Diego MSCP

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### **Coastal California gnatcatcher (*Polioptila californica californica*)**

The Coastal California gnatcatcher is a Federally Threatened and California Species of Special Concern and is a covered species under the City's MSCP. This bird is an obligate, permanent resident of coastal sage scrub in southern California. It occupies low, coastal sage scrub in arid washes, on mesas and slopes. Under existing conditions (non-native grasses and forbs) this species is unlikely to nest in the habitat onsite. On July 27, 2020 one adult CAGN was observed foraging in the disturbed, non-native vegetation along Federal Boulevard and within the Project

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footprints. This observation was directly across the street from the San Diego Police Department Canine Facility, with the MHPA occurring on the hillsides behind that facility.

A 2015 CNDDDB record of this species occurs within the closest MHPA on the high quality coastal sage scrub (CSS) and Maritime Succulent Scrub (MSS) habitat on coastal bluffs behind the Police Department, to the north of Federal Boulevard. The 2015 occurrence maps report an individual 500 feet from the Project limits, and on July 27, 2020 California gnatcatcher could be heard vocalizing in this offsite area. A small patch of habitat on the north side of Federal Boulevard could provide a connecting corridor, however, an urban environment (shooting range, canine dog facility, parking lots, buildings, roads and ornamental landscaping) separates the high quality habitat from the proposed work area. This species was observed foraging onsite, located outside of the MHPA. It is not expected to nest onsite due to lack of appropriate habitat.

### **Raptors**

Eucalyptus woodland is present on the SR-94 slopes and presents a moderate suitability for nesting raptors. Both a red-tailed hawk and a red-shouldered hawk were observed flying overhead during the project biological surveys.

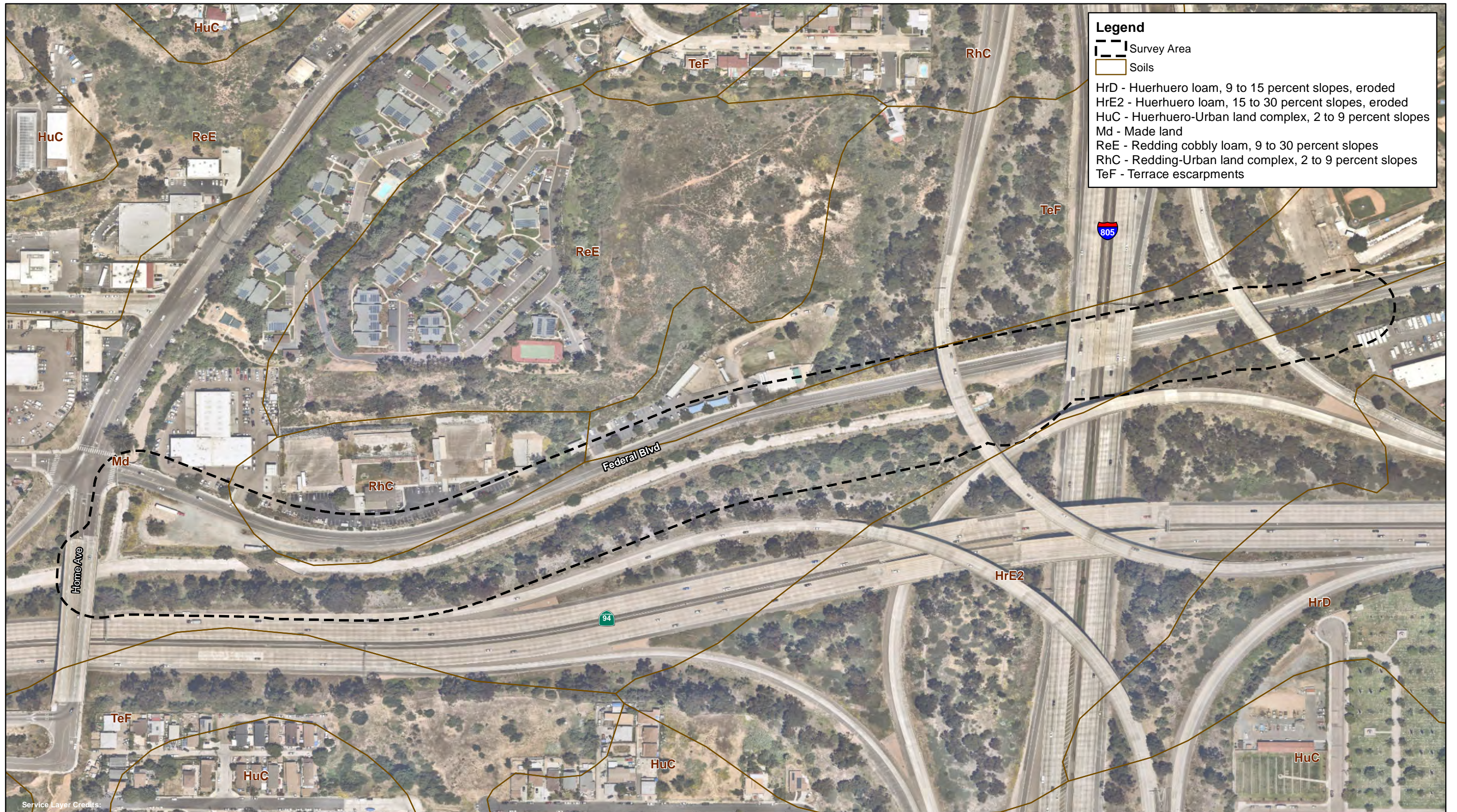
### **3.8 - WILDLIFE MOVEMENT**

Wildlife movement corridors or habitat linkages are linear habitat features that connect large blocks of habitat that might otherwise be disconnected from one another. Effective wildlife movement is essential for dispersal, genetic exchange, migration, foraging and breeding. Functional wildlife movement corridors are especially important in highly fragmented habitat, such as developed or agricultural areas. Wildlife movement corridors are used by terrestrial animals and are important for bird dispersal and an avenue for genetic exchange in plants. On a regional scale, movement corridors can include bird flyways that provide essential habitat to be used as a stopover for several days during migration.

The Project is situated in a highly urbanized setting. The Project would not constitute a high-quality wildlife movement corridor or habitat linkage, however patches moderate and high quality habitat occur within the vicinity. It is likely that urban wildlife such as coyotes, skunks, possums and a variety of bird species would pass through the Project limits when traveling from one open space area to another.

### **3.9 CRITICAL HABITAT & CITY OF SAN DIEGO MHPA**

The Project does not occur within USFWS-designated critical habitat area for any federally listed species. The Project is located within the City of San Diego Multiple Species Conservation Program (MSCP) and outside the Multiple Habitat Planning Area (MHPA).



