

6.0 CUMULATIVE IMPACTS

CEQA Guidelines Section 15355 defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” The CEQA Guidelines further state that the individual effects may be changes resulting from a single project or a number of separate projects; or the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Section 15130 of the CEQA Guidelines allows for the use of two alternative methods to determine the scope of projects for the cumulative impact analysis:

List Method – A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency.

General Plan Projection Method – A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact.

6.1 Cumulative Projects

This cumulative impact analysis utilizes the list method. Ten projects within close proximity to the proposed project area were identified by the City of San Diego that are anticipated to generate traffic or otherwise contribute to cumulative environmental impacts. Figure 6-1 identifies the locations of these cumulative projects. The following tables (6-1 and 6-2) include a list of the ten projects evaluated for their contribution to cumulative effects; five are considered to be Opening Day (N), five are considered to be Horizon Year (L) projects.

Table 6-1
Cumulative Projects (Opening Day)

Project Name	Type of development	Project Size	ADT	Status
N-1. Quarry Falls (Civita Specific Plan) – Phase I ^a	Residential Community Commercial Neighborhood Commercial	2,477 dwelling units 50,000 SF 50,000 SF	17,450	Approved
N-2. Carmel Pacific Ridge Apartments ^b	Residential	533 multi-dwelling units	3,198	Constructed
N-3. Mission Valley Fire Station	Fire Station	16,000 SF	50	Under Construction
N-4. USD Master Plan ^c	University	3,000 FTE	10,200	Under Process
N-5. Camino Del Rio Mixed Use (Bob Baker site)	Multi-Family Residential Multi-Tenant Office Retail	305 dwelling units 5,000 SF 4,000 SF	1,432	Approved

Footnotes: a. As of February 2015, approximately 1,512 dwelling units have been built at the Quarry Falls development. This is lower than the assumed development of 2,477 dwelling units and 100,000 SF of commercial. Therefore, since higher density was included, the cumulative analysis is considered conservative. b. The Carmel Pacific Ridge project was constructed and occupied May 2013. Since the traffic counts were conducted prior to May 2013, it was included as part of the cumulative analysis. c. As of February 2015, the USD Master Plan proposes an additional 2,710 FTE students. This is lower than the assumed density of 3,000 FTE students. Therefore, the cumulative analysis is conservative.

General Notes: 1. No development associated with the Hazard Center redevelopment was assumed, since the Hazard Center Drive extension was not considered as an Opening Day roadway network change. This improvement is a condition of approval for the Hazard Center expansion/redevelopment project. 2. FTE – Full Time Equivalent
Source: LLG, 2015

Table 6-2
Cumulative Projects (Horizon Year)

Project Name	Type of development	Project Size	ADT	Status
L-1. Quarry Falls (Civita Specific Plan) – Project Buildout	Residential Retail Commercial Community Commercial Neighborhood Commercial Commercial Office Recreation Center	4,780 dwelling units 503,000 SF 50,000 SF 50,000 SF 620,000 SF 4,000 SF	52,330	Approved. Project Buildout expected to be complete by Horizon Year (2035).
L-2. Levi-Cushman Specific Plan – Project Buildout ^a	Residential Hotel Office Retail	1,329 dwelling units 1,000 Hotel rooms 200,000 SF 2,582,000 SF	67,000	Approved. Not yet constructed
L-3. Atlas Specific Plan – Project Buildout ^b	Office Hotel	216,658 SF 3,396 rooms	30,870	Approved. Not yet constructed
L-4. Hazard Center Redevelopment – Project Buildout	Residential Commercial / Retail	473 multi-dwelling units 4,205 SF Commercial / Retail (includes demolition of 1,540 seat theater)	950	Approved. Not yet constructed
L-5. Legacy International Center – Project Buildout	Timeshare Religious Facility	127 rooms 196,165 SF	1,805	Under Process

Footnotes:

a. As of February 2015, the Riverwalk Master Plan (formerly Levi-Cushman Specific Plan) is proposing 4,000 dwelling units, 150,000 SF of commercial retail and office, 950,000 SF of office, a 900 room hotel and 40 acre park, generating 59,1980 ADT. This is lower than the original Specific Plan trip generation of 67,000 ADT. However, the Horizon Year traffic analysis assumes 66,500 ADT to be conservative.

b. As of February 2015, the Town and Country Master Plan (part of the Atlas Specific Plan) proposes 840 dwelling units and 140,000 SF of convention space generating a net increase of 376 ADT. However, the Horizon Year traffic analysis assumes 30,870 ADT to be conservative.

Source: LLG, 2015

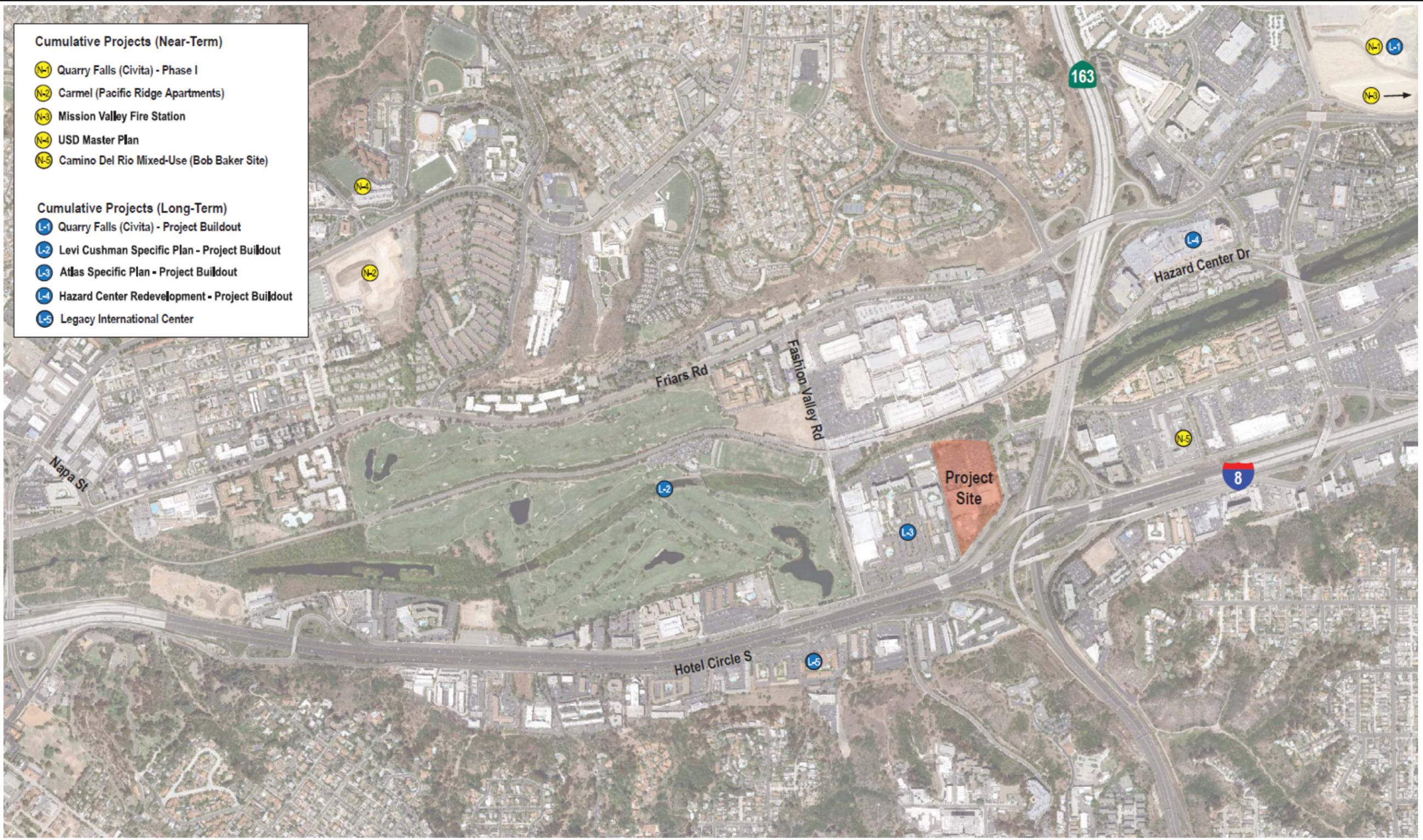
6.2 Cumulative Impacts Found to Be Significant

6.2.1 Transportation/Circulation/Parking

Cumulative traffic scenarios for the Near-Term (Opening Day 2017) and Year 2035 (Horizon Year) include the cumulative projects and other development expected under the Mission Valley Community Plan. The Near-Term cumulative traffic was obtained and manually assigned for each project, and was considered in the Near-Term (Opening Day 2017) analysis further described in Section 5.2 of this EIR. Cumulative traffic conditions for the Horizon Year were evaluated using the *SANDAG Series 12 Model*, as detailed below. The cumulative projects were considered and verified in the forecast model. Forecast volumes were calibrated using baseline count data and future roadway network parameters were also verified. Figures referred to throughout section 6.2.1, the Cumulative Traffic subsection, are located at the end of the 6.2.1 subsection.

6.2.1.1 Impact Analysis

The Horizon Year Conditions analysis presumes the full build-out of the proposed project with implementation of the following planned improvements through 2035, as shown in Figure 6-2. The Horizon Year Conditions include planned, on-going, and future roadway improvements in the study area, which included the proposed extension of Camino De La Reina from Fashion Valley Road to Via Las Cumbres, the extension of Via Las Cumbres between Friars Road and Hotel Circle N. as proposed in the Levi-Cushman/Atlas Specific Plans, as well as other



SOURCE: Linscott, Law & Greenspan, 2015

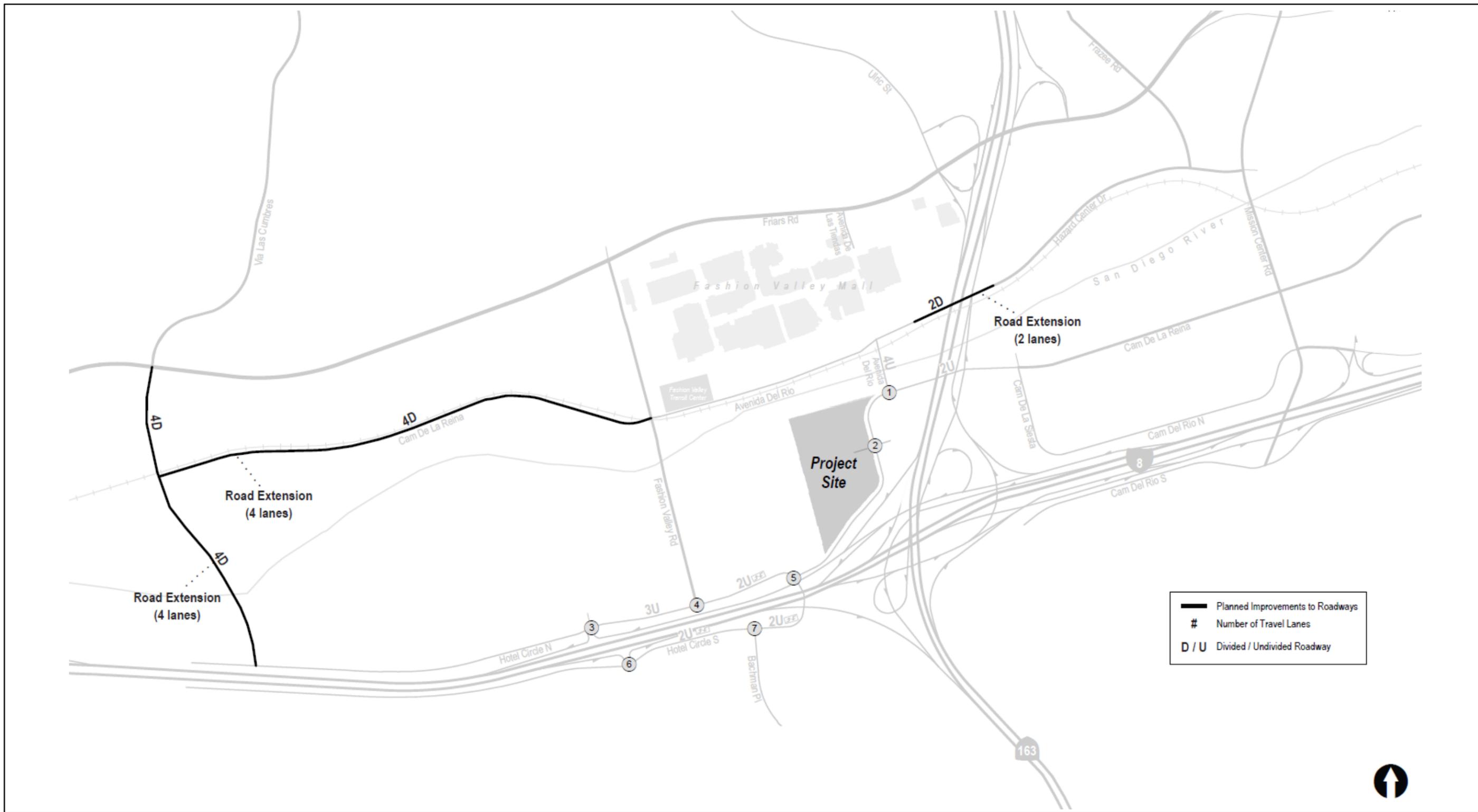
2/13/15



Union Tribune Mixed Use Project EIR

Cumulative Projects

FIGURE
6-1



SOURCE: Linscott, Law & Greenspan, 2014

10/21/14



Union Tribune Mixed Use Project EIR
 Year 2035 (Horizon Year) Planned Improvements

FIGURE
 6-2

planned improvements in the study area. Additionally, the project proposes partial realignment of the Camino De La Reina / Project Driveway #3 intersection (main project entrance). The west leg of this intersection (Project Driveway #3), which provides access to the Union Tribune site will be aligned with the east leg of the intersection which provides access to Mueller College. In addition, dedicated northbound and southbound left-turn lanes at Camino De La Reina / Project Driveway #3 intersection will also be provided. In addition, to Driveway #3, the project access also includes unsignalized driveways – Driveway #1 and Driveway #2. Driveway #1 will be restricted to allow right-in/right-out movements only. To enforce the right-in/right movements, the project proposes to construct a 10-foot wide and approximately 200-foot long raised median on Camino De La Reina fronting Driveway #1. No changes are proposed to project driveway #2, which would remain full access to service newspaper delivery trucks.

A. Intersections

As shown in Table 6-3 and Figures 6-3 through 6-6, all intersections would operate at an acceptable LOS (i.e. LOS D or better) during both the AM and PM peak hours under the Horizon Year without Project conditions scenario, except for the following intersections:

- Hotel Circle N. / I-8 WB Ramps (LOS F during the AM and PM peak hours)
- Hotel Circle N. / Fashion Valley Road (LOS F during the AM and PM peak hours)
- Hotel Circle S. / I-8 EB Ramps (LOS F during the AM and PM peak hours)

As shown in Table 6-3 and Figures 6-3 through 6-6, all intersections would operate at an acceptable LOS (i.e. LOS D or better) during both the AM and PM peak hours under the Horizon Year + Project conditions scenario, except for the following intersections:

- Hotel Circle N. / I-8 WB Ramps (LOS F during the AM and PM peak hours)
- Hotel Circle N. / Fashion Valley Road (LOS F during the AM and PM peak hours)
- Hotel Circle S. / I-8 EB Ramps (LOS F during the AM and PM peak hours)

Based on the City of San Diego's significance criteria, a significant cumulative impact is identified at the following intersection, as the project's traffic contribution exceeds the allowable thresholds:

- Hotel Circle S./I-8 EB Ramps (LOS F during the AM and PM peak hour)

Table 6-3
Horizon Year Intersection Operations

Intersection	Control Type	Peak Hour	Horizon Year		Horizon Year + Project		Δ^c	Significant Impact?
			Delay ^a	LOS ^b	Delay	LOS		
1. Camino De La Reina/ Avenida Del Rio	Signal	AM	8.5	A	8.9	A	0.4	No
		PM	22.6	C	23.7	C	1.1	No
2. Camino De La Reina / Project Driveway #3	Unsignalized	AM	17.1	C	18.9	C	1.8	No
		PM	25.0	C	33.1	D	8.1	No
3. Hotel Circle N. / I-8 WB Ramps	All-Way Stop	AM	62.0	F	62.9	F	0.9	No
		PM	60.3	F	60.8	F	0.5	No
4. Hotel Circle N. / Fashion Valley Road	Signal	AM	180.1	F	180.9	F	0.8	No
		PM	218.1	F	218.4	F	0.3	No
5. Hotel Circle N. / Camino De La Reina	Signal	AM	15.5	B	18.7	B	3.2	No
		PM	44.3	D	52.7	D	8.4	No
6. Hotel Circle S. / I-8 EB Ramps	All Way Stop	AM	224.9	F	242.7	F	17.8	Yes
		PM	525.5	F	538.7	F	13.2	Yes

Intersection	Control Type	Peak Hour	Horizon Year		Horizon Year + Project		Δ^c	Significant Impact?
			Delay ^a	LOS ^b	Delay	LOS		
7. Hotel Circle S. / Bachman Place	Signal	AM	41.3	D	41.5	D	0.2	No
		PM	39.4	D	40.1	D	0.7	No
8. Camino De La Reina / Project Driveway #1	Unsignalized	AM	N/A ^d	-	10.0	A	10.0	No
		PM	N/A ^d	-	14.3	B	14.3	No
9. Camino De La Reina / Project Driveway #2	Unsignalized	AM	12.2	B	12.4	B	0.2	No
		PM	15.2	C	15.6	C	0.4	No

Footnotes:

- a. Average delay expressed in seconds per vehicle.
- b. Level of Service.
- c. " Δ " denotes the project-induced increase in delay
- d. Project Driveway #1 is currently non-accessible (chain-link) and is proposed to allow right-in/right-out movements only in the "with project" scenarios.

