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GRAY DAVIS, Governor

OF CALIFORNIA - THE RESOURCES AGENCY

**DEPARTMENT OF FISH AND GAME**

South Coast Region  
4949 Viewridge Avenue  
San Diego, California 92123  
(858)467-4201



February 8, 2002

Frank Belock  
City of San Diego  
1010 Second Avenue, 12<sup>th</sup> floor  
San Diego, CA 92101

Dear Mr. Belock:

**Re: Middle Portion of SR 56 Project, SAA#5-049-99 Amendment No. 1**

We have reviewed your request to amend and extend our Streambed Alteration Agreement, **5-049-99**, to alter the streambed within **McGonigle Canyon Creek and Deer Canyon Creek and their tributaries, and an unnamed tributary to Los Penasquitos Creek, totaling 25 stream crossings in San Diego County.**

Pursuant to Fish and Game Code Section 1600 et. seq. This letter, when countersigned by you amends our agreement as follows:

Page 2 of 6, **Condition 3**, line 7, after "dated October 14, 1999", insert: **"Draft El Cuervo Conceptual Wetland Mitigation and Monitoring Plan, Los Penasquitos Canyon Preserve, San Diego, California. Offsite Mitigation for Impacts Associated with the State Route 56 Construction Project"**, prepared by Dudek and Associates, Inc., dated August 2001.

Page 2 of 6, **Condition 5, 5a through 5g** shall be changed to:

**5. The Operator shall mitigate with a combination of onsite vernal pool creation and restoration at the Greystone Preserve and offsite wetland creation and enhancement at the El Cuervo Norte site in Los Penasquitos Canyon Preserve as follows:**

**a. The Operator shall mitigate at 3:1 (13.14) for impacts to riparian woodland and riparian scrub meeting federal wetland criteria, 2:1 (2.65) for impacts to non-wetland riparian habitat under CDFG jurisdiction, and 1:1 (1.13) for impacts to Waters of the U.S. and farmed waters. Therefore, the Operator shall create and enhance 16.92 acres of wetland habitat. A minimum of 6.84 acres shall consist of**

creation, and the balance of the mitigation may be creation, restoration and/or enhancement.

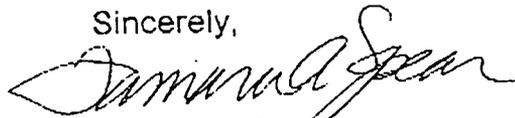
b. All mitigation shall be installed no later than March 30, 2004.

A copy of said agreement AND THIS AMENDMENT LETTER must be kept on site and be shown upon request to Department personnel during all periods of work.

Two copies of this letter are being sent to you. PLEASE RETURN ONE SIGNED ORIGINAL to the Department of Fish and Game, at 4949 Viewridge Avenue, San Diego, CA 92123.

If you have further questions, please contact me at (858)467-4223.

Sincerely,



Tamara A. Spear  
Environmental Specialist III

CONCURRENCE:  DATE: 3-18'02