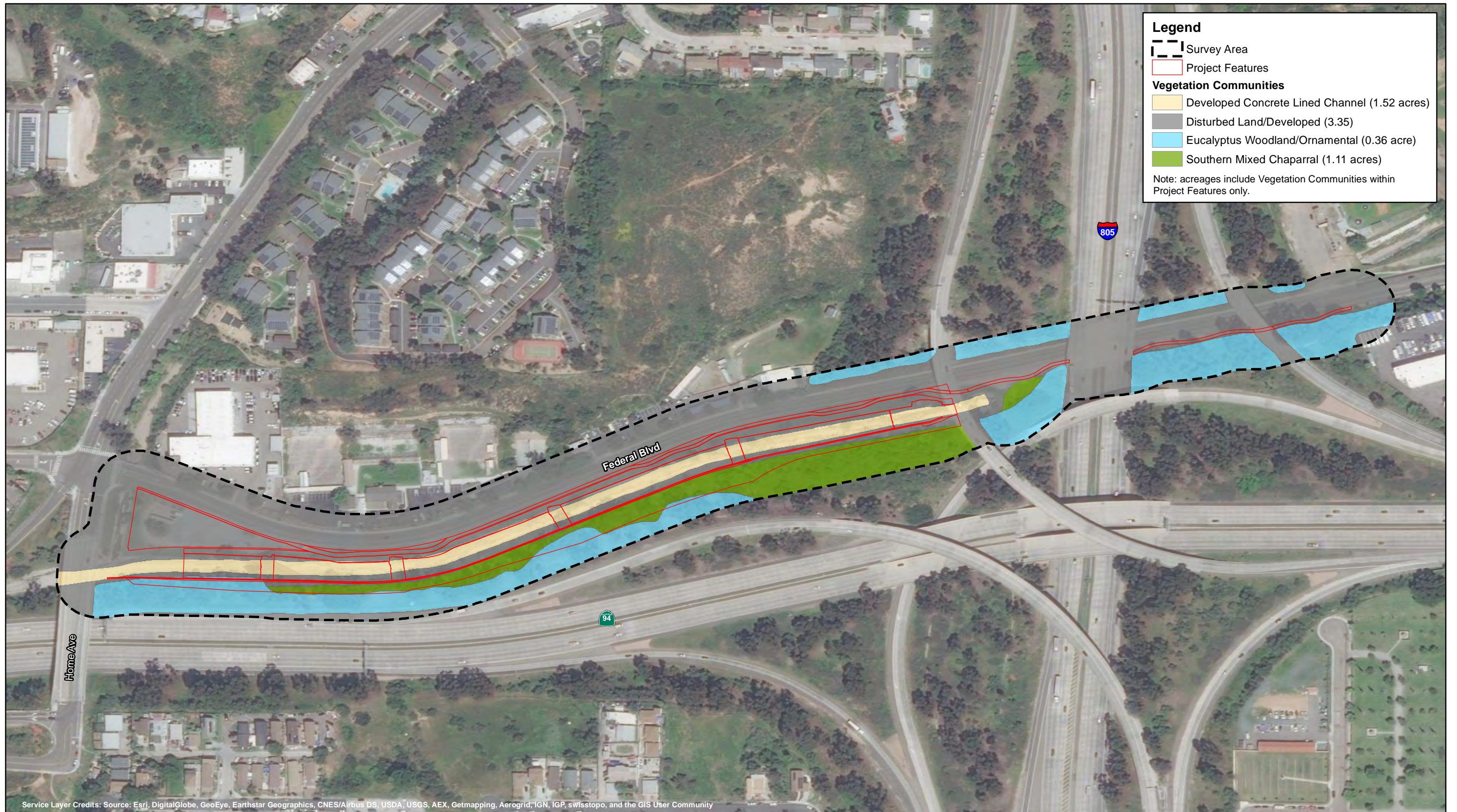
Service Layer Credits:

Figure 6

**Soils Map**



1 inch = 250 feet  
0 125 250 Feet



Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

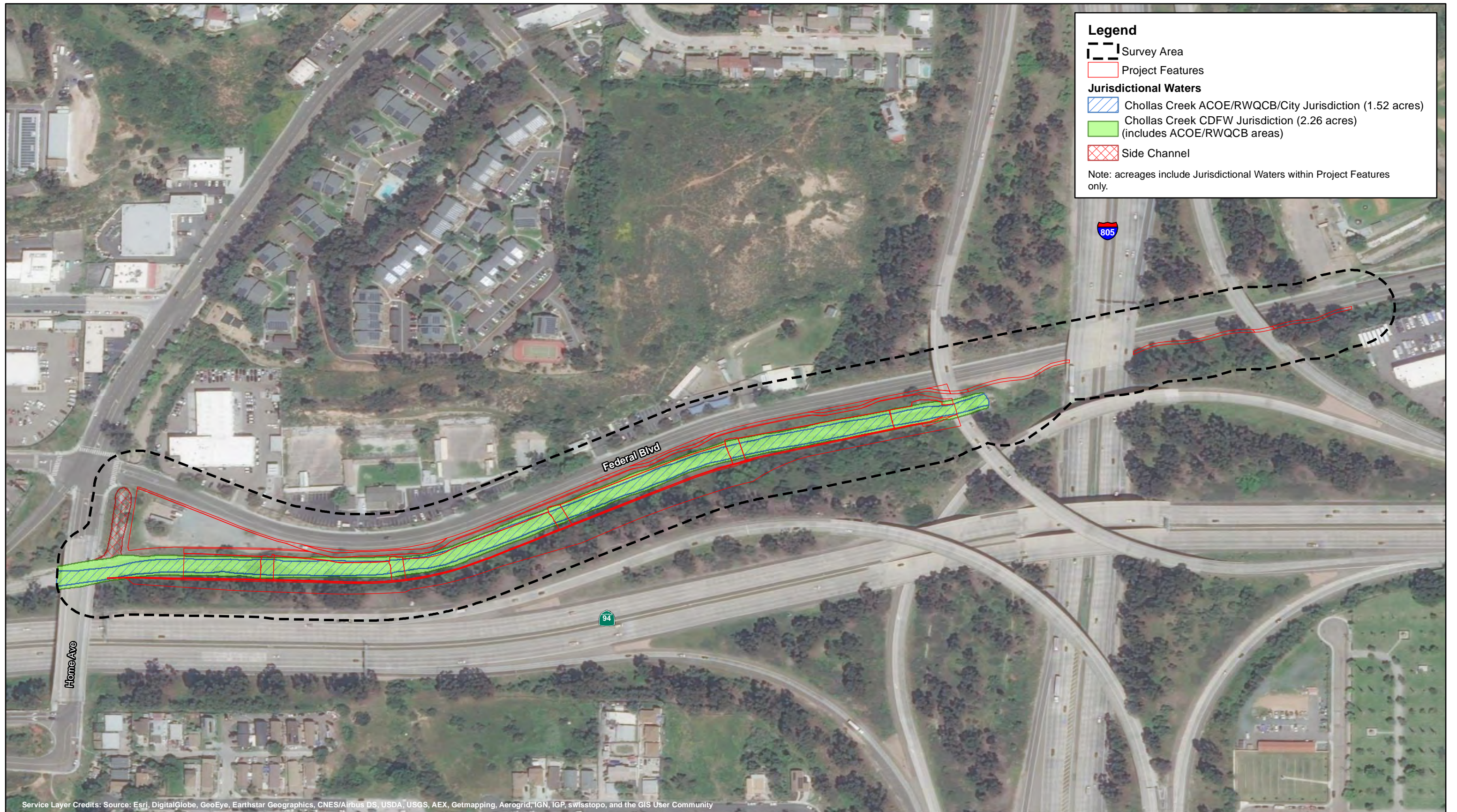
Figure 7

**Vegetation Communities**

Federal Boulevard Chollas Creek Restoration and Trail Project



1 inch = 250 feet  
0 125 250 Feet



Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Figure 8

**Chollas Creek Jurisdictional Area**

Federal Boulevard Chollas Creek Restoration and Trail Project



1 inch = 250 feet  
0 125 250 Feet

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## SECTION 4 – IMPACT ANALYSIS

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Direct and indirect impacts to biological resources resulting from Project implementation are described below to address project-related effects on vegetation communities and land covers, sensitive plant species, sensitive wildlife species, wildlife corridors and habitat linkages.

The following discussion examines the potential impacts to plant and wildlife resources that may occur as a result of implementation of the proposed project. The determination of impacts in this analysis is based upon 90% engineering design plans, as submitted. Whereas this assessment is comprehensive, the focus is on listed or otherwise sensitive species and sensitive natural communities/habitats.

### 4.1 - Definition of Impacts and Significance

#### California Environmental Quality Act

Based on the CEQA Environmental Checklist (Appendix G of the CEQA Guidelines), direct or primary effects are those that are caused by a project and occur at the same time and place; indirect or secondary effects are those that are reasonably foreseeable and caused by a project, but occur at a different time or place; and cumulative effects refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

The following thresholds are used in this document and are adapted from Appendix G of the CEQA Guidelines and the City's adopted Thresholds of Significance (City of San Diego 2016):

1. A substantial adverse impact, either directly or through habitat modifications or introduction of invasive species, on any species identified as a candidate, sensitive, or special status species in the MSCP or other local or regional plans, policies or regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS)?
2. A substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development Manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFG or USFWS?
3. A substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means?
4. Interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites?

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5. A conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP plan area or in the surrounding region?
  6. Introducing land use within an area adjacent to the MHPA that would result in adverse edge effects?
  7. A conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance

#### **4.1.1 – Direct Impacts**

A direct impact is a physical change in the environment, caused by and related to the project implementation. It can result in either permanent or temporary loss of on-site habitat, including the plant and wildlife species that it contains.

Impacts are considered permanent when a habitat or biological resource is impacted and is not restored to the same or higher value habitat following project implementation, such that the functions of that habitat for plants and wildlife species are reduced or lost in the long-term.

Impacts are considered temporary if the habitat impacted is restored, either passively or actively, to a habitat type of similar or higher value in a short period of time following the impact. Implementation of the Project could result in direct impacts to biological resources, including the following:

- Construction of the retaining wall in upland habitat
- Construction of the pedestrian trail
- Destruction or abandonment of nests
- Grading and clearing for temporary staging and stockpile areas
- Direct removal of vegetation and habitat during construction by means of excavation, grading, vegetation clearing/grubbing/crushing

Lands containing Tier I, II, IIIA, and IIIB habitats (Table 3 from the SDBG) and all wetlands (Tables 2A and 2B from the SDBG) are considered sensitive and declining habitats. As such, impacts to these resources are considered significant.