General Notes:

1. **Bold** typeface indicates intersections operating at LOS E or F
- Source: LLG, 2015.

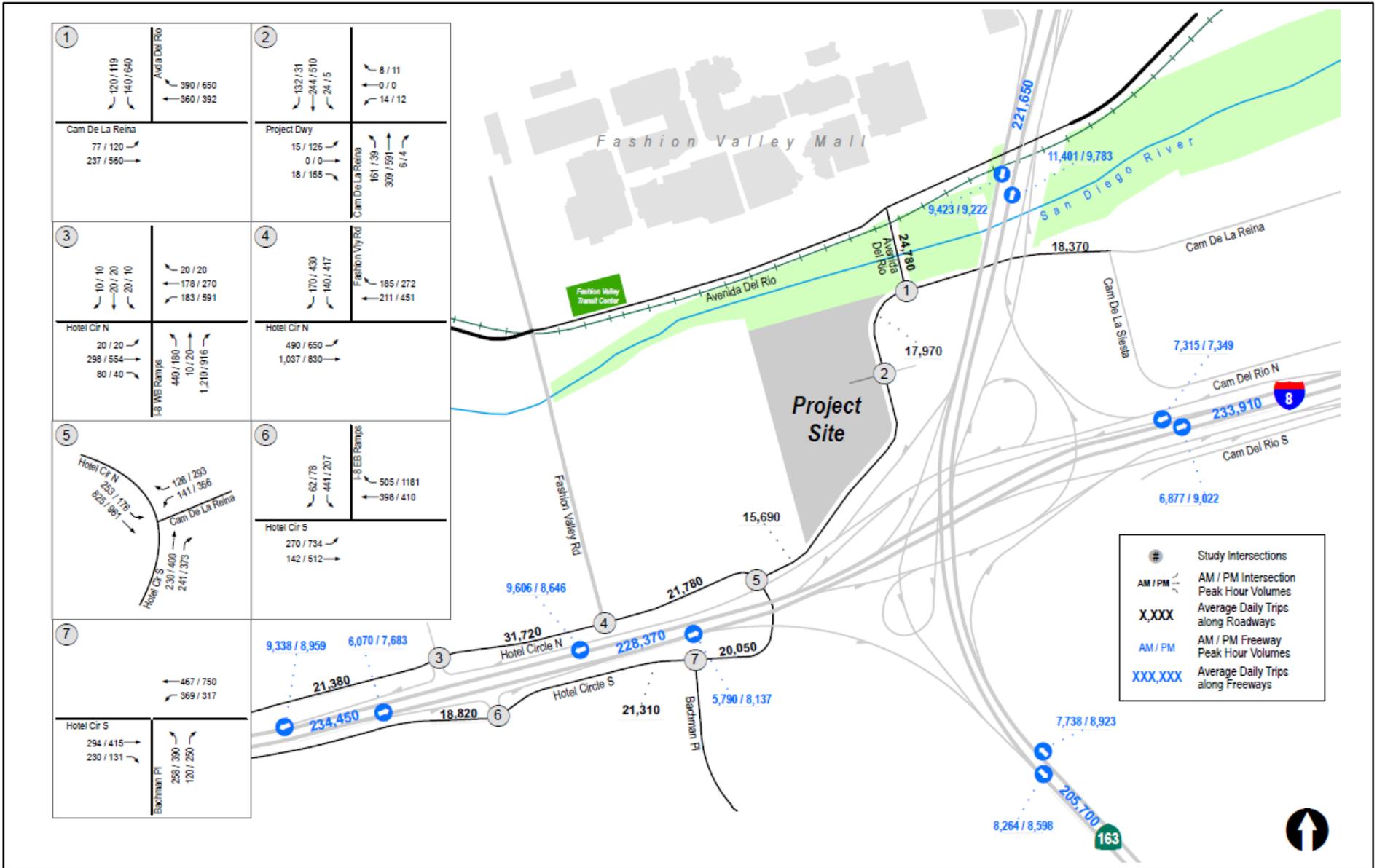
B. Street Segments

As shown in Table 6-4, all streets in the study area would operate at an acceptable LOS except for the following segments under the Horizon Year without Project conditions:

- Camino De La Reina: Hotel Circle to Project Driveway (LOS F)
- Camino De La Reina: Project Driveway to Avenida Del Rio (LOS F)
- Camino De La Reina: Avenida Del Rio to Camino De La Siesta (LOS F)
- Hotel Circle N.: West of I-8 WB Ramps (LOS F)
- Hotel Circle N.: I-8 WB Ramps to Fashion Valley Road (LOS F)
- Hotel Circle N.: Fashion Valley Road to Camino De La Reina (LOS F)
- Hotel Circle S.: West of I-8 EB Ramps (LOS F)
- Hotel Circle S.: I-8 EB Ramps to Bachman Place (LOS F)
- Hotel Circle S.: Bachman Place to Camino De La Reina (LOS F)

As shown in Table 6-4, all streets in the study area would operate at an acceptable LOS except for the following segments under the Horizon Year + Project conditions, which would continue to operate at LOS E or F:

- Camino De La Reina: Hotel Circle to Project Driveway (LOS F)
- Camino De La Reina: Project Driveway to Avenida Del Rio (LOS E)
- Camino De La Reina: Avenida Del Rio to Camino De La Siesta (LOS F)
- Hotel Circle N.: West of I-8 WB Ramps (LOS F)
- Hotel Circle N.: I-8 WB Ramps to Fashion Valley Road (LOS F)
- Hotel Circle N.: Fashion Valley Road to Camino De La Reina (LOS F)
- Hotel Circle S.: West of I-8 EB Ramps (LOS F)
- Hotel Circle S.: I-8 EB Ramps to Bachman Place (LOS F)
- Hotel Circle S.: Bachman Place to Camino De La Reina (LOS F)



