

# Memorandum

**To:** CHAIR AND COMMISSIONERS

**Date:** April 19, 2010

**From:** BIMLA G. RHINEHART  
Executive Director

**File:** Book Item 2.2c (7)  
Action

**Ref:** Mitigated Negative Declaration for the Bayshore Bikeway Project  
(Resolution E-10-37)

**ISSUE:** Should the Commission, as a Responsible Agency, accept the Mitigated Negative Declaration (MND) for the Bayshore Bikeway Project (project) in San Diego County and approve the project for future consideration of funding?

**RECOMMENDATION:** Staff recommends that the Commission accept the MND and approve the project for future consideration of funding.

**BACKGROUND:** The San Diego Association of Governments (SANDAG) is the CEQA lead agency for the project. On May 1, 2009 the SANDAG Board adopted the MND and found that the project would not have a significant effect on the environment after mitigation. On April 16, 2010 SANDAG approved an addendum to the MND to address proposed modifications to the project. The conclusion set forth in the addendum states that no major revisions would be required in the MND as a result of proposed modifications and no new significant environmental impacts were identified.

The project will construct an approximately 4.5 mile-long portion of the planned Bayshore Bikeway along the eastern San Diego Bay front in the cities of San Diego, National City, and Chula Vista (herein referred to as proposed project). The proposed project includes the portion of Bayshore Bikeway identified within segments 4, 5, 7 and 8A within the updated Bayshore Bikeway Plan.

On March 26, 2010, the SANDAG Board approved the use of \$1.611 million of Transportation Enhancement (TE) funds to fully fund the construction of segments 7 and 8A. Segments 7 and 8A have independent utility, with each end connecting to existing Class II bike paths. Segments 4 and 5 are funded through final design. Mitigation impacts associated with Segments 7 and 8A include the following:

- Mitigation of .3 acre of non-native grassland at a 0.5:1 ratio through purchase of credits equal to 0.15 acre of non-native grassland at an approved upland mitigation bank.
- Prior to ground disturbance associated with the construction of the proposed bike path, a limited shallow-soil subsurface investigation will be conducted along the project alignment

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to assess the presence/absence of residual herbicide/pesticide chemicals. Any necessary remediation identified prior to commencement of ground disturbing activities will also be performed.

- Prior and during ground disturbance associated with the construction of the proposed bike path, a soil vapor survey will be conducted to assess potential subsurface contamination including any necessary remediation.

On April 2, 2010, SANDAG confirmed that the preferred alternative set forth in the MND is consistent with the project scope of work that is planned for inclusion in the Regional Transportation Improvement Plan/STIP programming action anticipated by SANDAG for approval by the Commission at the May 2010 Commission meeting.

#### Attachments

- Resolution E-10-37
- Project Location

# CALIFORNIA TRANSPORTATION COMMISSION

## Resolution for Future Consideration of Funding 11 – San Diego County Resolution E-10-37

- 1.1 **WHEREAS**, the San Diego Association of Governments (SANDAG) has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- Bayshore Bikeway Project
- 1.2 **WHEREAS**, the SANDAG has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will construct an approximately 4.5 mile-long portion of the planned Bayshore Bikeway along the eastern San Diego Bay front in the cities of San Diego, National City, and Chula Vista; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Mitigated Negative Declaration; and
- 1.5 **WHEREAS**, the SANDAG found that all significant or potentially significant impacts can be reduced by mitigation measures to a less than significant level; and
- 1.6 **WHEREAS**, the SANDAG approved the Mitigated Negative Declaration.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Mitigated Negative Declaration and approve the above referenced project to allow for future consideration of funding.

# Vicinity Map