Lands designated as Tier IV are not considered to have significant habitat value, and impacts to these areas would not be considered significant. Project wetland impacts greater than 0.01 acre outside the coastal zone and all wetland impacts within the coastal zone are considered significant.

The Project is consistent with the general guidelines outlined in the CCEP, including the goals for removal of concrete-lined channel within the Chollas Creek watershed.

#### 4.1.2 – Indirect Impacts

Indirect impacts are reasonably foreseeable effects caused by project implementation on remaining or adjacent biological resources outside the direct maintenance area, such as downstream effects. Indirect impacts include short-term effects immediately related to construction activities such as noise. Indirect impacts that would result in loss of area or function of wetlands, Tier I–III uplands, or sensitive species may be considered significant.

### 4.2 – PROJECT IMPACTS

#### 4.2.1 –Impacts to Vegetation Communities, Land Cover

The Proposed project would result in direct impacts southern mixed chaparral, eucalyptus woodland and ornamental plantings, upland disturbed developed, and developed concrete lined channel vegetation and land cover types. Impacts would result from the Project include the removal of the concrete lined channel and replacement with a natural channel bottom, installation the retaining wall as part of the Project design for the creek widening, native plant revegetation, and installation of the trail and associated landscaping.

Table 5 lists the anticipated potential impacts to sensitive and non-sensitive vegetation communities. Figure 8 depicts the anticipated impacts to vegetation communities resulting from project implementation.

**Table 5 – Vegetation Community and Land Use Cover Impacts**

Vegetation Community	Project Component					Total
	Removal of Concrete Channel <sup>1,2</sup>	Removal of Concrete Channel Banks <sup>2,3</sup>	Retaining Wall	Channel Widening	Trail	
Disturbed Wetland	1.52	--	--	--	--	1.52
Southern Mixed Chaparral	--	--	1.11	--	--	1.11
Eucalyptus Woodland/Ornamental	--	--	0.36	--	--	0.36
Disturbed/Developed	--	--	0.27	0.58	1.76	2.61
Developed – Concrete lined channel bank	--	0.74	--	--	--	0.74
<b>Total</b>	<b>1.52</b>	<b>0.74</b>	<b>1.74</b>	<b>0.58</b>	<b>1.76</b>	<b>6.34</b>

<sup>1</sup> includes footprint of proposed drop structures (0.31 acre)

<sup>2</sup> includes impacts from removal of existing bridge

<sup>3</sup> includes footprint of proposed access ramps (0.03 acre)



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### **Creek De-Channelization and Bridge Removal Impacts**

Removal of the concrete channel and bridge will result in impacts to a total of 2.26 acres. Removal of the concrete lining would be considered an impact to 1.52 acres of disturbed wetland (concrete channel bottom) and 0.74 acre of developed (concrete channel bank). Impacts to disturbed wetland would be considered significant.

Installation of drop structures within the channel following the removal of concrete will result in 0.31 acre of impact within the 1.52 acres of impact quantified above for the channel footprint. These structures are considered essential to control flow velocity while returning the streambed to its natural condition. They are comprised of 0.5-1 ton stones with no additional man-made materials and would be installed. Therefore, the drop structures and would not interfere with wildlife use or movement. This impact is not considered significant.

### **Creek De-Channelization – Retaining Wall Impacts**

The project will impact approximately 1.11 acres of Southern Mixed Chaparral (SMC) (Tier IIIA) and approximately 0.36 acre of Eucalyptus Woodland (Tier IV) and 0.27 acre of disturbed/developed areas as a result of the need to install a retaining wall on the current upland maintenance trail to the south of Chollas Creek. SMC is considered sensitive by the City of San Diego, but impacts to this vegetation community are not considered significant as it has developed as landscaping on manufactured slopes. Review of the NRCS soils map (revealing fill slopes in this area), topographic contours and the Caltrans As-Built drawing for SR-94, provide verification that in the project area, the slopes to the south of the Chollas Creek channel are manufactured.. Caltrans SR-94 As-Built drawing are included in Appendix C of this report. These are manufactured slopes that did not exist prior to 1971.

### **Creek De-Channelization – Access Impacts**

Construction of five maintenance access ramps would result in direct impacts to 0.03 acre of developed (calculation included in the 0.74 acre of concrete-lined channel bank removal). These impacts would not be considered significant (City of San Diego 2018).

### **Trail & Native Landscaping Impacts**

The trail and native landscaping will be constructed on upland disturbed/developed areas. Project impacts to 1.76 acres of upland/disturbed lands (Tier IV habitat) would not be considered significant (City of San Diego 2018).

### **4.2.2 –Impacts to Jurisdictional Resources**

The Project will result in impacts to 1.52 acres of City-defined wetlands, 1.52 acres of ACOE/RWQCB waters and 2.26 acres of CDFW jurisdictional bed, bank and channel. These impacts would be considered significant. Because impacts to City wetlands cannot be avoided, a Deviation from Wetland Regulation is required.

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## **Wetland Buffers**

The Project involves de-channelization that requires encroachment into wetland areas. Therefore, impacts to the wetland buffer would be unavoidable.

However, these impacts are not considered significant since the functional buffer area north of the channel currently consists of non-native vegetation, roadway and urban development. To the south of the creek, the SR-94 upland slopes provide the buffer and support planted southern mixed chaparral, ornamental or eucalyptus habitat. In addition, the Project has been designed to minimize indirect impacts within and adjacent to Chollas Creek, including seasonal timing of construction, location of the staging areas, storm water protection best management practices, and landscaping consideration. These project features will be made conditions of project approval and ensure that impacts to wetland buffer are minimized to the maximum extent practicable and are, therefore, considered less than significant.

### **4.2.2.1 –Deviation from Wetland Regulations**

The City Biology Guidelines (2018) and the ESL Regulations state that impacts to wetlands should be avoided, and unavoidable impacts should be minimized to the maximum extent practicable. A wetland buffer shall be maintained around all wetlands as appropriate to protect the functions and values of the wetland.

Impacts to City Wetlands from Chollas Creek improvements would require a deviation from the City's ESL wetland regulations. Deviations from the wetland regulations shall not be granted unless the development qualifies to be processed as one of these three options: Essential Public Projects Option, Economic Viability Option, and Biologically Superior Option.

The Chollas Creek improvements qualifies for a deviation under the Essential Public Project (EPP) Option because it meets the following criteria:

*The project must be an Essential Public Project as defined in Section IV and must be essential in both location and need.*

In accordance with Section IV. Findings/Deviations of the City's Land Development Code, the Project is considered an Essential Public Project because it is a linear infrastructure project and included in the City's stormwater conveyance system. The creek restoration is the component of the project within environmentally sensitive lands and is essential in location. The removal of concrete and replacement with more natural and permeable material can only occur in a concrete-lined channel. In addition, the project results in lower flood risk which can only occur by removing the channel obstruction, the in-channel reinforced concrete box supporting the bridge.

*The proposed project and all biological alternatives, both practicable and impracticable shall be fully described and analyzed in an appropriate CEQA document. Alternatives to the proposed project shall be comprehensively included in the CEQA document (e.g., Mitigated Negative*

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*Declaration) and/or the biological technical report for the CEQA document. Alternatives must include the following: 1) a no project alternative; 2) a wetlands avoidance alternative, including an analysis of alternative sites irrespective of ownership; and 3) an appropriate range of substantive wetland impact minimization alternatives. Public review of the environmental document must occur pursuant to the provisions of CEQA.*

### **No Project Alternative**

A No Project alternative would result in no impacts to City wetlands. The No Project alternative also would result in no impacts to southern mixed chaparral, eucalyptus woodland or disturbed/developed areas adjacent to the channel. The concrete channel substrate and existing bridge structure would remain. No improvements to water quality from improved substrate permeability or improvements to hydrology and flood conveyance from increased channel capacity would result. The risk of flooding of the roadway and police station during heavy or prolonged rainfall events would remain. With the No Project alternative, native Diegan coastal sage scrub vegetation would not be planted on the channel banks to improve the wetland buffer. The No Project Alternative would not achieve the goal of streambed restoration, wetland buffer restoration, and flood attenuation.

### **Wetlands Avoidance Alternatives**

The Project is a linear infrastructure project consisting of improvements to Chollas Creek and construction and maintenance of a new trail and landscaped upland area. There is no other location for concrete channel removal and restoration that would avoid wetlands.