SOURCE: Linscott, Law & Greenspan, 2014

10/21/14

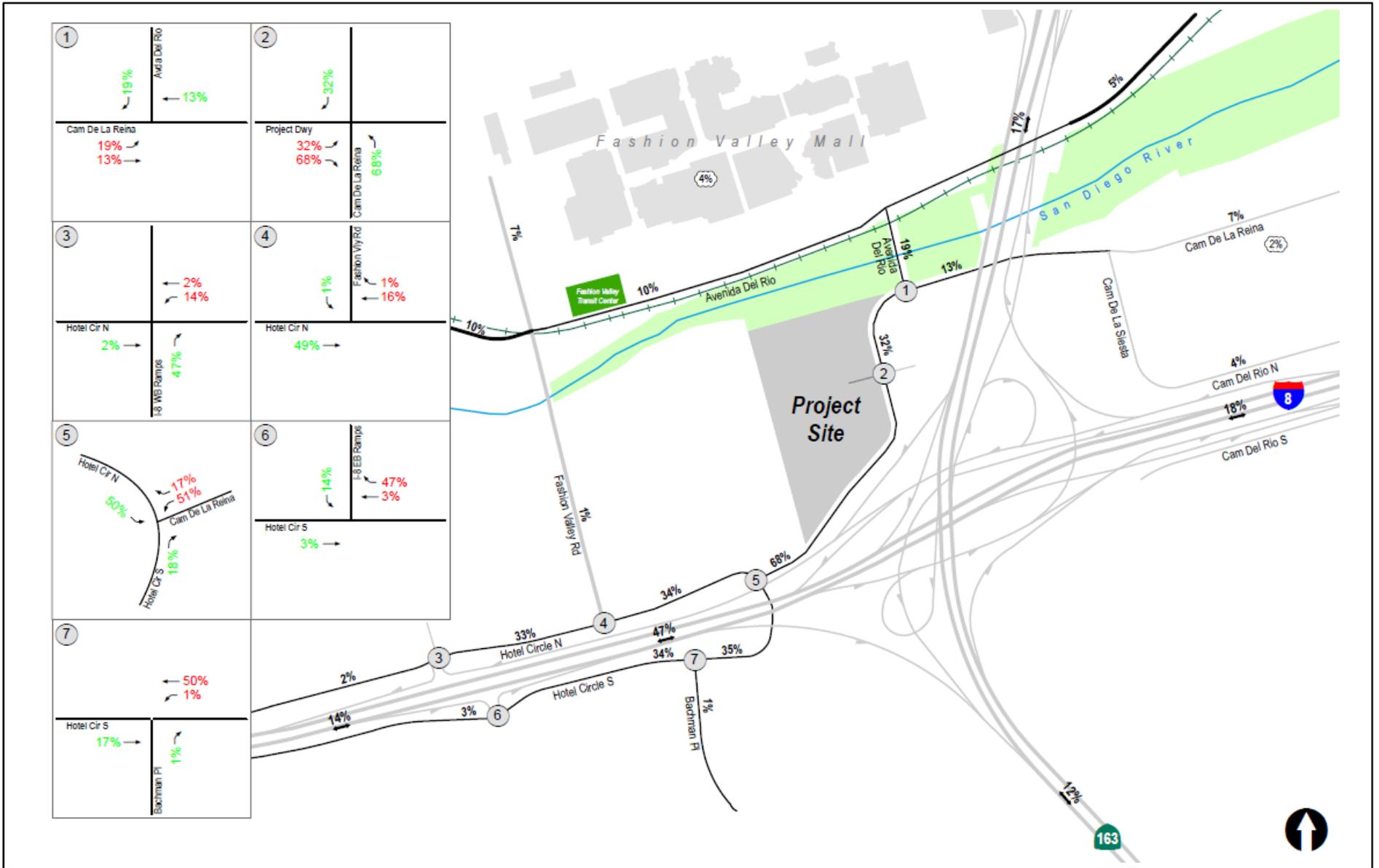


Union Tribune Mixed Use Project EIR

Year 2035 (Horizon Year) Without Project Traffic Volumes

FIGURE

6-3



SOURCE: Linscott, Law & Greenspan, 2014

10/21/14

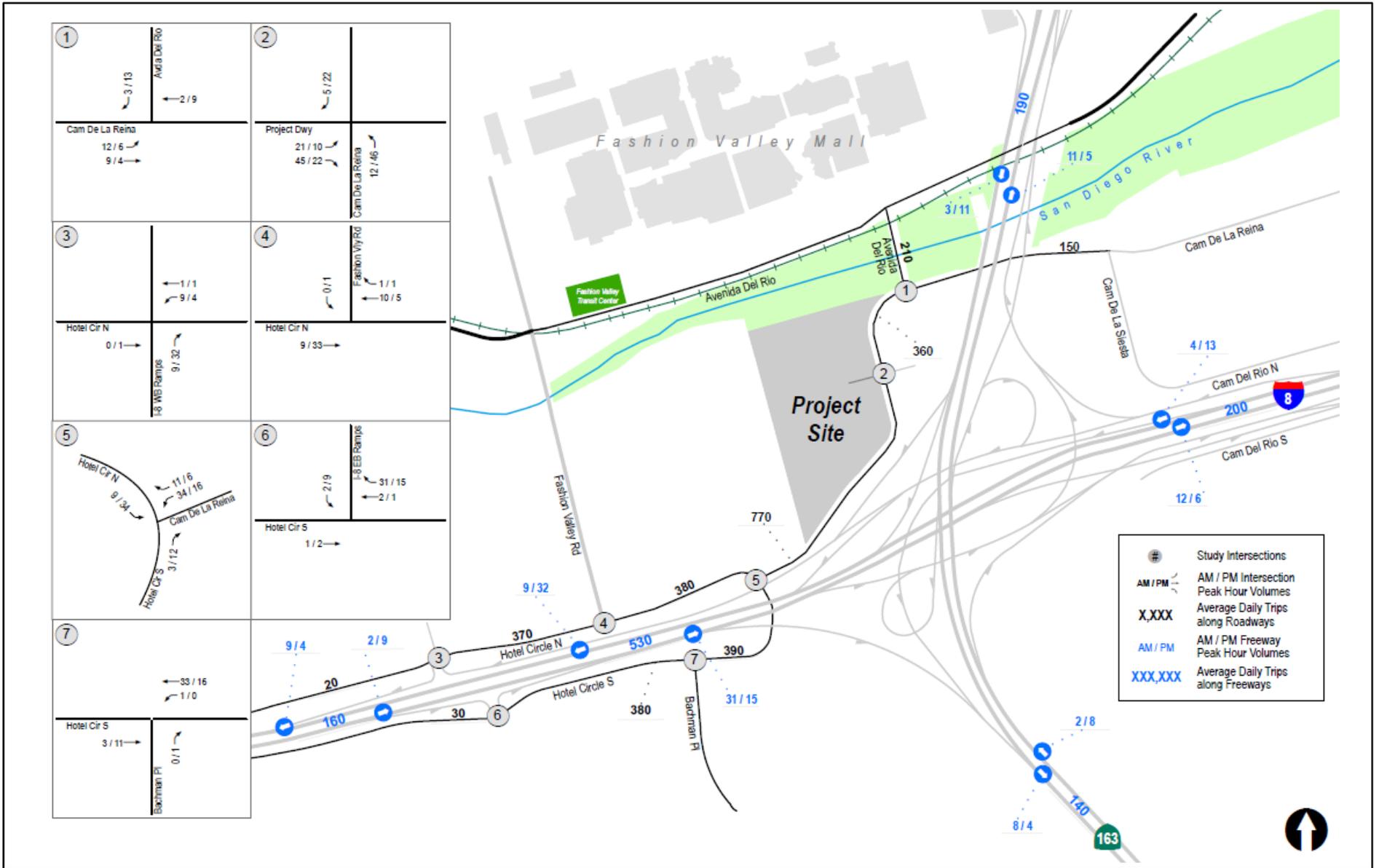


Union Tribune Mixed Use Project EIR

Year 2035 (Horizon Year) Project Traffic Distribution

FIGURE

6-4



SOURCE: Linscott, Law & Greenspan, 2014

10/21/14

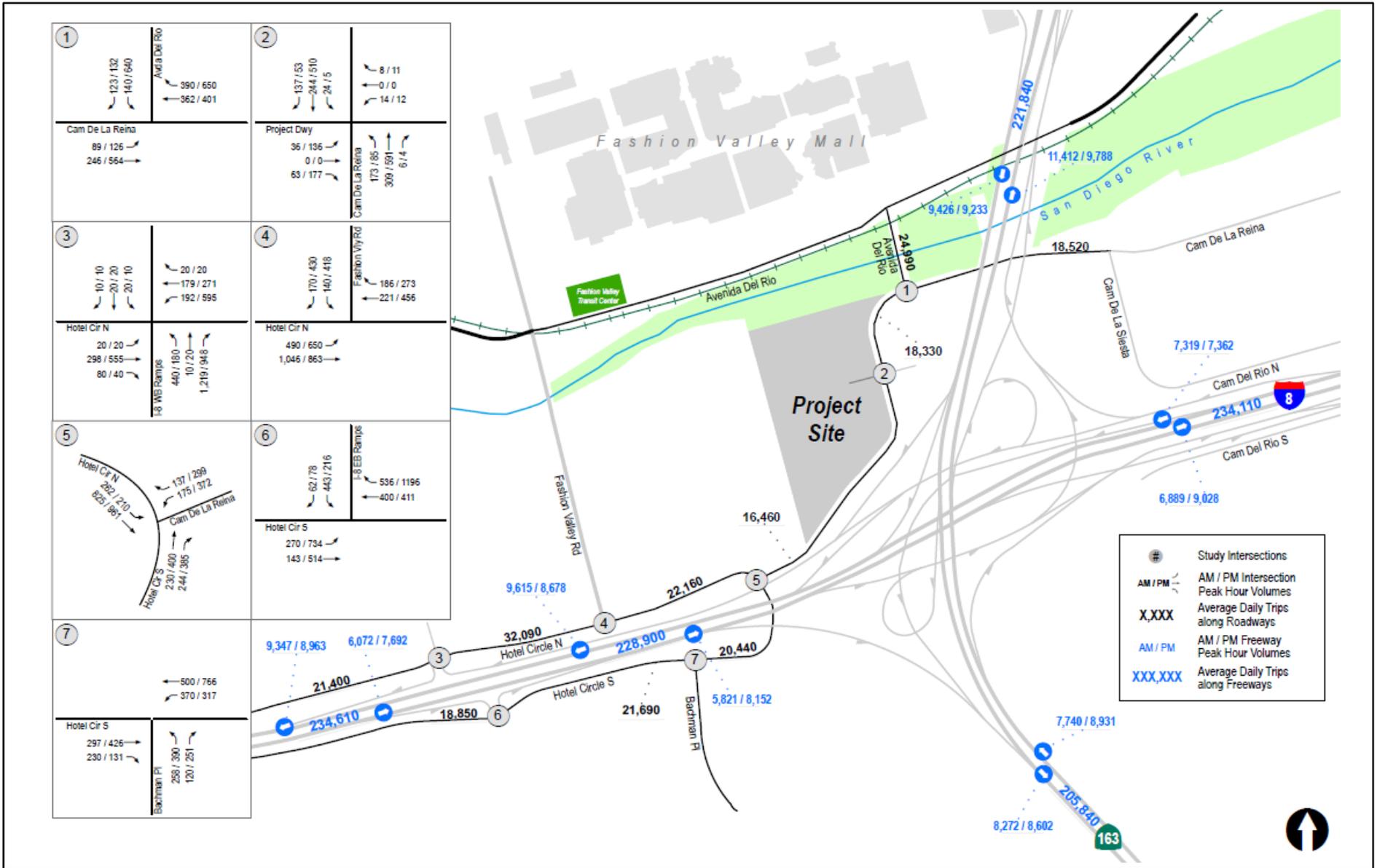


Union Tribune Mixed Use Project EIR

Year 2035 (Horizon Year) Project Traffic Volumes

FIGURE

6-5



SOURCE: Linscott, Law & Greenspan, 2014

10/21/14



Union Tribune Mixed Use Project EIR

Year 2035 (Horizon Year) With Project Traffic Volumes

FIGURE

6-6

Table 6-4
Horizon Year Street Segment Operations

Street Segment	Functional Classification	Capacity (LOS E) ^a	Horizon Year			Horizon Year + Project			V/C Increase	Sig
			ADT ^a	LOS ^c	V/C ^b	ADT ^a	LOS ^c	V/C ^b		
Avenida Del Rio										
Avenida Del Rio to Camino De La Reina (<i>bridge section</i>)	4-Lane Collector	30,000	24,780	D	0.826	24,990	D	0.833	0.007	No
Camino De La Reina										
Hotel Circle to Project Driveway	2-Lane Collector (<i>continuous left-turn lane</i>)	15,000	15,690	F	1.046	16,460	F	1.097	0.051	Yes
Project Driveway to Avenida Del Rio	2-Lane Collector (<i>continuous left-turn lane</i>)	15,000	17,970	F	1.198	18,330	F	1.222	0.024	Yes
Avenida Del Rio to Camino De La Siesta	2-Lane Collector (<i>continuous left-turn lane</i>)	15,000	18,370	F	1.225	18,520	F	1.235	0.010	No
Hotel Circle N.										
West of I-8 WB Ramps	2-Lane Collector (<i>continuous left-turn lane</i>)	15,000	21,380	F	1.425	21,400	F	1.427	0.002	No
I-8 WB Ramps to Fashion Valley Road	3-Lane Collector (<i>no center lane</i>)	15,000	31,720	F	2.115	32,090	F	2.139	0.024	Yes
Fashion Valley Road to Camino De La Reina	2-Lane Collector (<i>continuous left-turn lane</i>)	15,000	21,780	F	1.452	22,160	F	1.477	0.025	Yes
Hotel Circle S.										
West of I-8 EB Ramps	2-Lane Collector (<i>continuous left-turn lane</i>)	15,000	18,820	F	1.255	18,850	F	1.257	0.002	No
I-8 EB Ramps to Bachman Place	2-Lane Collector (<i>continuous left-turn lane</i>)	15,000	21,310	F	1.421	21,690	F	1.446	0.025	Yes
Bachman Place to Camino De La Reina	2-Lane Collector (<i>continuous left-turn lane</i>)	15,000	20,050	F	1.337	20,440	F	1.363	0.026	Yes

Source: LLG, 2015

Based on City of San Diego's significance criteria, no street segment impacts were calculated on the following segments since the project's traffic contribution does not exceed the allowable thresholds:

- Camino De La Reina: Avenida Del Rio to Camino De La Siesta (LOS F)
- Hotel Circle N.: West of I-8 WB Ramps (LOS F)
- Hotel Circle S.: West of I-8 EB Ramps (LOS F)

Based on the City of San Diego's significance criteria, significant cumulative impacts were identified on the following segments as the project's traffic contribution exceeds the allowable thresholds:

- Camino De La Reina: Hotel Circle to Project Driveway (LOS F)
- Camino De La Reina: Project Driveway to Avenida Del Rio (LOS F)
- Hotel Circle N.: I-8 WB Ramps to Fashion Valley Road (LOS F)
- Hotel Circle N.: Fashion Valley Road to Camino De La Reina (LOS F)
- Hotel Circle S.: I-8 EB Ramps to Bachman Place (LOS F)
- Hotel Circle S.: Bachman Place to Camino De La Reina (LOS F)

C. Freeway Segment Operations

Freeway segments were analyzed under the Horizon Year without Project conditions and all freeway segments, except for the following segments, presently operate at an acceptable LOS, as shown in Table 6-5a and 6-5b below:

- SR-163:
 - South of I-8, LOS F(0) in the AM (NB/SB) and PM (NB/SB) peak hours
- I-8:
 - West of Hotel Circle, LOS F(0) in the AM (WB) and LOS E in the PM (EB/WB) peak hours
 - Hotel Circle to SR-163, LOS F(0) in the AM (WB) and LOS E in the PM (WB) peak hours
 - SR-163 to Mission Center Road, LOS F(0) in the PM (EB) peak hour

Table 6-5a
Horizon Year Freeway Segment Operations-AM Peak Hour

Freeway and Segment	2035 ADT	Direction & Number of Lanes	Capacity ^a	Horizon Year		Horizon Year + Project		V/C Delta	Significant	
				V/C ^b	LOS ^c	V/C ^b	LOS ^c			
SR-163										
Friars to I-8	221,650	NB Mainlines	4M+2CD+1A	13,200	0.864	D	0.865	D	0.001	No
		SB Mainlines	4M+2A	10,400	0.906	D	0.906	D	0.000	No
South of I-8	205,700	NB Mainlines	3M+1A	7,200	1.075	F(0)	1.075	F(0)	0.000	No
		SB Mainlines	4M	8,000	1.033	F(0)	1.034	F(0)	0.001	No
I-8										
West of Hotel Circle	234,450	EB Mainlines	4M	8,000	0.759	C	0.759	C	0.000	No
		WB Mainlines	4M+1A	9,200	1.015	F(0)	1.016	F(0)	0.001	No
Hotel Circle to SR-163	227,890	EB Mainlines	4M+1A	9,200	0.629	C	0.633	C	0.004	No
		WB Mainlines	4M+1A	9,200	1.044	F(0)	1.044	F(0)	0.000	No
SR-163 to Mission Center Road	233,910	EB Mainlines	4M	8,000	0.860	D	0.861	D	0.001	No
		WB Mainlines	3M+ 2A	8,400	0.871	D	0.871	D	0.000	No

Footnotes: a: Capacity calculated at 2,000 vehicles / hour per mainline lane, 2,000 vehicles / hour per collector distributor lane and 1,200 vehicles / hour per aux lane (M: Mainline, CD: Collector Distributor, A: Auxiliary Lane). Example: 4M+2A=4 Mainlines + 2 Auxiliary Lanes);- b: Volume to Capacity; c: Level of Service

General Notes: 1. See Appendix N for calculation sheets and Horizon Year + Project ADTs. 2. **Bold** typeface indicates segments operating at LOS E or F. Source: LLG, 2015.

Table 6-5b
Horizon Year Freeway Segment Operations-PM Peak Hour

Freeway and Segment	2035 ADT	Direction & Number of Lanes	Capacity ^a	Horizon Year		Horizon Year + Project		V/C Delta	Significant	
				V/C ^b	LOS ^c	V/C ^b	LOS ^c			
SR-163										
Friars to I-8	221,650	NB Mainlines	4M+2CD+1A	13,200	0.741	C	0.742	C	0.001	No
		SB Mainlines	4M+ 2A	10,400	0.887	D	0.888	D	0.001	No
South of I-8	205,700	NB Mainlines	3M+ 1A	7,200	1.239	F(0)	1.240	F(0)	0.001	No
		SB Mainlines	4M	8,000	1.075	F(0)	1.075	F(0)	0.000	No
I-8										
West of Hotel Circle	234,450	EB Mainlines	4M	8,000	0.960	E	0.962	E	0.002	No
		WB Mainlines	4M+ 1A	9,200	0.974	E	0.974	E	0.000	No
Hotel Circle to SR-163	227,890	EB Mainlines	4M+ 1A	9,200	0.884	D	0.886	D	0.002	No
		WB Mainlines	4M+ 1A	9,200	0.940	E	0.940	E	0.000	No
SR-163 to Mission Center Road	233,910	EB Mainlines	4M	8,000	1.128	F(0)	1.129	F(0)	0.001	No
		WB Mainlines	3M+ 2A	8,400	0.875	D	0.876	D	0.001	No

Footnotes: a: Capacity calculated at 2,000 vehicles / hour per mainline lane, 2,000 vehicles / hour per collector distributor lane and 1,200 vehicles / hour per aux lane (M: Mainline, CD: Collector Distributor, A: Auxiliary Lane). Example: 4M+2A=4 Mainlines + 2 Auxiliary Lanes);- b: Volume to Capacity; c: Level of Service

General Notes: 1. See Appendix N for calculation sheets and Horizon Year + Project ADTs. 2. **Bold** typeface indicates segments operating at LOS E or F. Source: LLG, 2015.

Freeway segments were analyzed under the Horizon Year + Project conditions, and the following freeway segments were calculated to operate at LOS E or F as shown in Table 6-5a and 6-5b:

- SR-163:
 - South of I-8, LOS F(0) in the AM (NB/SB) and PM (NB/SB) peak hours
- I-8:
 - West of Hotel Circle, LOS F(0) in the AM (WB) and LOS E in the PM (EB/WB) peak hours
 - Hotel Circle to SR-163, LOS F(0) in the AM (WB) and LOS E in the PM (WB) peak hours
 - SR-163 to Mission Center Road, LOS F(0) in the PM (EB) peak hour

Based on the City of San Diego’s significance criteria, there were no significant cumulative impacts identified on the above freeway segments, as the project’s traffic contribution to these segments does not exceed the allowed increase in volume/capacity ratio.

6.2.1.2 Significance of Impact

In the Horizon Year, project related traffic would cause significant cumulative impacts within the study area, as summarized below in Table 6-6.

**Table 6-6
Horizon Year Significant Impacts**

Facility Type	Location
Intersections	<ul style="list-style-type: none"> • Hotel Circle S./I-8 EB Ramps
Street Segments	<ul style="list-style-type: none"> • Camino De La Reina: Hotel Circle to Project Driveway (LOS F) • Camino De La Reina: Project Driveway to Avenida Del Rio (LOS F) • Hotel Circle N.: I-8 WB Ramps to Fashion Valley Road (LOS F) • Hotel Circle N.: Fashion Valley Road to Camino De La Reina (LOS F) • Hotel Circle S.: I-8 EB Ramps to Bachman Place (LOS F) • Hotel Circle S.: Bachman Place to Camino De La Reina (LOS F)
Freeway Segments	<ul style="list-style-type: none"> • None

Source: LLG, 2015

6.2.1.3 Mitigation, Monitoring, and Reporting

Under Horizon Year conditions, the project is calculated to have significant cumulative impacts at one (1) intersection and six (6) street segments. The following summarizes the recommended mitigation measures and the project cost participation.

The following intersection and street segment improvements are identified to mitigate the Year 2035 (Horizon Year) significant “cumulative” impacts. As shown in Tables 6-7 and 6-8 below, the identified mitigation would reduce the project impacts to a level of ‘not significant’. For the purposes of this report, a level of ‘not significant’ reflects allowable delay increases within City defined thresholds. A project mitigation diagram, demonstrating the identified, mitigation for the impacted street segments, is shown in Figure 6-7.

INTERSECTION MITIGATION MEASURES**Hotel Circle S./I-8 EB Ramps**

Widening the intersection to include a second EB through lane and restriping the WB approach to include two through lanes with a shared right-turn lane would mitigate the project's cumulative impact. With the implementation of the following Mitigation Measure CUM-1, the project's cumulative impact to this intersection would be reduced to a level less than significant.

CUM-1 Prior to issuance of the first building permit, the Owner/Permittee shall contribute a fair-share (4.3%) towards implementing the widening of the Hotel Circle South/I-8 EB Ramps intersection to include a second EB through lane and restriping the WB approach to include two through lanes with a shared right-turn lane, satisfactory to the City Engineer.

STREET SEGMENT MITIGATION MEASURES**Camino De La Reina: Hotel Circle to Project Driveway**

Widening this segment to 3-lane Collector standards (providing half-width of a 4-lane Major) would mitigate the project's significant impact. With the implementation of the following Mitigation Measure CUM-2, the project's cumulative impact to this street segment would be reduced to a level less than significant.

Table 6-7
Horizon Year Intersection Mitigation Analysis

Intersection	Control Type	Peak Hour	Horizon Year		Horizon Year + Project		Horizon Year + Project and Mitigation			Mitigation
			Delay ^a	LOS ^b	Delay	LOS	Delay	LOS	Δ ^c	
Hotel Circle S. / I-8 EB Ramps	Enhanced All-Way Stop	AM	224.9	F	242.7	F	40.6	E	(184.3)	Fair-share (4.3%) contribution towards widening Hotel Circle South to include two EB and two WB through lanes
		PM	525.5	F	538.7	F	50.8	F	(474.7)	

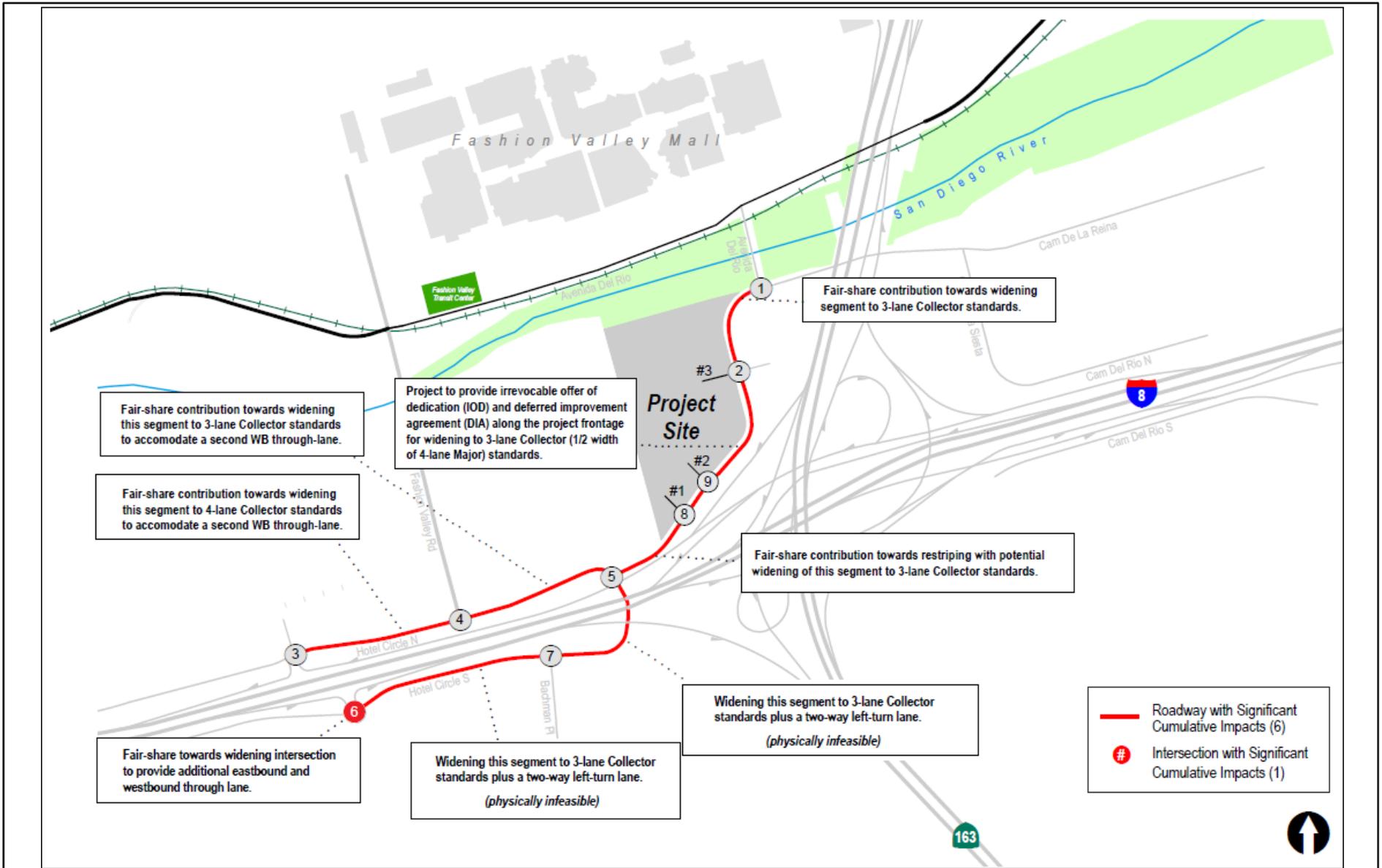
CUM-2 The Applicant shall provide an irrevocable offer of dedication (IOD) and deferred improvement agreement (DIA) for the widening of Camino De La Reina along the project frontage. If this section of Camino De La Reina remains a 4-lane Major classification after approval of the Mission Valley Community Plan Update, the applicant's widening of the roadway to half width of a 4-lane Major would mitigate the project's cumulative impact once the widening is completed. In addition, the project also proposes to contribute a fair-share (16.1%) towards restriping with potential widening (to account for appropriate transitions) of Camino De La Reina to 3-lane Collector standards between the southerly UT property line and Hotel Circle. Provision of the IOD, DIA and payment of the fair-share will mitigate the cumulative impact along this segment.

**Table 6-8
Horizon Year Street Segment Mitigation Analysis**

Roadway Segment	Classification	Capacity ^a	Horizon Year			Horizon Year + Project			Mitigation Classification	Mitigation Capacity	Horizon Year + Project and Mitigation				Mitigation (Fair-Share)
			ADT ^b	LOS ^c	V/C ^d	ADT	LOS	V/C			ADT	LOS	V/C	Δ ^e	
Camino De La Reina															
Hotel Circle to Project Driveway	2-Lane Collector (continuous left-turn lane)	15,000	15,690	F	1.046	16,460	F	1.097	3-Lane Collector (continuous left-turn lane)	22,500 ^g	16,460	D	0.732	(0.314)	Project proposes to provide IOD and deferred improvement agreement (DIA) for widening of Camino De La Reina along project frontage. If this section of Camino De La Reina remains a 4-lane Major classification after approval of the Mission Valley Community Plan Update, the applicant's widening of the roadway to half width of a 4-lane Major would mitigate the project's cumulative impact once the widening is completed. The project also proposes to contribute a fair-share (16.1%) towards restriping with potential widening of Camino De La Reina to 3-Lane Collector standards between the southerly UT property line and Hotel Circle
Project Driveway to Avenida Del Rio	2-Lane Collector (continuous left-turn lane)	15,000	17,970	F	1.198	18,330	F	1.222	3-Lane Collector (continuous left-turn lane)	22,500 ^g	18,330	D	0.815	(0.383)	Project proposes to provide IOD and deferred improvement agreement (DIA) for widening of Camino De La Reina along project frontage. If this section of Camino De La Reina remains a 4-lane Major classification after approval of the Mission Valley Community Plan Update, the applicant's widening of the roadway to half width of a 4-lane Major would mitigate the project's cumulative impact once the widening is completed. Project also proposes to contribute a fair-share (5.4%) towards widening Camino De La Reina between northerly UT property line and Avenida Del Rio to 3-lane Collector standards

Roadway Segment	Classification	Capacity ^a	Horizon Year			Horizon Year + Project			Mitigation Classification	Mitigation Capacity	Horizon Year + Project and Mitigation				Mitigation (Fair-Share)
			ADT ^b	LOS ^c	V/C ^d	ADT	LOS	V/C			ADT	LOS	V/C	Δ ^e	
Hotel Circle N.															
I-8 WB Ramps to Fashion Valley Road	3-Lane Collector (no center lane)	15,000	31,720	F	2.115	32,090	F	2.139	4-Lane Collector (left-turn lanes)	22,500 ^g	32,090	F	1.426	(0.689)	Contribute a fair-share (2.4%) towards widening Hotel Circle North to include a second WB through lane on Hotel Circle N. between I-8 WB Ramps and Fashion Valley Road
Fashion Valley Road to Camino De La Reina	2-Lane Collector (continuous left-turn lane)	15,000	21,780	F	1.452	22,160	F	1,477	3-Lane Collector (continuous left-turn lane)	22,500 ^g	22,160	E	0.985	(0.467)	Contribute a fair-share (4.2%) towards widening Hotel Circle North to include a second WB through lane on Hotel Circle N. between Fashion Valley Road and Camino De La Reina
Hotel Circle S.															
I-8 EB Ramps to Bachman Place	2-Lane Collector (continuous left-turn lane)	15,000	21,310	F	1.421	21,690	F	1.446	3-Lane Collector with continuous left-turn lane	22,500 ^f	21,690	E	0.964	(0.457)	Widen to 3-Lane Collector with continuous left-turn lane (<i>physically infeasible</i>)
Bachman Place to Camino Del La Reina	2-Lane Collector (continuous left-turn lane)	15,000	20,050	F	1.337	20,440	F	1.363	3-Lane Collector with continuous left-turn lane	22,500 ^f	20,440	E	0.908	(0.429)	

Footnotes: a. Capacity based on roadway classification operating at LOS E. b. Average daily Traffic. c. Level of Service. d. Volume to Capacity. e. Δ denotes a project mitigation-induced increase or (decrease) in the Volume to Capacity ratio. f. An upgraded capacity of 22,500 ADT was assumed since this roadway does not have any driveways and this best represents its functional classification. g. Capacity for 3-Lane Collector with continuous left-turn lane derived based on the capacities for a 4-Lane Collector with continuous left-turn lane and a 2-Lane Collector with continuous left-turn lane, from the City of San Diego Roadway Classification Table. Source: LLG, 2015



SOURCE: Linscott, Law & Greenspan, 2014

2/13/15

Union Tribune Mixed Use Project EIR



Year 2035 (Horizon Year) + Project Impacts & Mitigation Measures

FIGURE

6-7

Camino De La Reina: Project Driveway to Avenida Del Rio

Widening this segment to a 3-lane Collector standards (providing half-width of a 4-lane Major) would mitigate the project's significant impact. With the implementation of the following Mitigation Measure CUM-3, the project's cumulative impact to this street segment would be reduced to a level less than significant.

- CUM-3** The Applicant shall provide an IOD and DIA for the widening of Camino De La Reina along the project frontage. If this section of Camino De La Reina remains a 4-lane Major classification after approval of the Mission Valley Community Plan Update, the applicant's widening of the roadway to half width of a 4-lane Major would mitigate the project's cumulative impact once the widening is completed. In addition, the project also proposes to contribute a fair-share (5.4%) towards widening Camino De La Reina between UT northerly property line and Avenida Del Rio to 3-lane Collector (half width of a 4-lane Major) standards. Provision of the IOD, DIA and payment of the fair-share will mitigate the cumulative impact along this segment.

Hotel Circle N.: I-8 WB Ramps to Fashion Valley Road

Widening this segment to 4-lane Collector standards to accommodate a second WB through lane would mitigate the project's significant impact. The widening could occur on the north side of Hotel Circle North to include two westbound lanes and two eastbound lanes. To implement this mitigation, approximately 35' of widening would be required on the existing Riverwalk Golf Course. With the implementation of the following Mitigation Measure CUM-4, the project's cumulative impact to this street segment would be reduced to a level less than significant.

- CUM-4** Prior to issuance of the first building permit, the Owner/Permittee shall contribute a fair-share (2.4%) towards widening to accommodate a second WB through lane on Hotel Circle North between I-8 WB Ramps and Fashion Valley Road, satisfactory to the City Engineer.

Hotel Circle N.: Fashion Valley Road to Camino De La Reina

Widening this segment to 3-lane Collector standards to accommodate a second WB through lane would mitigate the project's significant impact. The widening could occur on the north side of Hotel Circle North that would include two westbound lanes and one eastbound lane plus a two-way left-turn lane. To implement this mitigation, approximately 12' of widening would be required on the existing Town & Country Resort property. With the implementation of the following Mitigation Measure CUM-5, the project's cumulative impact to this street segment would be reduced to a level less than significant.

- CUM-5** Prior to issuance of the first building permit, the Owner/Permittee shall contribute a fair-share (4.2%) towards widening to accommodate a second WB through lane on Hotel Circle North between Fashion Valley Road and Camino De La Reina, satisfactory to the City Engineer.

Hotel Circle S.: I-8 EB Ramps to Bachman Place

Widening this segment to 3-lane Collector standards plus a two-way left-turn lane would mitigate the project's significant impact. The widening would include two eastbound lanes and one westbound lane. There is an existing 30' IOD on Hotel Circle South along this roadway segment. Based on a preliminary feasibility analysis conducted as part

of the TIA, this widening is deemed infeasible from a technical (physical) standpoint due to building structures fronting Hotel Circle South that would allow only a 2' parkway, which is not sufficient to include a sidewalk per City standards. Therefore, given the physical infeasibility of the proposed mitigation, this impact is considered cumulatively significant and unmitigated.

Hotel Circle S.: Bachman Place to Camino De La Reina

Widening this segment to a 3-lane Collector standards plus a continuous left-turn lane would mitigate the project's significant impact. The widening would include two eastbound lanes and one westbound lane. Based on a preliminary feasibility analysis conducted as part of the TIA, this widening is deemed technically (physical) infeasible due to the location of the support columns for the I-8 undercrossing on Hotel Circle South. Therefore, given the physical infeasibility of the proposed mitigation, this impact is considered cumulatively significant and unmitigated.

6.2.1.4 *Impacts After Mitigation*

The proposed project has the potential to result in cumulatively significant impacts to one (1) intersection and six (6) roadway segments. However, implementation of Mitigation Measures CUM-1 through CUM-5 would reduce potential cumulative impacts to a level less than significant at the following intersection and street segments:

- Intersection of Hotel Circle South and I-8 EB Ramps
- Camino De La Reina: Hotel Circle to Project Driveway
- Camino De La Reina: Project Driveway to Avenida Del Rio
- Hotel Circle North: I-8 WB Ramps to Fashion Valley Road
- Hotel Circle North: Fashion Valley Road to Camino De La Reina

A preliminary mitigation feasibility analysis was conducted as part of the TIA based upon the proposed mitigation measures for each significantly impacted intersection and roadway segment. However, the feasibility analysis determined that the mitigation measures are infeasible for various reasons, and significant cumulative impacts would result at the following street segments:

- Hotel Circle South: I-8 EB Ramps to Bachman Place
- Hotel Circle South: Bachman Place to Camino De La Reina

In an effort to reduce trip generation from the project site, the Applicant shall implement Mitigation Measure T-1, which requires implementation of a TDM program as further described in Section 5.2.3.3 of this EIR. Implementation of the TDM may reduce some of the cumulative traffic generated by the project but would not reduce any of the cumulatively significant impacts to the two (2) roadway segments identified above to below a level of significance. As such, these impacts would be considered cumulatively significant and unavoidable impacts.

The proposed project would not result in any impacts to existing freeway segments, interchanges, or ramps, and would not increase traffic hazards to motor vehicles, bicyclists, or pedestrians. The project is consistent with the *City of San Diego General Plan and Mission Valley Community Plan*. Lastly, the project would provide additional access to publicly owned land.

6.2.2 Cumulative Impacts Found Not To Be Significant

Based on the analyses contained in *Chapter 5.0, Environmental Analysis* of this EIR, the project's contribution to cumulative land use, greenhouse gas emissions, biological resources, geologic conditions, historical resources (archaeological), hydrology, public services and facilities, public utilities, visual effects/neighborhood character, and water quality impacts would not be cumulatively considerable, as analyzed below.

6.2.2.1 Land Use

As discussed in Section 5.1, Land Use, the proposed project is located on a developed parcel that does not divide any established community, but in fact promotes enhanced circulation throughout the community by extending a multi-use trail through its portion of the planned San Diego River Park. In addition, the proposed project does not conflict with the stated goals, objectives, and recommendations of the City of San Diego General Plan, the Multiple Species Conservation Program (MSCP), the Mission Valley Community Plan, the San Diego River Park Master Plan, and the Mission Valley Planned District Ordinance (PDO). However, the implementation of the project would require deviations to allow for a retaining wall in excess of 9 feet in height and a deviation with the interior side setback requirements between each lot. However, no secondary environmental impacts were identified in this EIR with the approval of these deviations. Mitigation Measure LU-1 will be implemented to ensure consistency of the project with the guidelines of the MSCP.

Other projects considered in this cumulative effects analysis would be evaluated to determine conformance with the City's General Plan, Mission Valley Community Plan, Mission Valley PDO (as applicable), and the City's Land Development Code and would be required to comply with these policy documents and applicable ordinances. Projects that are not consistent with the General Plan/Community land use designation(s) or existing zoning would require procession of a Plan Amendment and/or zone change. Projects needing a General Plan/Community Plan Amendment are required to demonstrate conformance with pertinent goals, policies, and recommendations. As demonstrated, the proposed project, when considered with other planned development in the Mission Valley Community Plan area and with the cumulative projects identified above, would not result in a significant cumulative land use impact.

6.2.2.3 Greenhouse Gas Emissions

As discussed in Section 5.3, Greenhouse Gas Emissions, combining all regulatory measures such as Pavley regulations and other reduction strategies, the proposed project would be expected to reduce CO₂e by 722.01 metric tons compared to "business as usual" (BAU), which includes CO₂e generation from construction, offsite vehicular emissions, indirect electricity usage, natural gas usage, solid waste generation, and water usage. The reduction measures would bring operational emissions down by 36.40%, which would meet and exceed the 28.35% reduction goal of AB 32 and the City of San Diego. Because operational emissions would exceed the interim screening threshold of 900 MTCO₂e, but be reduced by more than 28.35% below BAU levels, the overall impact of the project is not considered significant. In addition, the proposed project would not conflict with the City's sustainable community program, Climate Protection Action Plan, Climate Action Plan, or General Plan. Therefore, so long as the proposed project and cumulative projects adhere to state and federal regulations as described in Section 5.3.1.1, implementation of the proposed project would not contribute to a cumulatively significant greenhouse gas emissions impact.

6.2.2.3 *Greenhouse Gas Emissions*

As discussed in Section 5.3, Greenhouse Gas Emissions, combining all regulatory measures such as Pavley regulations and other reduction strategies, the proposed project would be expected to reduce CO₂e by 722.01 metric tons compared to “business as usual” (BAU), which includes CO₂e generation from construction, offsite vehicular emissions, indirect electricity usage, natural gas usage, solid waste generation, and water usage. The reduction measures would bring operational emissions down by 36.40%, which would meet and exceed the 28.35% reduction goal of AB 32 and the City of San Diego. Because operational emissions would exceed the interim screening threshold of 900 MTCO₂e, but be reduced by more than 28.35% below BAU levels, the overall impact of the project is not considered significant. In addition, the proposed project would not conflict with the City’s sustainable community program, Climate Protection Action Plan, Climate Action Plan, or General Plan. Therefore, so long as the proposed project and cumulative projects adhere to state and federal regulations as described in Section 5.3.1.1, implementation of the proposed project would not contribute to a cumulatively significant greenhouse gas emissions impact.

6.2.2.4 *Biological Resources*

As discussed in Section 5.4, Biological Resources, direct impacts to candidate, sensitive, or special status species are not anticipated as a result of project implementation. The proposed project would have a direct impact on 0.02 acres of Non-Native Grassland (Tier IIIB). However, the City of San Diego Significance Determination Thresholds stipulate that impacts to Non-Native Grasslands less than 1.0 acres which are completely surrounded by existing urban developments are not considered significant and do not require mitigation. In addition, the proposed project would have a direct impact on 0.67 acres of Eucalyptus Woodlands. Eucalyptus trees have the potential to support nesting birds protected under the Migratory Bird Treat Act (MBTA) and/or the California Fish and Wildlife Code (§3503). Potential impacts could occur if vegetation clearing is undertaken during the breeding season between February 1 and September 15 when active migratory bird nests are present and would be considered a significant impact. Furthermore, potential indirect impacts anticipated include minor erosion and dust associated with project construction, but are not significant. However, with the implementation of Mitigation Measures LU-1 and BR-1, any potential impacts would be reduced to a level less than significant. The proposed project would not 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 area. Therefore, so long as the proposed project and cumulative projects are constructed and operated in conformance with the City Biology Guidelines and the California Fish and Wildlife Code, implementation of the proposed project would not contribute to cumulatively significant impacts to biological resources.

6.2.2.5 *Geologic Conditions*

Proper engineering design, utilization of standard construction practices, adherence to the erosion control standards established by the City’s Grading Ordinance, implementation of Best Management Practices (BMPs) required by the Stormwater Pollution Prevention Plan (SWPPP), and implementation of Mitigation Measure GC-1 (which would require implementation of geotechnical recommendations identified in the comprehensive geotechnical investigation addressing potential impacts from geologic hazards) would ensure that the potential for geological impacts resulting from the project would be less than significant. In addition, implementation of grading BMPs required by the project’s SWPPP would ensure that the potential for impacts associated with soil erosion resulting from project construction would be less than significant. Any on-site geologic hazards on the proposed project site and cumulative project sites

shall be avoided by standard remedial grading measures and would not combine with any off-site hazards to create cumulative geologic impacts with the implementation of the proposed project. In addition, other projects constructed within Mission Valley would be required to conduct site-specific geologic studies to determine underlying soils and geologic units and to determine stability. These projects, like the proposed project, would follow standard construction practices to ensure no geologic impacts would result from development. Therefore, implementation of the proposed project would not result in a cumulatively significant geologic conditions impact.

6.2.2.6 *Historical Resources (Archaeological)*

As discussed in Section 5.6, Historical Resources, the proposed project site does not contain any known archaeological resources onsite. However, according to the City of San Diego, the site is located in an area that is known for finding sensitive archaeological resources. As such, the site has the potential for the discovery of currently unknown archaeological resources, which is most likely due to the site's location near the San Diego River and the prehistoric/historic populations that were attracted to the area. There is the potential that buried archaeological resources not visible at the surface may be encountered during grading. As such, a potentially significant impact to archaeological resources has been identified. However, implementation of Mitigation Measure HR-1 would reduce potential impacts to archaeological resources to a less than significant level. Cumulative projects also may result in similar impacts; however, these projects would be subject to similar mitigation measures and abatement requirements, as required by regulatory requirements. Therefore, the implementation of the proposed project would not contribute to a cumulatively significant impact to archaeological resources.