Therefore, the wetlands avoidance alternative would consist of only upland trail creation, revegetation with native species, and installation of curb and irrigation. This alternative would not remove any concrete from the channel and would not relocate any sewer infrastructure. No retaining wall would be required under this alternative as no changes to the channel would be proposed. Impacts would occur to disturbed/developed land. No impacts to 1.52 acre of concrete channel or widening and restoration of 2.11 acres of natural streambed would occur. The wetlands avoidance alternative would not achieve the project goal of creek restoration to a more natural condition or achieve the flood attenuation benefits as a result of removing the existing bridge and widening the channel.

### **Wetland Impact Minimization Alternatives**

Alternative project design that would minimize impacts to wetlands would be to reduce the length of the Project, removing less concrete channel. This would reduce the impacts by approximately 50%. This alternative would not allow flood flows to remain in the channel. Therefore the adjacent road and police station would still fall within the 100 year floodplain and would flood during large storm events. This alternative is considered impracticable since it does not meet the project goals of reducing nearby flooding.

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*The potential impacts to wetland resources shall be minimized to the maximum extent practicable and the project shall be the least environmentally damaging practicable biological alternative considering all the technical constraints of the project (e.g., roadway geometry, slope stability, geotechnical hazards, etc.). Recognizing the wetland resources involved, minimization to the maximum extent practicable may include, but is not limited to, adequate buffers and/or designs that maintain full hydrologic function and wildlife movement (e.g., pipeline tunneling, bridging, Arizona crossings, arch culverts). The project applicant will solicit input from the U.S. Fish and Wildlife Service and the California Department of Fish and Game (e.g., Wildlife Agencies) prior to the first public hearing.*

The proposed removal of the concrete lined channel will minimize impacts to the extent possible considering that disturbance to the channel is required to return the substrate to a natural condition; and removal of the existing bridge is necessary to facilitate improved hydrology and accommodate anticipated flood flows. Work within the active channel will occur during the non-rainy season to the extent possible. A Water Diversion Plan has been prepared to divert any nuisance water that flows down the creek around the active construction area. A temporary coffer dam will be installed just upstream of the I-805 bridge and water pumped around the active channel work area, and put back into the creek near the Home Avenue bridge. A Stormwater Pollution Prevention Plan (SWPPP) will be prepared as part of the Project which will require the installation of Best Management Practices (BMPs) during construction.

Planted sage scrub habitat on the north slopes of the creek will provide habitat and an improved wetland buffer. The rock placement within the creek has been designed in a manner expected to accommodate wildlife use of the channel. A wood-crete fence will be installed along the top of the slope to deter encroachment onto the slopes and channel bottom.

*All impacts shall be mitigated according to the requirements of Table 2a and the project shall not have a significant adverse impact to the MSCP.*

The Project will result in impacts to 1.52 acres of Disturbed Wetland. Mitigation in accordance with the Biology guidelines Table 2a would require 3.04 acres of wetland mitigation (2:1 ratio), with 1.52 acre (1:1) accomplished through creation.

The City of San Diego Land Development Manual – Biological Guidelines (City, 2018) allow for mitigation requirements to be based upon the type and location of the impacted habitat and are determined on a case-by-case basis. Mitigation should prevent the net loss of wetland function and values of the impacted wetland.

The nature, and extent of mitigation required shall be reasonably related and proportional to the adverse impacts of the proposed project. This project will remove concrete lined channel and an existing bridge, widen the channel and provide a natural cobble bottom, ultimately improving wetland functions. Because this channel also is included in the TSW Department flood conveyance system, the resulting post-construction acreage of the channel (2.11 acres) will be

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considered acceptable mitigation (1.4:1) accomplished within the project footprint. This is described further in Section 5 Mitigation.

#### **4.2.3 –Impacts to Sensitive Plant Species**

No sensitive plants were found during spring rare plant surveys. No impacts would occur to sensitive flora, including state-listed plant species, MSCP-covered plant species or narrow endemic plant species.

#### **4.2.4 –Impacts to Wildlife**

##### **4.2.4.1 General Wildlife Species**

Impacts to general wildlife species (mainly birds, small mammals, and reptiles) resulting from the implementation of the Project are not expected to be significant. As stated in Section 5, protection of avian species is required under the Migratory Bird Treaty Act and/or the California Fish and Game Code (§3503) under which it is unlawful to “take, possess, or needlessly destroy” avian nests or eggs. Compliance is presumed with the Migratory Bird Treaty Act, the CDFG code and the MSCP and therefore no impacts to nesting birds are anticipated.

Removal of the southern mixed chaparral may affect some wildlife species in the project vicinities in the short term, but is not likely to significantly affect general wildlife species in the long-term. Impacts are also considered less than significant because of the short term impacts of on southern mixed chaparral vegetation; that only the majority of habitats to be affected are either disturbed, developed or Tier IV plant communities; and the increase in native habitat acreage and quality that will occur through restoration.

##### **4.2.4.2 Impacts to Special Status Wildlife Species**

Protection of avian species is required under the Migratory Bird Treaty Act and/or the California Fish and Game Code (§3503) under which it is unlawful to “take, possess, or needlessly destroy” avian nests or eggs. Compliance is presumed with the Migratory Bird Treaty Act, the CDFG code and the MSCP and therefore no impacts to nesting birds are anticipated.

##### **Coastal California gnatcatcher:**

An adult CAGN was observed foraging on-site in the disturbed, non-native vegetation directly adjacent to Federal Boulevard and across the street to the north from the MHPA area. The onsite areas are not suitable for nesting, but they are utilizing the disturbed habitat for foraging. As described previously, the MHPA is located 500 feet northeast of the easternmost portion of the project. Project construction would be separated from the site by Federal boulevard and the developed portion of Sunshine/Bernardini Park. No significant direct or indirect impacts to CAGN inside the MHPA are anticipated.

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However, indirect impacts to foraging CAGN outside of the MHPA are anticipated. Because CAGN is covered by the MSCP and the City has take authority for this species outside of the MHPA, potential indirect project impacts to this species would not be considered significant.

#### **4.2.5 –Impacts to Wildlife Corridors and Habitat Connectivity**

Project implementation would result in the direct removal of exotic vegetation and concrete-lined channel. The project will not interfere with or permanently affect wildlife movement, and thus no impacts to wildlife movement will occur.

**No impact.**

#### **4.2.6 – Consistency with Local Policies or Ordinances Protecting Biological Resources**

There are no conflicts with local policies or ordinances protecting biological resources. There are no sensitive plant species found within the Project limits.

#### **4.2.7 –Project Consistency Determination with MSCP Land Use Considerations**

The Project is located within the City of San Diego MSCP and 500 feet outside the Multiple Habitat Planning Area (MHPA). It is designated within the Urban Areas setting, and characterized as “Other Urban Areas”, and has no Preserve-specific MHPA guidelines that applies to the urban setting of the Project site. The MHPA is located 500 feet northeast of the easternmost portion of the site. It is separated from the project by Federal Boulevard and Sunshine-Berardini Park. Therefore, y, land use adjacency guidelines do not apply.

#### **4.2.8 – Land Use and Edge Effect on MHPA**

There are no MHPA areas directly adjacent to the Project and therefore no impacts. The Project will not result in any adverse edge effects on the MHPA.

#### **4.2.9 – Introduction of Invasive Species**

The Project is surrounded directly by urban development as well as non-native eucalyptus woodlands and ornamental plantings. There are no natural open space areas directly abutting the Project. Non-native invasive species currently dominate the Project footprints, and will be removed as part of the project landscaping. The north side of the creek banks and any temporarily disturbed habitats will be planted with native vegetation. Active planting of native vegetation will also occur as a component of the trail creation. Project landscaping will be consistent with City standards and guidelines (Landscape Regulations LDC142.0400 and per table 142-04F).

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#### **4.2.10 – Cumulative Impacts**

No cumulative impacts would occur to any sensitive biological resources or receptors in vicinity of construction of the project. Though impacts to 1.52 acres of City wetland would result from project construction, these impacts would be minimized to the extent possible, prevent the loss of wetland function, and be adequately offset by the benefits provided by de-channelization and bridge removal. When viewed in conjunction with channel restoration projects in the vicinity, no cumulatively considerable effect to sensitive biological resources would occur.

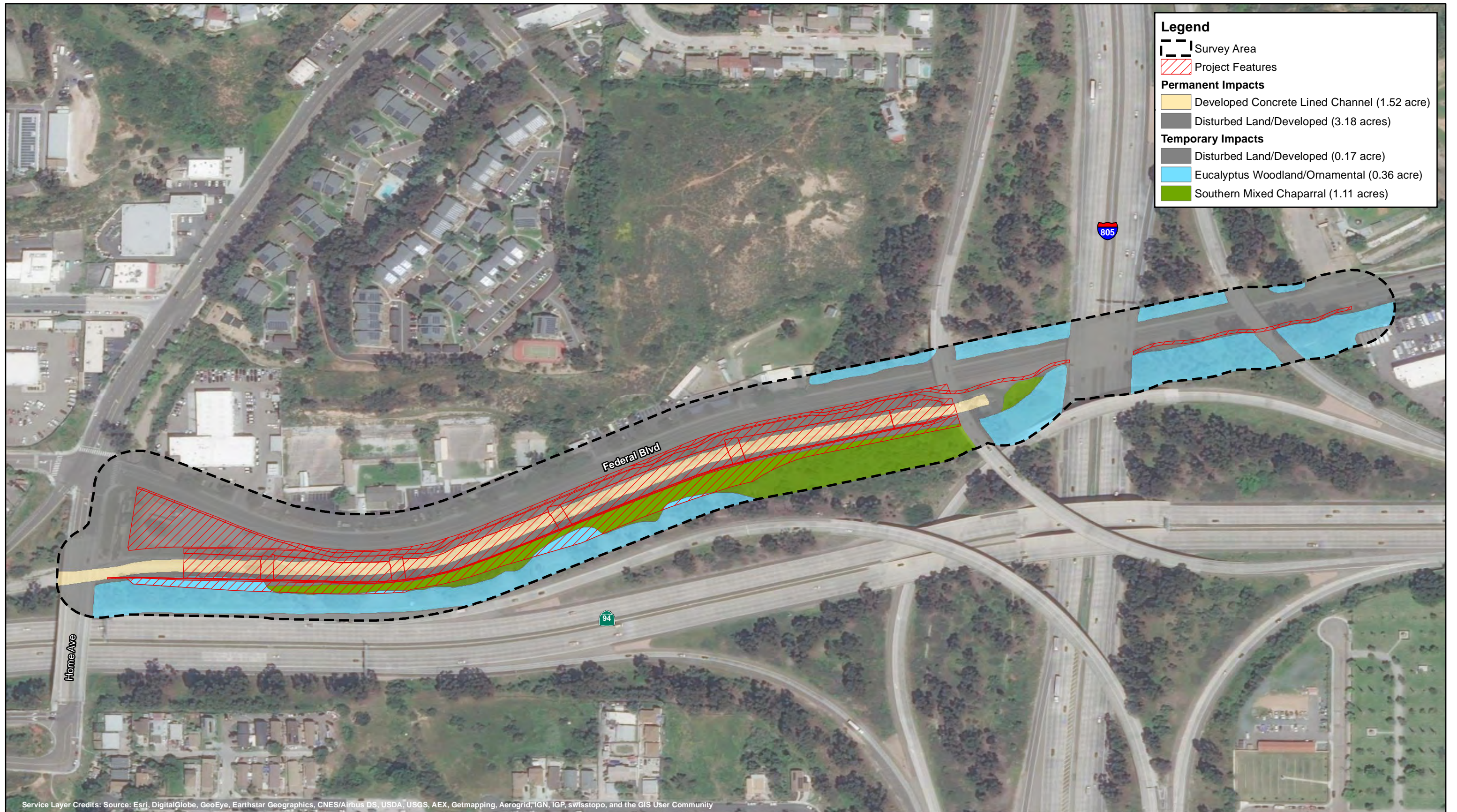


Figure 9

**Project Impacts**

Federal Boulevard Chollas Creek Restoration and Trail Project



1 inch = 250 feet  
0 125 250 Feet



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## SECTION 5 – MITIGATION PROGRAM

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### 5.1 – Mitigation Element

#### 5.1.1 Mitigation for Direct Impacts to Disturbed Wetland

Mitigation would be provided for impacts from the removal of 1.52 acres of disturbed wetland. Mitigation would be in accordance with the Biology guidelines Table 2a would typically require 3.04 acres of mitigation for impacts to 1.52 acres of Disturbed Wetland. This would be accomplished at a 2:1 ratio with 1:1 provided through creation. The project will provide 1.4:1 mitigation within the channel; this will be accomplished through the restoration of cobbled, soft bottomed channel within 1.52 acres of formerly channelized streambed, with an additional 0.59 acre of streambed created from the developed concrete channel banks and widening into disturbed land.

For this project the restoration of the natural channel bottom is considered adequate to offset project impacts to wetlands associated with de-channelization. Though drop structures will remain in the streambed, these features are critical in controlling flow velocity and sustaining the desired channel configuration over time. Drop structures will be comprised of natural rock material and installed in a manner designed to facilitate continued passage of wildlife.

A natural cobbled bottom facilitates improved water quality due to improved permeability; and bridge removal and widening improve hydrology and flood flow conveyance. Because this segment of Chollas Creek will be retained by the City's TSW as part of its flood conveyance system, TSW has requested that no riparian species be planted in or in the vicinity of the channel to ensure that wetland vegetation does not encroach in areas requiring future maintenance. Therefore additional installation of riparian habitat has been avoided.

Thus, the final site condition comprised of 2.11 acres of natural channel bottom with ungrouted rock drop structures would be considered adequate mitigation to off-set the impacts associated with de-channelization activities.

Though not included as mitigation, Diegan coastal sage scrub will be planted on 0.73 acre of rock-lined northern channel bank following concrete channel removal. 1.64 acres of Tier II DCSS will be installed to revegetate disturbed Tier III SMC, Tier IV EW and Tier IV Disturbed/Developed areas on the manufactured slopes south of the channel. A summary of required revegetation and mitigation is enumerated in Table 6.

**Table 6 – Project Mitigation and Revegetation**

1	Impacts (acres)	Ratio	Mitigation (acres)		Revegetation
			Wetland	Upland	
Disturbed Wetland	1.52	1.4:1	1.52	--	--
Southern Mixed chaparral	1.11	--	--	--	1.11 DCSS
Eucalyptus Woodland	0.36	--	--	--	0.36 DCSS
Disturbed/ Developed	2.61 <sup>1</sup>	--	0.58 (widened channel)	--	0.17 DCSS (temporarily disturbed for wall construction)
Disturbed Concrete Lined Channel	0.74	--	0.01 (widened channel)	--	0.73  (former channel bank 0.7 now planted rock-lined slopes, 0.03 now planted access ramps)
<b>Total</b>	<b>6.34</b>	<b>--</b>	<b>2.11</b>	<b>--</b>	<b>2.37</b>

<sup>1</sup> 1.76 acres for trails; 0.1 acre for retaining wall

Mitigation required for state and federal jurisdictional impacts would be determined by those agencies and would supersede (not be in addition to), but not reduce the requirements identified by the City.

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## SECTION 6 - REFERENCES

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## APPENDIX A - OBSERVED PLANT & ANIMAL SPECIES

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### PLANT SPECIES OBSERVED ONSITE

#### ANGIOSPERMS-MONOCOTS

##### Amaranthaceae - Palm Family

<i>Phoenix canariensis</i> *	Canary palm
<i>Washingtonia robusta</i> *	Mexican fan palm

##### Liliaceae - Lily Family

<i>Dichelostemma</i>	Blue dick
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##### Poaceae - Grass Family

<i>Avena fatua</i> *	Wild Oat
<i>Bromus diandrus</i> *	Ripgut Grass
<i>Cynodon dactylon</i> *	Bermuda Grass
<i>Ehrharta sp.</i> *	Veldt grass
<i>Pennisetum sericeum</i> *	Fountain grass
<i>Stipa pulchra</i>	Purple needlegrass

#### ANGIOSPERMS-EUDICOTS

##### Aizoaceae - Fig-Marigold Family

<i>Carpobrotus edulis</i> *	Hottentot-Fig
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##### Anacardiaceae - Sumac or Cashew Family

<i>Malosma laurina</i>	Laurel sumac
<i>Rhus integrifolia</i>	Lemonade berry
<i>Rhus ovata</i>	Sugarbush
<i>Schinus molle</i> *	Peruvian peppertree
<i>Schinus terbinthifolius</i> *	Brazilian peppertree

##### Apiaceae - Carrot Family

<i>Foeniculum vulgare</i> *	Wild fennel
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##### Apocynaceae –Dogbane Family

<i>Nerium oleander</i> *	Oleander
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##### Asteraceae - Sunflower Family