6.2.2.7 *Hydrology*

As discussed in Section 5.7, Hydrology, impacts to hydrology and drainage are not anticipated with implementation of the proposed project. The total site discharge would be decreased by decreasing the amount of impervious surfaces from that of the existing condition. Additionally, existing and proposed flows would be routed to bio-retention facilities, which increase the time of concentration providing smaller intensities. Although the flows associated with Camino De La Reina would be increased due to the dedication/widening of the road, the overall flows would be decreased within the infrastructure; therefore, no mitigation of downstream storm drain improvements are required. Since the limits of the overall drainage basin would be decreased, and the overall runoff from the existing site would be decreased, the proposed project would not have an adverse effect on the existing drainage condition. Furthermore, the finished floor elevation of the structures would be two feet above the 100-year frequency flood elevation to address potential impacts associated with flooding. A Conditional Letter of Map Revision Based on Fill (CLOMR-F) was also submitted by Latitude 33 to the City of San Diego on November 5, 2013. The application was submitted by the City and accepted for review by FEMA on November 18, 2013. FEMA approved the CLOMR-F on July 1, 2014. This approval serves as evidence that the potential for significant flooding impacts does not exist. Obtainment of the CLOMR-F would notify other property owners within the 100 year floodzone of the flood elevations, allowing for any future projects to adequately provide for adequate flood protection measures.

Similar to the proposed project, other projects within Mission Valley and the cumulative projects listed above would be required to ensure proper drainage, runoff control, and improved water quality. Therefore, implementation of the proposed project, in conjunction with the cumulative projects, would not contribute to cumulatively significant hydrology impacts.

6.2.2.8 *Public Services and Facilities*

As discussed in Section 5.8, Public Services and Facilities, the proposed project would not generate an incremental increase in demand for parks, libraries, schools, fire/life protection, or police protection. The proposed project includes the creation of 0.81 total acres of public park space, which includes a public pocket park and the San Diego River Park. The remaining deficit of 0.03 acres of population-based park space required per General Plan standards would be provided through the payment of DIFs. Additionally, existing police protection services would sufficiently serve the proposed project area and would not generate the need for a new or expanded police station in the project area.

Regarding school facilities, the San Diego Unified School District (SDUSD) has indicated that the existing schools currently servicing the project area have sufficient capacity for students generated specifically by the proposed project. However, SDUSD has also indicated that the proposed project, in combination with other cumulative projects located within the same attendance boundaries as the proposed project, have the potential to generate a substantial number of students that may strain or exceed current school facilities. Specifically, SDUSD identified the ongoing Civita development, which is in the same high school boundary as the proposed project and currently has built about 750 units of a proposed total 2,500 to 4,000 units, as a potentially significant cumulative project. As such, the proposed project, the Civita development, as well as any potential future cumulative projects within the Mission Valley Community have the potential to result in a significant cumulative impact to school facilities. However, all of the cumulative projects identified in this EIR would be required to pay DIFs as conditions of project approval, which are imposed by the City to mitigate impacts to public services and facilities, which includes school facilities. Similar to other cumulative projects, the proposed project would also be required to pay DIFs to offset the external costs to public services and facilities. In addition, the property owner of the proposed project and any cumulative projects would be subject to the payment of property taxes, a portion of which are redistributed by the State to local school districts. Through the mandatory payment of DIFs and property taxes, capital costs to schools would be addressed and cumulative impacts to school facilities would be reduced to a less than significant level.

Regarding fire/life protection services, the San Diego Fire-Rescue Department has indicated that the cumulative significant effect of the addition of over 12,000 new Mission Valley housing units from multiple projects with no new roads for Mission Valley traffic is that emergency response will be slowed significantly, depending on the time of day. This is especially true during high capacity Stadium events, where a fire engine occasionally can be completely stopped due to heavy traffic congestion. Original planning for the area included the extension of Sand Rock Road into Mission Valley to relieve traffic congestion, but this improvement was never completed. As such, the proposed project would add additional cars to the traffic congestion and impact response times in the future. However, there are a number of existing fire stations in close proximity to the proposed project site, some of which would be able to access the project site without interference from Qualcomm Stadium events or other cumulative projects located near the Stadium. In addition, the proposed project, as well as all of the cumulative projects identified in this EIR would be required to pay DIFs as conditions of project approval to offset the external costs to Fire-Rescue Services and other public services and facilities. Therefore, the proposed project would not contribute to cumulatively significant impacts to schools, libraries, parks and recreation, police protection, and fire/life protection, and cumulative impacts would be less than significant.

6.2.2.9 *Public Utilities*

As discussed in Section 5.9, Public Utilities, the proposed project would not result in a need for new off-site public utility systems or infrastructure, or require substantial alterations to existing off-site utilities or infrastructure. The existing off-site utilities systems that currently serve the project area would be sufficient in serving the increased population resulting from the proposed project. Pending and future projects would be required to analyze project water demand and supply to avoid conflicts, and provide upgrades or DIFs towards new infrastructure facilities, as needed. The proposed project would not result in utility infrastructure impacts that would be cumulatively considerable.

Based on the number of proposed residential units and square feet of retail space, the proposed project does not meet or exceed the Water Code §10912(a)(7) threshold requirements and would not trigger the need for a water supply assessment under the parameters of SB 610. As such, existing water supplies would be sufficient to serve the proposed project. The increase in effluent flow resulting from the proposed project would be alleviated by a proposed private site gravity system, which would connect to a proposed private lift station before ultimately connecting to the existing sewer system. A water supply assessment shall be completed for all cumulative projects that require one under the parameters of SB 610.

The total site storm water discharge has been controlled by decreasing the impervious surface, and by routing existing and proposed flows to bio- retention facilities, which increases the time of concentration providing smaller intensities. Since the overall flow has decreased, no mitigation of downstream storm drain improvements is anticipated. It is anticipated cumulative projects will be evaluated under the same conditions and therefore, no cumulative storm water impacts are anticipated.

The proposed project has the potential to result in a solid waste impact; however, with mandatory compliance with the City's waste management ordinances and implementation of the Waste Management Plan (WMP), as identified in Section 5.9, this impact would be reduced to a level less than significant. It is anticipated that cumulative projects would also be required to prepare a WMP and ensure compliance with the San Diego Municipal Code, Recycling Ordinance, Refuse, Construction and Demolition, Recycling Ordinance, and Recyclable Materials Storage Regulations. Therefore, no cumulative waste impacts are anticipated.

In regards to electricity and natural gas, San Diego Gas and Electric (SDG&E) continuously forecasts future energy demands to ensure that infrastructure capacity can meet demand. Where projects with large power loads are planned, these new large power loads are considered by SDG&E together with other existing or anticipated future loads in the project vicinity, and electrical substations are upgraded or new substations are built if the capacities of existing substations are exceeded. As such, the proposed project would not contribute to cumulatively significant impacts to public utilities.

6.2.2.10 *Visual Effects/Neighborhood Character*

As discussed in Section 5.10, Visual Effects/Neighborhood Character, the proposed project would change the visual appearance of the project site by increasing building density and changing the overall style and landscaping of the site. However, the proposed project is consistent with the City of San Diego General Plan, Mission Valley Community Plan, MSCP Subarea Plan, and San Diego River Park Master Plan, and would substantially improve the visual quality

of the site. The proposed project would not substantially affect any visual resources, create any substantial light, glare or shading in the area, or significantly alter any specific viewsheds. The proposed project would pose a less than significant impact to the existing landform. The proposed project would include alter the existing landform of the site in an effort to raise the site out of the 100-year floodway. However, the changes in landform associated with the building pad would not be substantial and would not be visible from any public viewpoint. The proposed project would result in less than significant impacts to visual resources and neighborhood character. Cumulative projects would be required to consider scenic resources, viewshed character, and would comply with the City Outdoor Lighting Regulations to avoid glare and nighttime lighting impacts, similar to the proposed project. Therefore, the proposed project would not contribute to cumulatively significant impacts to visual effects/neighborhood character.

6.2.2.11 Water Quality

As discussed in Section 5.11, Water Quality, the overall flow (Q_{50}) for the proposed project was reduced because of the decrease in impervious surface area and increase in permeability when compared to the existing condition. In addition, the overall flow was reduced through the use of bio-retention swales and basins. As a result, there would be a decrease in overall flow (42.5 cfs to 28.1 cfs) leaving the project site through six stormwater discharge points. Flows that would continue to be similar to the existing condition have been routed to proposed bio-retention systems before ultimately discharging into the existing storm drain system, or directly into the San Diego River. During smaller storm events (2- and 5-year), the bio-retention system would capture water and allow infiltration into engineered soil at a rate of 5 inches per hour, which results in an increased time of concentration (T_c). For larger storm events (50- and 100-year), the initial flush would be retained while the additional flow would be routed through an emergency outflow. Overall, these facilities treat and capture stormwater in order to reduce pollutants, increase time of concentration, which correlates to a smaller flow intensity, and reduce the runoff volumes associated with the proposed project. In addition to bio-retention facilities, the proposed project would also include the use of Jellyfish filter units and Modular Wetlands Systems to improve stormwater discharge water quality. Furthermore, the proposed project would occur in the same developed area as the existing Union Tribune site, and as such would not degrade existing wetland functions and values, including important water quality functions. The proposed project would also maintain the existing undeveloped wetland buffer of approximately 30 to 105 feet between site development and City-jurisdictional wetlands. The proposed project would improve stormwater runoff quality as compared to the existing condition, thus improving buffer and wetland water purification functions.

The proposed project would implement low-impact design (LID) features to mitigate stormwater throughout the life of the project. The proposed project also includes natural and structural construction and post-construction Best Management Practices (BMPs). Source control BMPs would be implemented to reduce potential for contamination at the source of pollution, and treatment control BMPs would be implemented to remove pollutants from urban runoff through biological, chemical, and physical processes, including engineered bio-retention facilities and vegetated swales. A full Storm Water Pollution Prevention Plan for Construction Activities (SWPPP) would also be developed for the project to assure compliance with the City's stormwater standards. Compliance with regional and local permit requirements would ensure that impacts to water quality would be reduced to a level less than significant. Furthermore, compliance with stormwater standards would preclude a cumulatively considerable contribution to downstream water quality. Other projects within Mission Valley and the identified cumulative projects would also be subject to the identified water quality standards with requirements implemented through the referenced NPDES Municipal Permit, City Storm Water Standards, and related requirements to ensure proper drainage, runoff control,

and improved water quality. Therefore, the implementation of the proposed project would not contribute to cumulatively significant water quality impact.

6.2.2.12 Paleontological Resources

As discussed in Section 5.12, Paleontological Resources, the proposed project site is underlain by geologic formations characterized as highly sensitive in regards to the potential presence of paleontological resources. Under the circumstances that deep foundations would be installed, the proposed project would have the potential to result in significant impacts to paleontological resources potentially present within the Stadium Conglomerate. However, implementation of Mitigation Measure PR-1 would reduce potential impacts to paleontological resources to a level less than significant.

Other projects which involve grading of native materials that could contain paleontological resources would be evaluated on a project by project basis and conditioned, as necessary, to implement measures, such as the proposed project, to mitigate potential impacts to paleontological resources. Therefore, implementation of required mitigation measures would reduce the potential cumulative loss of important paleontological resources to a level less than significant.

6.2.2.13 Air Quality and Odor

As discussed in Section 5.13, Air Quality and Odor, the proposed project is consistent with the Mission Valley Community Plan and City's General Plan, and thus would be consistent with the RAQS and SIP. As such, the proposed project would not affect the ability of the RAQS or other regional plans to meet federal and state clean air standards. In addition, implementation of the proposed project would not generate air pollutant emissions during construction or operation that would exceed SDAPCD thresholds for any criteria pollutants, especially those for which the SDAB is currently under federal and/or state non-attainment. Furthermore, compliance with the SDAPCD regulations, SDMC, and implementation of BMPs, would ensure that air quality impacts during construction would be less than significant.

Other projects within the air basin would generate emissions that could exceed thresholds, contributing to poor air quality. Ministerial projects would be considered consistent with the RAQS, SIP, General Plan, and Community Plan in which they are located and would not result in a cumulatively considerable increase in emissions of ozone precursors (NO_x and VOCs). Projects requiring discretionary permit would be reviewed under CEQA and, as applicable, would be required to prepare an air quality analysis evaluating consistency with the RAQS and SIP and identifying any significant air quality impacts. If a potential air quality impact is identified, mitigation measures would be required to reduce cumulatively significant air quality impacts to a level less than significant.

Emissions from construction activities associated with the project would not be significant. However, it is likely that other projects within the Mission Valley community could develop at the same time as the proposed project. Each project would be required to incorporate standard dust control measures to control fugitive particulate emissions, which would ensure that cumulative impacts would not result. Therefore, implementation of the proposed project would result in a less than significant cumulative air quality and odor impact.

6.2.2.14 *Noise*

As discussed in Section 5.14, Noise, the proposed project would not generate significant noise levels affecting ambient off-site noise levels. Cumulatively the traffic volumes along the roadway segments in the project area are expected to potentially double. However the project related increase in cumulative traffic volumes would be minimal (less than 10%) of the overall increase. As such, the proposed project would not generate enough vehicle trips to result in a 3 dBA increase in ambient noise levels. Although the proposed project would result in potential temporary noise impacts during construction, the proposed project, as well as all other cumulative projects, would be required to comply with the SDMC regarding construction noise. Therefore, the proposed project would not generate operational or construction-related noise levels that, when added to noise generated by other cumulative projects, would be regarded as cumulatively significant.

Other cumulative projects identified above could also result in conflicts with the General Plan's Noise Compatibility Guidelines. However, measures would be required on a project level to ensure that interior noise levels are brought into conformance with the General Plan and Title 24 standards for interior noise levels. Therefore, the implementation of the proposed project in conjunction with cumulative projects, would not result in a cumulatively significant noise impact.

This page intentionally left blank.

7.0 EFFECTS NOT FOUND TO BE SIGNIFICANT

Section 15128 of the State CEQA Guidelines requires an EIR to contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and therefore were not discussed in detail in the EIR. Pursuant to Section 15128 of the CEQA Guidelines, the following issue areas were determined by the City of San Diego, as Lead Agency, not to have the potential to cause adverse effects, and therefore have not been addressed in detail in this EIR.

7.1 Agricultural Resources

The proposed project site is currently the location of an approved development and does not contain land that is designated as prime agricultural soils by the Soils Conservation Service, nor does it contain prime farmlands designed by the California Department of Conservation. The site is not subject to, nor is it near, a Williamson Act contract site pursuant to Sections 51200-51207 of the California Government Code. Therefore, impacts associated with agricultural resources are not considered significant.

The project area is urban and is not designated as prime farmland, unique farmland, or a farmland of statewide importance. No agricultural lands are located on or adjacent to the site. The site is designated as developed land and is not designated as farmland under the *Farmland Mapping and Monitoring Program* of the California Department of Conservation or the City of San Diego's Progress Guide and General Plan. Therefore, there would be no significant impact on agricultural resources with the implementation of the proposed project.

7.2 Health and Safety and Hazardous Materials

The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. An automotive service center is located adjacent to the existing print facility on the project site, which previously included a fuel station. However, this center was terminated from operation several years ago. A Phase II Environmental Site Assessment was completed and found no impact associated with the underground storage tanks. Therefore, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The proposed project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. The proposed project is not located within the vicinity of a private airstrip, or within two miles of a public airport, or public use airport, and would therefore not result in a safety hazard for people residing or working in the project area. The proposed project is located within the Montgomery Field Airport Influence Area, but has received a determination of no hazard to air navigation from the FAA for the construction of the proposed structures.

The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Therefore, there would be no significant impact with regard to health, safety, and hazardous materials as a result of the implementation of the proposed project.

7.3 Historical Resources (Built Environment)

Historical resources typically include properties eligible or potentially eligible for the National Register of Historic Places, as well as those that may be significant pursuant to state and local laws and registration programs such as the California Register of Historical Resources or the City of San Diego Historical Resources Register.

The City of San Diego criteria for determination of historic significance, pursuant to CEQA, is evaluated based upon age (over 45 years), location, context, association with an important event, uniqueness, or structural integrity of the building. In addition, projects requiring the demolition of structures that are 45 years or older are also reviewed for historic significance in compliance with CEQA. CEQA Section 21084.1 states that “a project that may cause a substantial adverse change in the significance of a historical resource is a project that may cause a significant effect on the environment.”

Historical Resources staff determined that the existing structures on the project site are not individually designated resources and are not located within a designated historic district. Furthermore, the property does not meet designation criteria as a significant resource under any adopted criteria. Therefore, there would be no significant impact to historical resources with the implementation of the proposed project.

7.4 Mineral Resources

The project site is the location of an approved urban development. The site is not designated as a mineral resource area. The proposed project would not result in the loss of availability of any mineral resources that would be of value to the region. Therefore, there would be no significant impact on mineral resources with the implementation of the proposed project.

7.5 Population and Housing

The proposed project includes the construction of 200 dwelling units that would be introduced into the Mission Valley community; it would not result in a substantial population increase beyond what is currently anticipated for this site or the surrounding area. Specifically, the project would not involve the construction of new infrastructure, such as roadways or utilities; and, therefore, does not have the potential to indirectly increase population or housing. Additionally, the project is not expected to displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere. Therefore, the implementation of the proposed project does not have the potential to result in significant environmental effects associated with population and housing.

8.0 MANDATORY DISCUSSION AREAS

This section discusses other issues for which CEQA requires analysis in addition to the specific issue areas discussed in *Chapter 5.0, Environmental Analysis*. These additional issues include (1) significant environmental effects which cannot be avoided; (2) significant irreversible environmental changes; and (3) growth-inducing impacts.

8.1 Significant Environmental Effects Which Cannot Be Avoided

Section 15126.2(b) of the CEQA Guidelines requires an EIR to identify significant environmental effects that cannot be avoided if the project is implemented (14 CCR 15000 et seq.). As discussed in Chapter 5.0, Environmental Analysis, implementation of the project would result in significant and unavoidable impacts to Traffic/Circulation/Parking. Also, as discussed in Chapter 6.0, Cumulative Impacts, it would result in significant and unavoidable cumulative impacts to Traffic/Circulation/Parking.

The proposed project would result in direct significant and unavoidable impacts to one (1) intersection and four (4) roadway segments under the Existing + Project and Near-Term (Opening Day 2017) Scenarios. A preliminary mitigation feasibility analysis was conducted as part of the Traffic Impact Analysis (TIA) based upon the proposed mitigation measures for each significantly impacted intersection and roadway segment. The feasibility analysis determined the proposed mitigation for the impacted intersection and for each street segment in each scenario would be infeasible for various reasons, as detailed in Section 5.2 of this EIR. In an effort to reduce the potential significant impacts, a Transportation Demand Management (TDM) Program shall be implemented as Mitigation Measure T-1. However, Mitigation Measure T-1 would not mitigate the impacts to a level of less than significant. As a result the Existing + Project and Near-Term (Opening Day 2017) Scenarios traffic impacts to one (1) intersection and four (4) street segments would remain significant and unavoidable.

Cumulatively, in the Horizon Year the proposed project would result in potentially significant impacts to one (1) intersection and six (6) roadway segments. However, implementation of Mitigation Measures CUM-1 through CUM-5, which requires the provision of an irrevocable offer of dedication (IOD) and deferred improvement agreement (DIA) for widening of Camino De La Reina along the project frontage and the payment of fair-share contributions toward various roadway improvements, would reduce potential cumulative impacts to a level less than significant at the one (1) intersection and four (4) roadway segments. A preliminary mitigation feasibility analysis was conducted as part of the TIA based upon the proposed mitigation measures for each significantly impacted intersection and roadway segment. The feasibility analysis determined the proposed mitigation for two (2) impacted roadway segments would be infeasible in the Horizon Year for various reasons, as discussed further in Section 6.2 of this EIR. In an effort to reduce trip generation from the project site, the Applicant shall implement Mitigation Measure T-1, which requires implementation of a TDM program. Implementation of the TDM program may reduce some of the cumulative traffic generated by the project but would not reduce any of the cumulatively significant impacts to the two (2) roadway segments identified in Section 6.2 of this EIR to below a level of significance. As such, these impacts would be considered cumulatively significant and unavoidable impacts.

8.2 Significant Irreversible Environmental Changes

As required by Section 1516.2(c) of the CEQA Guidelines, the significant irreversible environmental changes of a project must be identified. Irreversible commitments of resources are evaluated to assure that their use is justified. Irreversible environmental changes typically fall into three categories: primary impacts, such as the use of nonrenewable resources; secondary impacts, such as highway improvements which provide access to previously inaccessible areas; and environmental accidents associated with a project.

Future development that could occur on the project site as a result of the proposed project would entail the commitment of energy and natural resources. The primary energy source would be fossil fuels, representing an irreversible commitment of this resource. Construction of the project would also require the use of construction materials, including cement, concrete, lumber, steel, etc., and labor. These resources would also be irreversibly committed.

Once constructed, occupation of the residential units and operations of the commercial spaces would entail a further commitment of energy resources in the form of fossil fuels and electricity. This commitment would be a long-term obligation since the proposed structures are likely to have a useful life of 20 to 30 years or more. However, as discussed in Section 5.9, Public Utilities, the impacts of increased energy usage are not considered significant adverse environmental impacts.

8.3 Growth Inducing Impacts

A project is regarded as growth-inducing if it can foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines §15126.2[d]). Included in this definition are projects that would remove obstacles to population growth, such as extending public services into areas not previously served. Growth inducement can also be defined as an action that would encourage an increase in density of development in surrounding areas or encourage adjacent development. Growth should not be assumed to be beneficial, detrimental, or of little consequence of the environment (CEQA Guidelines §15126.2[d]).

The proposed project is located within an urbanized area. The project site and surrounding area are currently developed with office and residential uses with adequate utility service. Therefore, extension of public utility infrastructure such as water, sewer, electric, or roads into previously unserved areas would not occur with implementation of the proposed project. Although the project includes certain improvements to existing utilities within the site, these improvements would serve only the project and would not extend off-site. Any new uses within the surrounding area would include redevelopment of existing uses. Existing surrounding uses or potential redevelopment of the area would not have access to the project's improved facilities, nor would the facilities be adequate to serve any new off-site developments. As discussed in Section 5.2 and 6.2 of this EIR, all frontage improvements required to reduce project traffic impacts below a level significance were determined to be infeasible, except for those mitigated by the payment of fair-share contributions and provision of an IOD and DIA for widening of Camino De La Reina along the project frontage to accommodate its future classification (4-lane Major). If this section of Camino De La Reina remains a 4-lane Major classification after approval of the Mission Valley Community Plan Update, the Applicant's widening of the roadway to half-width of a 4-lane Major would mitigate the project's

cumulative impact once the widening is completed. In addition, by providing an IOD and DIA, the Applicant's widening of Camino De La Reina to half-width of a 4-lane Major would accommodate Class II bike lanes along the project frontage. The purpose of this improvement is to support the implementation of the Mission Valley Community Plan roadway classification. This improvement would serve the existing uses and the projected planned growth for the community.

The project site is currently developed with two structures and surface parking associated with the existing UT facility. The development of new seven-story residential buildings with 200 residential dwelling units and four-stories of parking, and conversion of 3,000 square feet of the existing printing facility to retail amenity space would not foster economic or population growth such that construction of additional housing in the surrounding area would be required, either directly or indirectly.

For these reasons, the proposed project would not encourage or facilitate growth-inducing activities that could significantly affect the surrounding environment, individually or cumulatively.

This page intentionally left blank.

9.0 ALTERNATIVES

9.1 Rationale for Alternative Selection

Section 15126.6 of the CEQA Guidelines requires that an EIR include a discussion of a “range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The discussion of alternatives provided in this section is intended to “focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives.”

Section 15126.6(f) states that the range of alternatives required for analysis is governed by the “rule of reason”, which requires the EIR to discuss only those alternatives necessary to permit a reasoned choice. Among the factors that may be taken into account when addressing the feasibility of alternatives are: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries; and (7) whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

Based on the analysis contained in Section 5.0 of this EIR, the proposed project would result in significant impacts to: Traffic/Circulation/Parking, Biological Resources, Geologic Conditions, and Historical Resources. Mitigation measures have been identified which would reduce direct impacts to below a level of significance for all significant impacts except Traffic/Circulation/Parking. In addition, cumulative impacts associated with Traffic/Circulation/Parking would not be fully mitigated.

The alternatives identified in this analysis are intended to further reduce or avoid significant environmental impacts associated with the proposed project. In accordance with Section 15126.6(c) of the CEQA Guidelines, the following analysis of project alternatives is preceded by a brief description of the rationale for selecting the alternatives to be discussed.

In developing the alternatives to be addressed in this chapter, consideration was given to each alternative’s ability to meet the basic objectives of the proposed project and to eliminate or reduce potentially significant environmental impacts. In addition, alternatives are identified that were considered but rejected. A summary comparison of each alternative and the proposed project is included in Table 9-1.

As required under Section 15126.6(e)(2) of the CEQA Guidelines, the EIR must identify the environmentally superior alternative. Pursuant to the CEQA Guidelines, if the No Project Alternative is determined to be the most environmentally superior project, then another alternative among the alternatives evaluated must be identified as the environmentally superior alternative. The most environmentally superior alternative, as identified in the analyses below, would be the Reduced Density Alternative to Avoid Traffic Impacts.

TABLE 9-1
Comparison of Project Alternatives

Impact Category	Proposed Project	No Project (No Development) Alternative	Reduced Density Alternative to Avoid Traffic Impacts (55 units)	Reduced Density Alternative (135 units)
Land Use	Less than significant with the implementation of Mitigation Measure LU-1	Avoid	Similar	Similar
Traffic/Circulation /Parking	Significant and Unavoidable	Avoid	Avoid	Similar; however, this alternative would avoid a direct impact to the street segment of Hotel Circle N. from Fashion Valley Road to Camino De La Reina
Greenhouse Gas Emissions	Less than significant	Reduced	Reduced	Similar
Biological Resources	Less than significant with the implementation of Mitigation Measures LU-1 and BR-1	Avoid	Similar	Similar
Geological Conditions	Less than significant with the implementation of Mitigation Measure GC-1	Avoid	Similar	Similar
Historical Resources	Less than significant with the implementation of Mitigation Measure HR-1	Avoid	Similar	Similar
Hydrology	Less than significant	Greater than proposed due to flooding	Similar	Similar
Public Services and Facilities	Less than significant	Avoid	Similar	Similar
Public Utilities	Less than significant	Avoid	Similar	Similar
Visual Effects/Neighborhood Character	Less than significant	Avoid	Similar	Similar
Paleontological Resources	Less than significant with the implementation of Mitigation Measure PR-1	Avoid	Similar	Similar
Noise	Less than significant with the implementation of Mitigation Measures LU-1 and BR-1	Avoid	Similar	Similar
Cumulative Effects	Significant and Unavoidable cumulative impacts (traffic)	Avoid	Avoid	Similar
Environmentally Superior?		Yes	Yes	No
Meets Project Objectives?		No	Most*	Most*

Notes: Avoid = Impacts under this alternative avoided as compared to impacts for the proposed project.
 Reduced = Impacts under this alternative reduced as compared to impacts for the proposed project.
 Similar = Impacts under this alternative similar to impacts for the proposed project.
 * Meets most of the project objectives, but not at the same level as the proposed project.

Source: BRG Consulting, 2015.

9.2 Alternatives Considered But Rejected

The following alternatives were considered for the proposed project. These alternatives were rejected from further consideration due to a lack of meeting most of the project objectives and/or the infeasibility of the alternative.

9.2.1 Alternative Site Location

In accordance with State CEQA Guidelines Section 15126.6(f)(2), an alternative project site location should be considered if development of another site is feasible and if development of another site would avoid or substantially lessen significant impacts of the proposed project. When considering an alternative site location, the project objectives may be used to determine the necessary size of the site, its location, and availability of infrastructure. CEQA Guidelines Section 15126.6(f)(2)(A) states that a key question in looking at an off-site alternative is "...whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location."

Due to the relatively built-out nature of the surrounding neighborhood and Mission Valley Community, no feasible alternative sites were identified. The last remaining undeveloped property (Quarry Falls/Civita) is currently being constructed as a large, master planned neighborhood with a mix of residential, commercial, retail, office, and park uses. There are a number of smaller sites in the Mission Valley community where redevelopment could occur in a manner similar to the proposed project. Like the proposed project site, some other sites in Mission Valley are within close proximity to existing transit. Several of these sites are already considered for redevelopment/development by other owners/applicants, as presented in Section 6.0, Cumulative effects, of this EIR. However, there are no other sites under the applicant's control to allow for development of a mixed-use project that would meet the project objectives and provide in-fill development that would reasonably maximize the efficiency in use of the underutilized and developable land of the project site. Additionally, other sites within Mission Valley may not have the correct zoning and land use designation to allow development as a mixed-use project and would, therefore, may require a rezone and/or an amendment to the Mission Valley Community Plan and City of San Diego General Plan.

The relocation of the proposed project to an alternative site within the Mission Valley Community would not likely reduce the significant and unavoidable traffic impacts identified in Section 5.2 of this EIR. If the project were developed on an alternative site in the community or other areas of the City or County, significant environmental impacts could occur for other issue areas. There are no native habitats or known resources located on the project site. The site has easy access to public streets and freeways and is already served by existing public facilities, services, and utilities. A development constructed on another site with a similar level of intensity as the proposed project could potentially have increased levels of impacts relative to air quality, traffic, and GHG emissions, as another site may not have the same or similar developed characteristics, walkability, proximity to light rail transit, and multi-modal transportation opportunities. Other sites may contain significant sensitive resources, and development on another site could result in significant impacts, which would not occur at the proposed project site.

The project site consists of office and industrial uses that will continue to operate as such uses. The proposed project will develop the underutilized on-site parking lot to construct a new residential use on the site, which makes this project a multiple use project. Therefore, it would be illogical to relocate to a different site because the project site will continue to be utilized by the existing uses and the project provides an opportunity to construct a multiple use project

in close proximity to existing transit, which is consistent with the goals and policies of the City of San Diego General Plan and the Mission Valley Community Plan.

Furthermore, the project proponent is the current owner of the proposed project site. The project proponent does not currently own another site for the project. As such, it would not be economically reasonable for the project proponent to acquire an alternative project site location. Therefore, an alternative providing the components of the proposed project on an alternative site location is rejected.

9.2.2 Previously Proposed Union Tribune Mixed-Use Alternative

The Previously Proposed Union Tribune Mixed-Use Project Alternative as it was initially described in the Notice of Preparation (NOP) for the proposed project dated March 13, 2013, was a pedestrian friendly, transit-oriented development (TOD) offering residential housing, office, and retail space. The project consisted of a new nine-story class-A commercial office building, new 23-story residential tower with approximately 200 residential units, new two-story parking structure, retrofit of the existing printing facility to a three-story parking structure, and amenity space. The river path area included a private park for residents and tenants. Subsequent submittals identified more specific amenities such as retail uses, a café, and a green roof terrace above the new parking structure. A trail connection at the Town & Country property line at the northwest corner of the UT property was also added to provide a link to the existing Fashion Valley Transit Center and allow the proposed UT site to function as a TOD.

During the environmental review process, two screenchecks of the Draft EIR and technical reports for the previously proposed mixed-use project were submitted and reviewed by the City at the end of 2013 and in April 2014. Based on the traffic analysis that was completed for the project, the project as proposed would result in significant traffic impacts that would require a substantial fair share payment for traffic improvements. In addition, during the preparation of the EIR there was a shift in market demands and it was determined that there was a lack of a need for the Class “A” Commercial Office space within the project area. Therefore, the project was determined by the applicant not to be an economically viable alternative. As such, the applicant decided to eliminate the previously proposed 9-story Class “A” Commercial Office building of approximately 246,000 gross square feet from the project. Due to the shift in market demands away from Class “A” Commercial Office space, the Previously Proposed Union Tribune Mixed-Use Project Alternative was rejected and is no longer considered a feasible alternative in this EIR.

9.2.3 Office Only Alternative

The Office Only Alternative would limit the land use of the site to a non-mixed use development consisting only of office space. Under this alternative, no residential units or retail space would be constructed that could promote the economic viability of the region. One of the primary objectives of the proposed project is to develop a mixed-use, transit-oriented development. As such, this alternative would not meet the basic objectives of the proposed project. In addition, this alternative would not be in conformance with some of the objectives of the Mission Valley Community Plan, which promotes development intensities related to the planned transportation network, designated activity centers and river-related open spaces and encourages mixed-use complexes that offer environments for living, working, shopping and related activities (City of San Diego, 2013). Furthermore, there is currently not a demand for office space in the project area and this alternative would not help the City meet regional housing needs. Therefore, an alternative consisting of an office only development is rejected.

9.3 Alternatives Considered

Alternatives to the Union Tribune Mixed-Use Project are considered and discussed in this section. These include the “No Project” alternative that is mandated by CEQA and another project alternative that was developed in the course of project planning and environmental review for the proposed project.

9.3.1 No Project (No Development) Alternative

CEQA Guidelines Section 15126.6(e) requires that an EIR address the No Project (No Development) Alternative. According to Guidelines Section 15126.6(e) “the specific alternative of ‘no project’ shall also be evaluated along with its impact. The ‘no project’ analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.”

The No Project (No Development) Alternative would retain the site in its current condition, including the existing one-story automotive service center, five-story commercial office building, three-story printing facility, and surface parking lot. No new development, including the proposed 3.5 story parking structure, new residential buildings with 200-units on top of four-stories of parking, 3,000 square feet of retail space, or 13 new townhomes, would occur.

Environmental Analysis

Land Use. Under the No Project (No Development) Alternative, the existing uses on-site would remain. Significant environmental effects associated with land use would not occur under the No Project (No Development) Alternative.

Traffic/Circulation/Parking. The No Project (No Development) Alternative would not result in impacts associated with traffic/circulation/parking. All street segments and intersections will continue to function at existing levels. The No Project (No Development) Alternative would result in the avoidance of significant and unavoidable direct and cumulative impacts associated with Traffic/Circulation/Parking and would avoid all other impacts in comparison to the proposed project (Table 9-1).

Greenhouse Gas Emissions. The No Project (No Development) Alternative would not generate GHG emissions as a result of construction, because no new construction would occur. The No Project (No Development) Alternative would continue contribute to global climate change through the generation of GHG emissions associated with the existing operations and vehicle trips at the site. However, no additional GHG emissions would be generated by the No Project (No Development) Alternative due to no additional traffic associated with this alternative. Therefore, impacts associated with global climate change would be less under this alternative than those associated with the proposed project. However, neither the proposed project nor this alternative would result in significant impacts associated with GHG emissions and global climate change.

Biological Resources. Because no development, construction, or grading would occur under the No Project (No Development) Alternative, this alternative does not have the potential to impact existing adjacent biological resources. Therefore, the No Project (No Development) Alternative would not result in impacts associated with biological resources as compared to the proposed project.

Geologic Conditions. The No Project (No Development) Alternative would not result in any changes to the existing site conditions. Impacts associated with geologic conditions would not change from what occurs today. The geologic conditions of the project site have the potential to expose people or property to geologic hazards, including strong seismic shaking, liquefaction, lateral spread, flow slide, seismically induced settlement, and shallow groundwater. However, no development would occur under the No Project (No Development) Alternative no measures would be required to implemented that would avoid the potential for geologic hazards impacts.