<i>Ambrosia psilostachya</i>	Western ragweed
<i>Artemisia californica</i>	California sagebrush
<i>Baccharis pilularis</i>	Coyote brush
<i>Baccharis salicifolia</i>	Mulefat
<i>Baccharis sarothroides</i>	Desert broom
<i>Centaurea melitensis</i> *	Tocalote
<i>Glebionis coronarium</i> *	Garland chrysanthemum

##### Brassicaceae - Mustard Family

<i>Brassica nigra</i> *	Black mustard
<i>Hirschfeldia incana</i> *	Shortpod mustard
<i>Raphanus sativus</i> *	Wild raddish

##### Cactaceae - Cactus Family

<i>Opuntia littoralis</i>	Coastal prickly-pear cactus
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**Euphorbiaceae - Spurge Family**

*Eremocarpus setigerus* Doveweed  
*Ricinus communis*\* Castor bean

**Fabaceae - Legume Family**

*Acemison glaber* Deerweed  
*Medicago albus*\* White sweet clover

**Geraniaceae - Geranium Family**

*Erodium cicutarium*\* Red-stem filaree

**Lamiaceae - Mint Family**

*Salvia clevelandii* Cleveland sage  
*Salvia melifera* Black sage

**Malvaceae – Mallow Family**

*Malva parviflora*\* Cheeseweed

**Myrtaceae – Myrtle Family**

*Eucalyptus sp.*\* Gum tree/eucalyptus  
*Leptospermum sp.*\* Tea tree  
*Melaleuca viminalis*\* Bottle brush

**Oleaceae – Lilac- Olive Family**

*Fraxinus uhdei*\* Shamel ash

**Plantanaceae – Sycamore Family**

*Platanus racemosa* Western sycamore

**Polygonaceae -Buckwheat Family**

*Erogonum fasciculatum* California buckwheat

**Rosaceae – Rose Family**

*Heteromeles arbutifolia* Toyon

**Sapindales – Soapberry Family**

*Ailanthus altissima*\* Tree of Heaven

**Solanaceae – Nightshade family**

*Nicotiana glauca*\* Tree tobacco

**Urticaceae – Stinging Nettle Family**

*Urtica dioica* ssp. Stinging nettle

\* non-native

**WILDLIFE SPECIES OBSERVED ONSITE**

**Birds**

Accipitridae – Hawiks, Kites and Eagles

*Buteo jamaicensis* Red-tailed hawk  
*Buteo lineatus* Red-shouldered hawk

Aegithalidae – Bushtit

*Psaltriparus minimus* Bushtit

Columbidae – Pigeons and Doves

*Zenaida macroura* Mourning dove

Corvidae – Jay, Magpies and Crows

*Corvus brachyrhynchos* American crow

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Emberizidae – Sparrows, Longspurs and Buntings

*Melospiza melodia*

Song sparrow

*Melospiza crissalis*

California towhee

Fringillidae – Finches

*Haemorhous mexicanus*

House finch

*Spinus psaltria*

Lesser goldfinch

Hirundinidae – Swallows

*Petrochelidon pyrrhonota*

American cliff swallow

Poliophtidae – Gnatcatchers

*Poliophtila californica californica*

California gnatcatcher

Trochilidae - Hummingbirds

*Selasphorus sasi*

Allen's hummingbird

Tyrannidae – Flycatchers

*Sayornis nigricans*

Black phoebe

**Amphibians and Reptiles**

Iguanidae – Iguanid Lizards

*Sceloporus occidentalis*

Western fence lizard

*Uta stansburiana*

Side-blotched lizard

**Mammals**

Leporidae – Rabbits and Hares

*Sylvilagus audubonii*

Desert cottontail

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## APPENDIX B – SITE PHOTOS

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Photo 1. View of downstream-end of project near Home Ave. Concrete will remain for 200' upstream of Home Avenue Bridge. Eucalyptus woodland to south of Creek.



Photo 2. Side tributary coming into Chollas Creek that will remain in place.





Photo 3. View of staging area near Home Avenue. Looking west.



Photo 4. Old Federal Boulevard Bridge culvert will be removed, as well as the concrete in Chollas Creek.



Photo 5. View of Chollas Creek looking downstream, near lower reach.



Photo 6. Photo taken just after rain. Flat disturbed area above concrete and in front of Caltrans chain link fence will be the location of the proposed retaining wall. Looking downstream.



Photo 7. Looking upstream. I-805 Bridge on left in photo.



Photo 8. Constructed trail will be situated between Chollas Creek and Federal Boulevard, with Chollas Creek expanding in width.



Photo 9. View looking downstream at upstream-most section, at culvert. Concrete channel will remain on the initial 80' to just past I-805 bridge pillar. Peruvian peppertree and Mexican fan palm are rooted in uplands above the channel.



Photo 10. Same location as Photo 9. Retaining wall will be constructed just to the right of the fence to the SR-94 Caltrans slopes. Looking downstream.



Photo 11. View of eastern staging area and location of proposed trail.



Photo 12. Adjacent upland habitat is primarily Eucalyptus on western limits of proposed trail.



Photo 13. Standing on north side of Federal Blvd, hillsides behind the parking lot is a CNDDDB record of a California gnatcatcher in the lower slopes in 2015. CAGN was observed foraging onsite in the disturbed habitat on July 27, 2020.



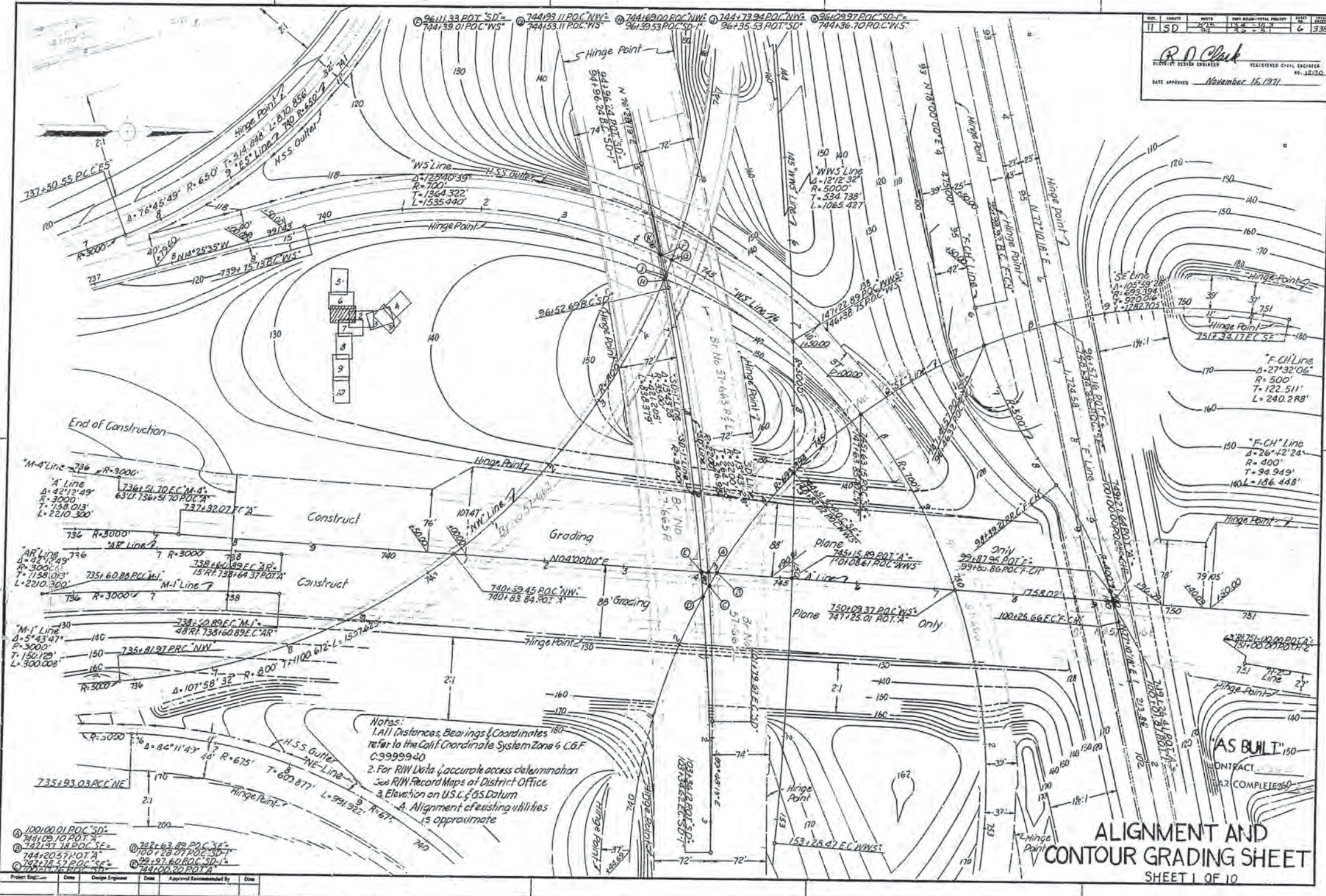
Photo 14. View of habitat directly across the street from Photo 13. SMC on lower slopes and Eucalyptus on upper slopes of the SR-94 freeway. Slopes were engineered and planted by Caltrans as part of SR-94. The CAGN was foraging on the disturbed habitat nearest Federal Blvd.