Historical Resources. Because no development, construction, or grading would occur under the No Project (No Development) Alternative, this alternative does not have the potential to encounter historical (archaeological) resources. Therefore, the No Project (No Development) Alternative would not result in impacts associated with historical (archeological) resources.

Hydrology. The No Project (No Development) Alternative would not result in any changes to the existing site conditions. Impacts to hydrology would not change from the current state. As compared to the propose project, this alternative would result in greater impervious surfaces and total site discharge would greater for this alternative. However, similar to the proposed project, the No Project (No Development) Alternative would result in no impacts to hydrology. Additionally, the No Project (No Development) Alternative would not elevate the full site out of the floodplain. Therefore, greater impacts associated with flooding would occur under this alternative, when compared to the proposed project.

Public Services and Facilities. No development would occur under the No Project (No Development) Alternative that could result in any increase population and impacts on public services and facilities would be less under The No Project (No Development) Alternative as compared to the proposed project. However, under the No Project (No Development) Alternative the on-site pocket park would not be constructed and would not help to reduce the existing park deficit in the Mission Valley community.

Public Utilities. The No Project (No Development) Alternative would not result in any changes to the existing site conditions. The existing uses on the project site are adequately served by the existing public utilities. Therefore, similar to the proposed project, the No Project (No Development) Alternative would no result in impacts to public utilities and no on-site infrastructure improvements are required under this alternative.

Visual Effects/Neighborhood Character. Under the No Project (No Development) Alternative, the existing development on the project site would remain as it does today. The existing parking lot on the site would remain, which is less compatible visually as compared to the and from a neighborhood character perspective than what is proposed by the proposed project. Although, similar to the proposed project, this alternative would not result in visual effects/neighborhood character impacts. However, proposed project would result in an improvement in visual quality and neighborhood compatibility with other development occurring within the Mission Valley Community. In addition, under this alternative, improvements would not be made to implement the river path trail consistent with the San Diego River Park Master Plan and this alternative would not provide a TOD as compared to the proposed project.

Water Quality. The No Project (No Development) Alternative would not result in any changes to the existing site conditions. The existing site has greater impervious surfaces as compared to the proposed project; therefore, under

this alternative the existing on-site uses generate a greater degree of pollutants. In addition, the No Project (No Development) Alternative would not implement BMPs to ensure that pollutant-laden runoff does not exit the site. Therefore, impact to water quality could be considered greater than the proposed project.

Paleontological Resources. Because no development, construction, or grading would occur under the No Project (No Development) Alternative, this alternative does not have the potential to encounter paleontological resources. Therefore, the No Project (No Development) Alternative would not result in impacts associated with paleontological resources.

Air Quality. The No Project (No Development) Alternative would not result in any change to the existing site conditions. No development, construction, or grading would occur under this alternative. Although no significant air quality impact would result with the implementation of the proposed project, the No Project (No Development) Alternative would result in lesser environmental effects associated with air quality because less vehicular emissions would be generated under this alternative and no new construction would occur.

Noise. Under the No Project (No Development) Alternative, no noise impacts would result. Existing uses are compatible with the surrounding noise environment, and existing uses would not generate noise levels that exceed City standards. Because no new construction or grading would occur with the No Project (No Development) Alternative, noise associated with these activities would be avoided, although such impacts would not significant under the proposed project. Noise impacts associated with this alternative would be considered less than what would occur with the proposed project.

Evaluation of Alternative

When compared to the proposed project, the No Project (No Development) Alternative would avoid the unavoidable traffic/circulation/parking impacts. The No Project (No Development) Alternative would result in greater environmental effects associated with water quality and hydrology, because this alternative would not implement BMPs and would have greater impervious surfaces as compared to the proposed project. However, the No Project (No Development) Alternative would avoid impacts for all other issue areas. However, the No Project (No Development) Alternative would not meet any of the objectives of the project as identified in Chapter 3.0 of this EIR, and is, therefore, not recommended for selection and implementation.

9.3.2 Reduced Density Alternatives

In order to fully evaluate the range of possible alternatives that would avoid or reduce the impacts associated with the proposed project, a traffic sensitivity analysis was performed by Linscott Law and Greenspan (LLG) dated January 2015 and provided as Appendix K of this EIR. It addressed the critical street segments surrounding the project site to determine the land use intensity/level of development at which traffic/circulation related impacts would be reduced to a less than significant level per the City's traffic thresholds. The traffic sensitivity analysis was conducted for street segments only given that they are the "constrained" facility within the study area. If the alternative were to avoid significant street segment impacts, intersection impacts would also be avoided given the low trip generation. Based on the results of the analysis, it was determined that a new development consisting of 55 residential units could be built (in addition to the existing UT complex) which would reduce all of the traffic/circulation/parking impacts that were identified in this EIR with the implementation of the proposed project to a less than significant level.

Any project proposed on the project site consisting of a development greater than 55 residential units would generate a number of daily trips which would exceed the City's thresholds and trigger significant roadway segment impacts both in the Near-Term (Opening Day 2017) and Year 2035 (Horizon Year). Any project alternative proposing between 55 and 200 residential units would still result in significant and unavoidable impacts to traffic per the City's CEQA thresholds. As such two density alternatives were identified and analyzed in this EIR, the 55 residential units alternative that would avoid the traffic impacts and another alternative consisting of 135 residential units, which is a density between 55 units and 200 units proposed under the proposed project. The following provides the analysis for these two alternatives.

9.3.2.1 *Reduced Residential Density to Avoid Traffic Impacts Alternative*

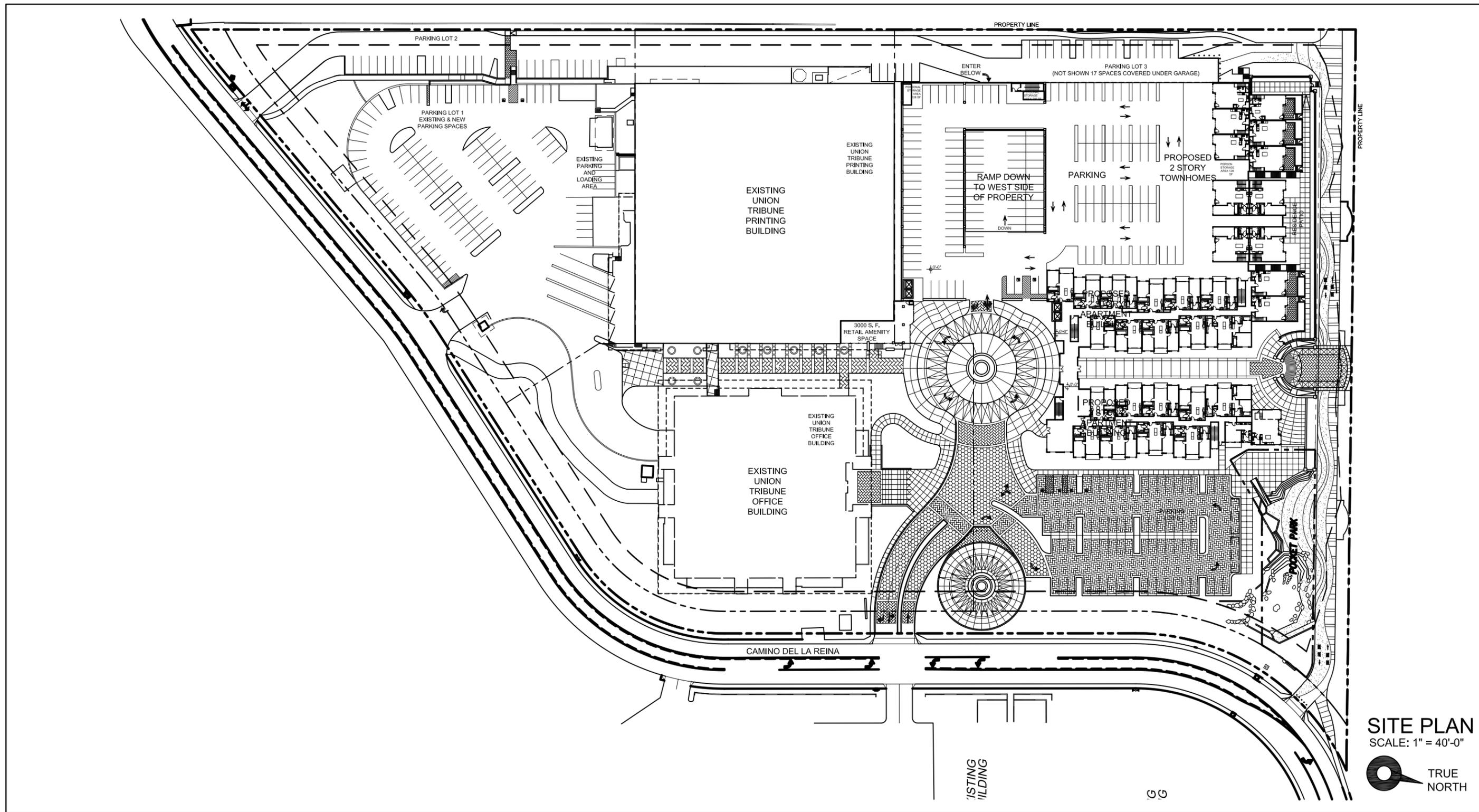
The Reduced Residential Density to Avoid Traffic Impacts Alternative will include the construction of the following:

- New two-story multi-unit residential buildings featuring 55 dwelling units for a total of approximately 66,211 square feet of general floor area;
- Parking lot featuring approximately 173 parking spaces located at grade of the residential buildings (Northwest Building);
- Conversion of 3,000 square feet of ground floor area of the existing UT printing building to retail commercial use; and,
- Implementation of the San Diego River Park Master Plan along the north boundary of the project, including an extension of the San Diego River Park trail from the Town and Country Resort property to the west, and the provision of a public pocket park adjacent to the River Park area, which would include approximately 35,402 square feet (River Park is 23,455 square feet and public pocket park is 11,947 square feet).

Figures 9-1 and 9-2 provide a conceptual site plan and depict the ground floor level, respectively, of the Reduced Density to Avoid Traffic Impacts Alternative.

Environmental Analysis

Land Use. The Reduced Residential Density to Avoid Traffic Impacts Alternative would result in similar land use impacts as compared to the proposed project. Similar to the proposed project, this alternative would be in conformance with some of the objectives of the Mission Valley Community Plan, which promotes development intensities related to the planned transportation network, designated activity centers and river-related open spaces and encourages mixed-use complexes which offer environments for living, working, shopping and related activities (City of San Diego, 2013). The Reduced Density to Avoid Traffic Impacts Alternative would allow for a new development consisting of only 55 residential units on the project site, which when combined with the existing uses would create a site with multiple land uses on a site within close proximity to public transit. While at a greatly reduced development intensity, as compared to the proposed project, this alternative would still provide a mixed-use TOD that could accommodate the increasing growth in the region by providing a portion of the housing needs within the community. Similar to the proposed project, with the implementation of Mitigation Measure LU-1, the Reduced Residential Density to Avoid Traffic Impacts Alternative would result in a less than significant land use impact.



SOURCE: AVRP, 2014

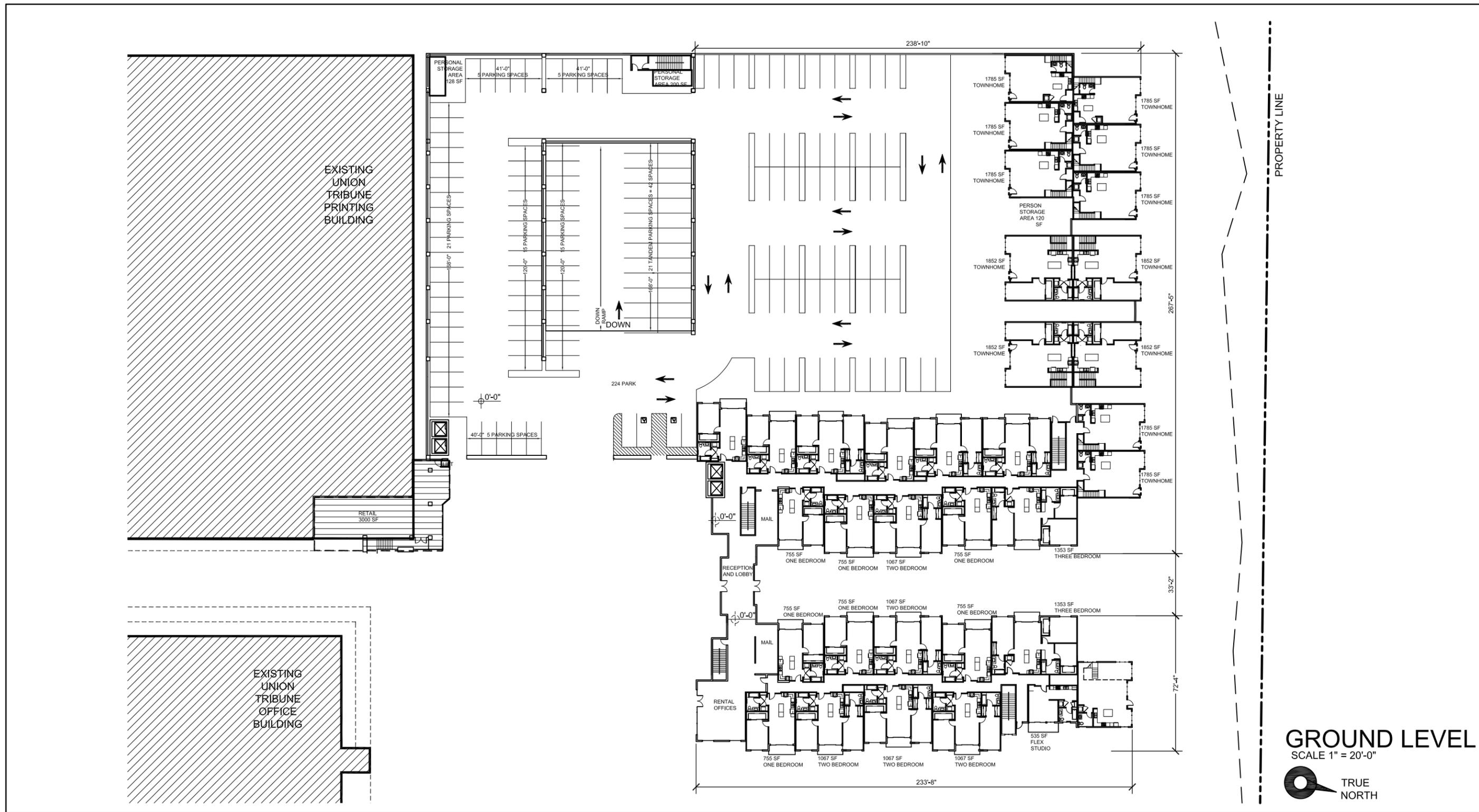
12/22/14



Union Tribune Mixed Use Project EIR

Reduced Density to Avoid Traffic Impacts Alternative (55 Dwelling Units) – Conceptual Site Plan

FIGURE
9-1



GROUND LEVEL
 SCALE 1" = 20'-0"
 TRUE NORTH

SOURCE: AVR, 2014

12/22/14

Union Tribune Mixed Use Project EIR

Reduced Density to Avoid Traffic Impacts Alternative (55 Dwelling Units) – Ground Level

FIGURE
9-2



Traffic/Circulation/Parking. The Reduced Density to Avoid Traffic Impacts Alternative would significantly reduce the number of residential units compared to the proposed project. A traffic sensitivity analysis was performed by LLG dated January 2015 and provided as Appendix K of this EIR, for the critical street segments surrounding the project site to determine the land use intensity/level of development at which traffic/circulation related impacts would be reduced to a less than significant level per the City's traffic thresholds. Based on the results of the analysis, it was determined that a new development consisting of 55 residential units could be built (in addition to the existing UT complex) which would reduce all of the traffic/circulation/parking impacts that were identified in this EIR with the implementation of the proposed project to a less than significant level. Implementation of a reduced density alternative with 55 residential units would result in an additional 440 daily trips compared to the existing number of daily trips generated by the current use of the site. The 440 daily trips generated by this alternative represent a 61% reduction in project related trips when compared to those generated by the proposed project. These additional trips would be below the City's thresholds of significance for allowable increase in V/C for roadway segments currently operating at LOS E or F or below the allowable increase in LOS for roadway segments currently operating at LOS D or better.

Any project consisting of a development greater than 55 residential units would generate a number of daily trips which would exceed the City's thresholds and trigger significant roadway impacts both in the Near-Term (Opening Day 2017) and Year 2035 (Horizon Year). Any project alternative proposing between 55 and 200 residential units would still result in significant and unavoidable impacts to traffic per the City's CEQA thresholds. Therefore, to fully avoid traffic impacts any new development at the project site could not exceed 55 residential units.

Greenhouse Gas Emissions. The Reduced Residential Density to Avoid Traffic Impacts Alternative would result in reduced impacts associated with GHG emissions and global climate change than the proposed project, because this alternative would result in slightly less traffic generation. However, this alternative would provide significantly reduced amount of residential within close proximity to the existing transit. Therefore, on a regional prospective, the proposed project could result in a reduction of GHG emissions as compared to the Reduced Residential Density to Avoid Traffic Impacts Alternative because this alternative provides only 27,5 percent of the housing units of the proposed project and if the other 145 units not being provided by this alternative ultimately are not developed in a TOD or similar development. However, both the Reduced Residential Density to Avoid Traffic Impacts Alternative and the proposed project would result in less than significant GHG and global climate change impacts.