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**APPENDIX C – CALTRANS SR-94 AS-BUILT PLAN (1971)**

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**AS BUILT PLANS**  
 Contract No. IL-0452344  
 Date Completed II-71  
 Document No. H.000 2611



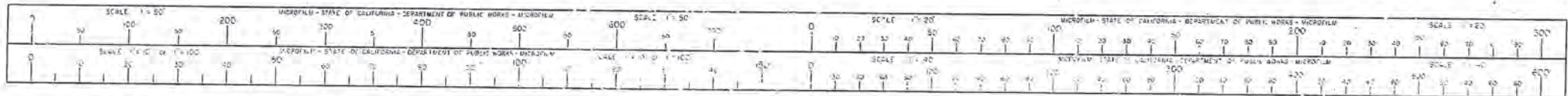
Project Engineer	Date	Design Engineer	Date	Approval Recommended By	Date

**Notes:**  
 1. All Distances, Bearings & Coordinates refer to the Calif. Coordinate System Zone 6 C.G.F. 09999940  
 2. For R/W Data & accurate access determination See R/W Record Maps of District Office  
 3. Elevation on U.S.C. & G.S. Datum  
 4. Alignment of existing utilities is approximate

**ALIGNMENT AND CONTOUR GRADING SHEET**  
 SHEET 1 OF 10

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE ABOVE DOCUMENT WHICH UNDER MY DIRECTION AND CONTROL, ON THIS DATE IN SACRAMENTO, CALIFORNIA PURSUANT TO AUTHORIZATION BY THE DIRECTOR OF TRANSPORTATION.

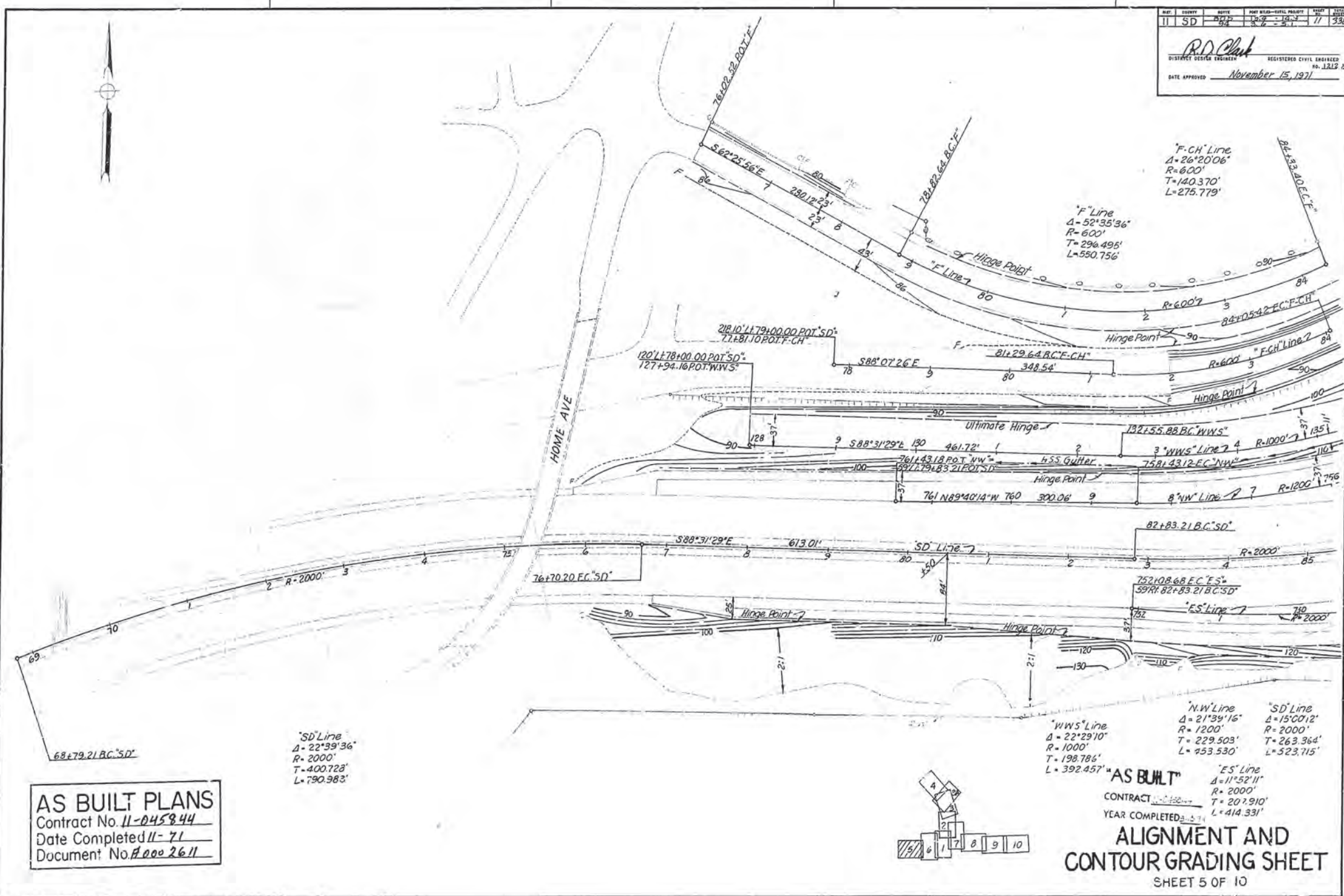
*R.D. Clark*  
 REGISTERED CIVIL ENGINEER



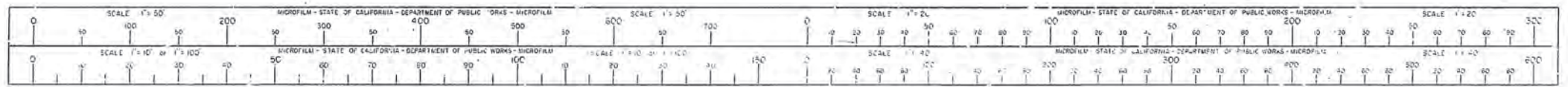


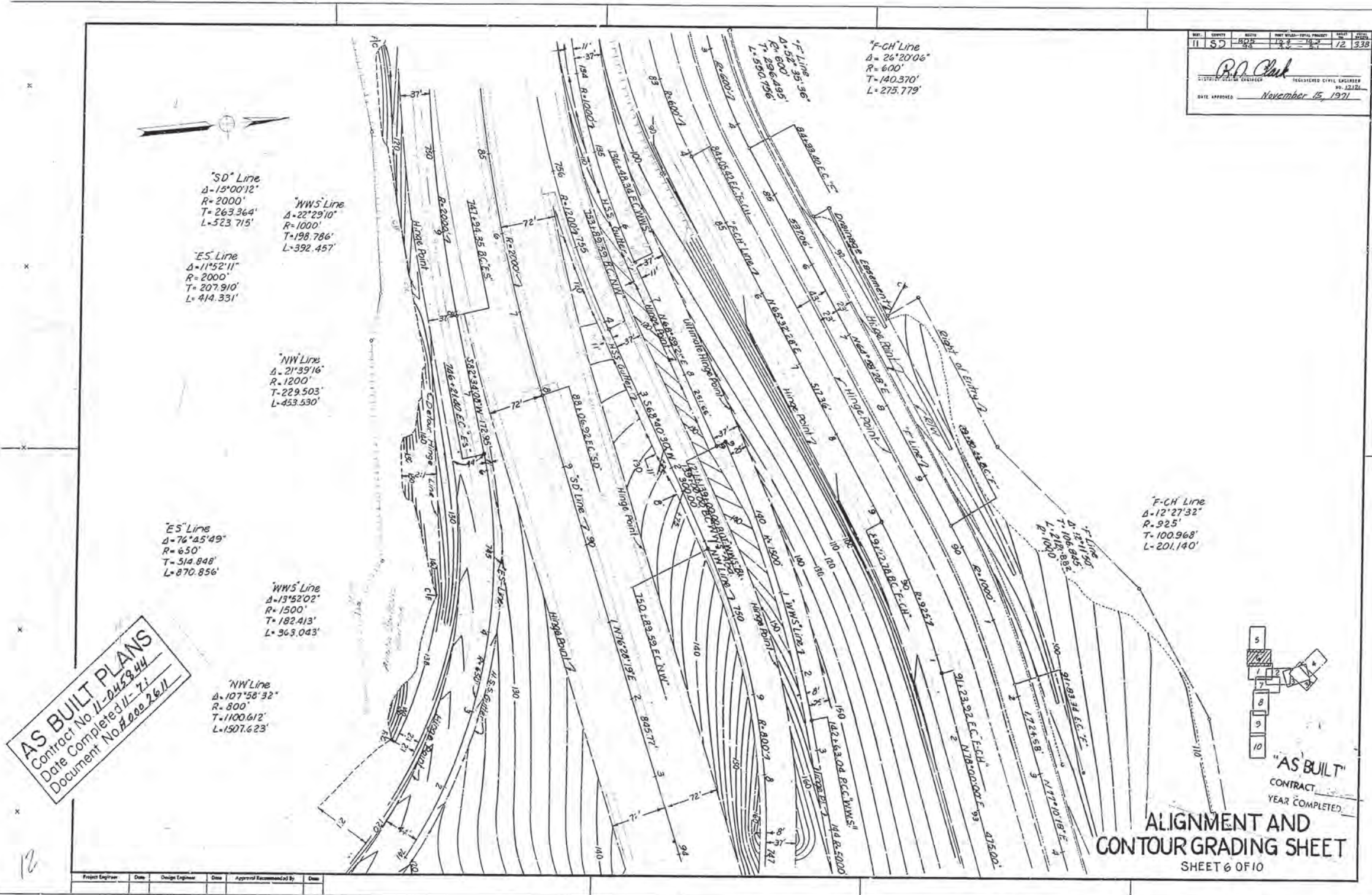
NO.	DATE	BY	REVISION
11	SD	R.D. Clark	11

**R.D. Clark**  
 DISTRICT DESIGN ENGINEER  
 REGISTERED CIVIL ENGINEER  
 No. 1212 L.  
 DATE APPROVED November 15, 1971



I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE ABOVE DOCUMENT TAKEN UNDER MY DIRECTION AND CONTROL ON THIS DATE IN SACRAMENTO, CALIFORNIA PURSUANT TO AUTHORIZATION BY THE DIRECTOR OF TRANSPORTATION.  
 8-26-74





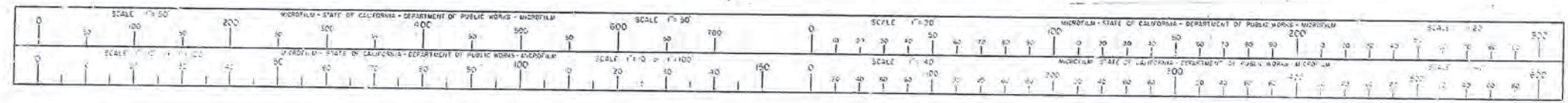
NO.	DATE	BY	CHKD.	APPD.
11	5/2	RDP	12/2	12/338

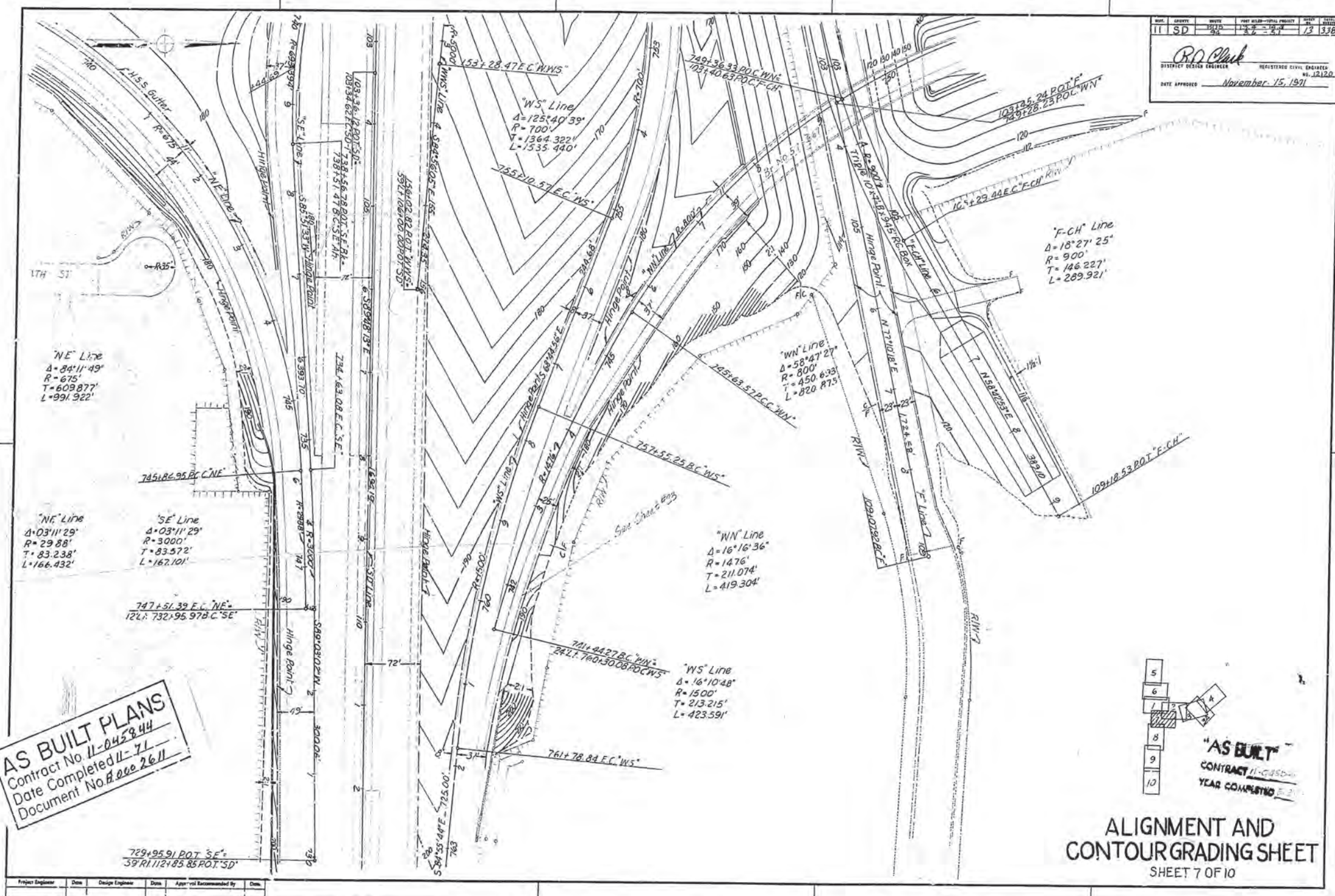
*R.D. Clark*  
 REGISTERED CIVIL ENGINEER  
 DATE APPROVED: November 15, 1971

Project Engineer	Date	Design Engineer	Date	Approval Recommended By	Date

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE ABOVE DOCUMENT AND UNDER MY DIRECTION AND CONTROL, ON THIS DATE IN SACRAMENTO, CALIFORNIA PURSUANT TO AUTHORIZATION BY THE DIRECTOR OF TRANSPORTATION.

11-26-74





NO.	DATE	BY	REVISION
11	SD	1921	13 338

**R.D. Clark**  
 DISTRICT DESIGN ENGINEER  
 REGISTERED CIVIL ENGINEER  
 No. 12120  
 DATE APPROVED November 15, 1921

**AS BUILT PLANS**  
 Contract No. 11-045844  
 Date Completed 11-71  
 Document No. 060 2611

**"AS BUILT"**  
 CONTRACT 11-045844  
 YEAR COMPLETED 1921

**ALIGNMENT AND  
 CONTOUR GRADING SHEET**  
 SHEET 7 OF 10

Project Engineer	Date	Design Engineer	Date	Approved Recommended By	Date

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE ABOVE DOCUMENT TAKEN UNDER MY DIRECTION AND CONTROL ON THIS DATE IN SACRAMENTO, CALIFORNIA PURSUANT TO AUTHORIZATION BY THE DIRECTOR OF TRANSPORTATION.

8-26-74