Biological Resources. Similar to the proposed project, development, construction, or grading associated with the Reduced Residential Density to Avoid Traffic Impacts Alternative would occur adjacent to areas with sensitive biological resources. However, similar to the proposed project, with the implementation of Mitigation Measures LU-1 and BR-1, biological resources impacts associated with the Reduced Residential Density to Avoid Traffic Impacts Alternative would be reduced to a level less than significant.

Geologic Conditions. Similar to the proposed project, development of the project site associated with the Reduced Residential Density to Avoid Traffic Impacts Alternative would result in significant geologic conditions impacts associated with the existing geologic hazards of the site. However, similar to the proposed project with the implementation of the Mitigation Measure GC-1, impacts would be reduced to a level less than significant.

Historical Resources. Similar to the proposed project, development of the project site associated with the Reduced Residential Density to Avoid Traffic Impacts Alternative has the potential to impact archaeological resources during construction. However, similar to the proposed project with the implementation of the Mitigation Measure HR-1, impacts would be reduced to a level less than significant.

Hydrology. Similar to the proposed project, the implementation of the Reduced Residential Density to Avoid Traffic Impacts Alternative would result in a decrease in total site discharge by decreasing the amount of impervious surfaces from that of the existing conditions. In addition, similar to the proposed project, the finished floor elevation of the structures with the implementation of this alternative would be required to be two feet above the 100-year frequency flood elevation to address potential impacts associated with flooding. Therefore, similar to the proposed project, implementation of the Reduced Residential Density to Avoid Traffic Impacts Alternative would not result in significant impacts to hydrology.

Public Services and Facilities. The Reduced Residential Density to Avoid Traffic Impacts Alternative would have a reduced demand on public services as compared to the proposed project, because of the reduction in residential dwelling units and population on the site. However, similar to the proposed project, impacts associated with public services and facilities would be less than significant with the implementation of Reduced Residential Density to Avoid Traffic Impacts Alternative.

Public Utilities. The Reduced Residential Density to Avoid Traffic Impacts Alternative's impact on public utilities would be similar to the proposed project. However, this alternative would result in a reduced need for public utilities as compared to the proposed project. Similar to the proposed project, impacts associated with public utilities would be less than significant with the implementation of Reduced Residential Density to Avoid Traffic Impacts Alternative.

Visual Effects/Neighborhood Character. The Reduced Residential Density to Avoid Traffic Impacts Alternative would develop two-story residential buildings instead of seven-stories as proposed with the proposed project. The general design of the buildings and the layout of the buildings on the site would be similar to the proposed project. However, with the substantial decrease in the height of the new buildings, the buildings will be fully obscured from existing surrounding development and mature vegetation and would not be visible from any of the viewpoints analyzed in Section 5.10 Visual Effects/Neighborhood Character of this EIR. Therefore, similar to the proposed project, implementation of the Reduced Residential Density to Avoid Traffic Impacts Alternative would result in a less than significant visual effects/neighborhood character impact.

Water Quality. Similar to the proposed project, the Reduced Residential Density to Avoid Traffic Impacts Alternative would be required to implement construction and post-construction BMPs to reduce the anticipated pollutants of concern prior to runoff entering the storm drain system. Therefore, similar to the proposed project, water quality impacts would be less than significant with the implementation the Reduced Residential Density to Avoid Traffic Impacts Alternative.

Paleontological Resources. Similar to the proposed project, development of the project site associated with the Reduced Residential Density to Avoid Traffic Impacts Alternative has the potential to impact paleontological

resources during construction. However, similar to the proposed project with the implementation of the Mitigation Measure PR-1, impacts would be reduced to a level less than significant.

Air Quality. The Reduced Residential Density to Avoid Traffic Impacts Alternative would result in slightly reduced impacts to air quality when compared to the proposed project, because this alternative would result in less traffic. Similar to the proposed project, implementation of the Reduced Residential Density to Avoid Traffic Impacts Alternative would result in less than significant air quality impacts.

Noise. The Reduced Residential Density to Avoid Traffic Impacts Alternative would result in slightly reduced impacts to noise when compared to the proposed project, because this alternative would result in less traffic. Similar to the proposed project, implementation of the Reduced Residential Density to Avoid Traffic Impacts Alternative would result in less than significant noise impacts.

Evaluation of Alternative

When compared to the proposed project, the Reduced Residential Density to Avoid Traffic Impacts Alternative would avoid the unavoidable traffic/circulation/parking impacts. The Reduced Residential Density to Avoid Traffic Impacts Alternative would result in similar impacts for all other issue areas; however, as some issue areas will be slightly reduced due to the reduction in residential units (i.e., air quality, noise, public utilities, and public services and facilities).

One of the primary objectives of the proposed project is to develop a mixed-use, TOD. As discussed above, the Reduced Density to Avoid Traffic Impacts Alternative would allow for a new development consisting of only 55 residential units on a project site that is suited for TOD, which when combined with the existing uses would create a site with multiple land uses on a site within close proximity to public transit. While at a greatly reduced development intensity, this alternative would still provide a mixed-use TOD that could accommodate the increasing growth in the region by providing a portion of the housing needs within the community. In addition, this alternative would still provide connections to existing public transit located adjacent to the project site. As such, this alternative would still meet some of the objectives of the proposed project.

The Reduced Density to Avoid Traffic Impacts Alternative would be in conformance with some of the objectives of the Mission Valley Community Plan, which promotes development intensities related to the planned transportation network, designated activity centers and river-related open spaces and encourages mixed-use complexes which offer environments for living, working, shopping and related activities (City of San Diego, 2013). Although this alternative provides minimal retail, the site's proximity to Fashion Valley Mall would still offer future residents an environment for living, working and shopping. In addition, this alternative would generally be in conformance with the City of Villages Strategy outlined in the City of San Diego General Plan, which promotes mixed-use villages throughout the City connected by high-quality transit (City of San Diego, 2008). While this alternative would not be considered a mixed-use village, it would still be a mixed-use development in close proximity to Fashion Valley Mall and adjacent to public transit.

This alternative would meet most of the project objectives. However, this alternative would not meet the following objectives at the same level as the proposed project because of the reduction in residential units proposed under this alternative:

- To provide a residential development that reasonably maximizes the number of residential units on the project site without exceeding the Mission Valley Planned District Ordinance Threshold 2 for Traffic District C of 417 ADT per acre and subsequently not requiring the need for a Community Plan Amendment;
- To reasonably maximize the efficiency in use of the developable land on this TOD suited site; and,
- To provide a project that is consistent with the City of Villages and Smart Growth policies, maximize residential development at an infill site, where public facilities, transit, and services are within walking distance.

9.3.2.2 *Reduced Residential Density Alternative (135 DU)*

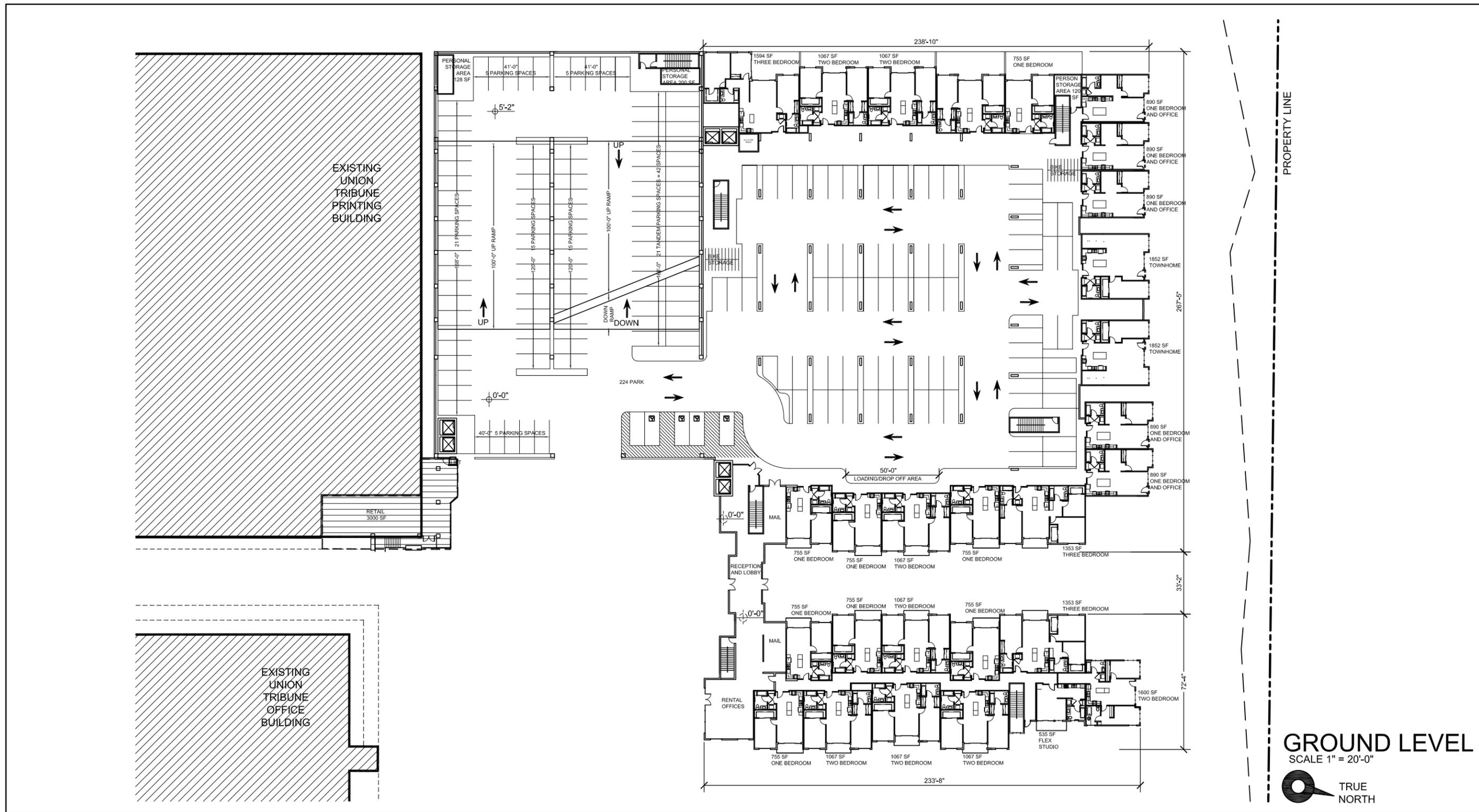
The Reduced Residential Density Alternative (135 DU) will include the construction of the following:

- New four-story multi-unit residential buildings featuring 135 DU for a total of approximately 175,547 square feet of general floor area;
- Two-story parking structure featuring approximately 383 parking spaces located at grade and above grade of the residential buildings (Northwest Building);
- Conversion of 3,000 square feet of ground floor area of the existing UT printing building to retail commercial use; and,
- Implementation of the San Diego River Park Master Plan along the north boundary of the project, including an extension of the San Diego River Park trail from the Town and Country Resort property to the west, and the provision of a public pocket park adjacent to the River Park area, which would include approximately 35,402 square feet (River Park is 23,455 square feet and public pocket park is 11,947 square feet).

Figures 9-3 and 9-4 provide a conceptual site plan and depict the ground floor level, respectively, of the Reduced Residential Density Alternative (135 DU).

Environmental Analysis

Land Use. The Reduced Residential Density Alternative (135 DU) would result in similar land use impacts as compared to the proposed project. Similar to the proposed project, this alternative would be in conformance with some of the objectives of the Mission Valley Community Plan, which promotes development intensities related to the planned transportation network, designated activity centers and river-related open spaces and encourages mixed-use complexes which offer environments for living, working, shopping and related activities (City of San Diego, 2013). The Reduced Residential Density Alternative (135 DU) would allow for a new development consisting of only 135 residential units on the project site, which when combined with the existing uses would create a site with multiple land uses on a site within close proximity to public transit. While at a reduced development intensity, as compared to the proposed project, this alternative would still provide a mixed-use TOD that could accommodate the increasing growth in the region by providing a portion of the housing needs within the community. Similar to the proposed project, with the implementation of Mitigation Measure LU-1, the Reduced Residential Density to Avoid Traffic Impacts Alternative would result in a less than significant land use impact.



SOURCE: AVR, 2014

12/22/14



Union Tribune Mixed Use Project EIR
 Reduced Residential Density Alternative (135 Dwelling Units) - Ground Level

FIGURE
 9-4

Traffic/Circulation/Parking. The Reduced Residential Density Alternative (135 DU) would reduce the number of residential units compared to the proposed project. A traffic sensitivity analysis was performed by LLG dated January 2015 and provided as Appendix K of this EIR, for the critical street segments surrounding the project site to determine the trip generation and traffic impacts associated with the implementation of this alternative with 135 DUs. Based on the results of the analysis, it was determined the implementation of the Reduced Residential Density Alternative (135 DU) would result in similar unavoidable traffic impacts as compared to the proposed project with the exception of the avoidance of a direct impact at the street segment of Hotel Circle N. from Fashion Valley Road to Camino De La Reina. Implementation of a reduced density alternative with 135 residential units would result in an additional 810 daily trips compared to the existing number of daily trips generated by the current use of the site. The 810 daily trips generated by this alternative represent a 29% reduction in project related trips when compared to those generated by the proposed project. Therefore, this alternative would avoid direct impacts to one street segment; however, similar to the proposed project, impacts with the implementation of this alternative would be significant and unavoidable at several other street segments and intersection.

Greenhouse Gas Emissions. The Reduced Residential Density Alternative (135 DU) would result in reduced impacts associated with GHG emissions and global climate change than the project, because this alternative would result in slightly less traffic generation. However, this alternative would provide a reduced amount of residential within close proximity to the existing transit as compared to the proposed project. Therefore, on a regional prospective, the proposed project could result in a reduction of GHG emissions as compared to the Reduced Residential Density to Avoid Traffic Impacts Alternative because this alternative provides only 67,5 percent of the housing units of the proposed project and if the other 65 units not being provided by this alternative ultimately are not developed in a TOD or similar development.. However, both the Reduced Residential Density Alternative (135 DU) and the proposed project would result in less than significant GHG and global climate change impacts.

Biological Resources. Similar to the proposed project, development, construction, or grading associated with the Reduced Residential Density Alternative (135 DU) would occur adjacent to areas with sensitive biological resources. However, similar to the proposed project, with the implementation of Mitigation Measures LU-1 and BR-1, biological resources impacts associated with the Reduced Residential Density Alternative (135 DU) would be reduced to a level less than significant.

Geologic Conditions. Similar to the proposed project, development of the project site associated with the Reduced Residential Density Alternative (135 DU) would result in significant geologic conditions impacts associated with the existing geologic hazards of the site. However, similar to the proposed project with the implementation of the Mitigation Measure GC-1, impacts would be reduced to a level less than significant.

Historical Resources. Similar to the proposed project, development of the project site associated with the Reduced Residential Density Alternative (135 DU) has the potential to impact archaeological resources during construction. However, similar to the proposed project with the implementation of the Mitigation Measure HR-1, impacts would be reduced to a level less than significant.

Hydrology. Similar to the proposed project, the implementation of the Reduced Residential Density Alternative (135 DU) would result in a decrease in total site discharge by decreasing the amount of impervious surfaces from that of

the existing conditions. In addition, similar to the proposed project, the finished floor elevation of the structures with the implementation of this alternative would be required to be two feet above the 100-year frequency flood elevation to address potential impacts associated with flooding. Therefore, similar to the proposed project, implementation of the Reduced Residential Density Alternative (135 DU) would not result in significant impacts to hydrology.

Public Services and Facilities. The Reduced Residential Density Alternative (135 DU) would have a reduced demand on public services as compared to the proposed project, because of the reduction in residential dwelling units and population on the site. However, similar to the proposed project, impacts associated with public services and facilities would be less than significant with the implementation of Reduced Residential Density Alternative (135 DU).

Public Utilities. The Reduced Residential Density Alternative (135 DU)'s impact on public utilities would be similar to the proposed project. However, this alternative would result in reduced need for public utilities as compared to the proposed project. Similar to the proposed project, impacts associated with public services and facilities would be less than significant with the implementation of Reduced Residential Density Alternative (135 DU).

Visual Effects/Neighborhood Character. The Reduced Residential Density Alternative (135 DU) would develop four-story residential buildings instead of seven-stories as proposed with the proposed project. The general design of the buildings and the layout of the buildings on the site would be similar to the proposed project. However, with the decrease in the height of the new buildings, the buildings will be fully obscured from existing surrounding development and mature vegetation and would not be visible from any of the viewpoints analyzed in Section 5.10 Visual Effects/Neighborhood Character of this EIR. Therefore, similar to the proposed project, implementation of the Reduced Residential Density Alternative (135 DU) would result in a less than significant visual effects/neighborhood character impact.

Water Quality. Similar to the proposed project, the Reduced Residential Density Alternative (135 DU) would be required to implement construction and post-construction BMPs to reduce the anticipated pollutants of concern prior to runoff entering the storm drain system. Therefore, similar to the proposed project, water quality impacts would be less than significant with the implementation the Reduced Residential Density Alternative (135 DU).

Paleontological Resources. Similar to the proposed project, development of the project site associated with the Reduced Residential Density Alternative (135 DU) has the potential to impact paleontological resources during construction. However, similar to the proposed project with the implementation of the Mitigation Measure PR-1, impacts would be reduced to a level less than significant.

Air Quality. The Reduced Residential Density Alternative (135 DU) would result in slightly reduced impacts to air quality when compared to the proposed project, because this alternative would result in less traffic. Similar to the proposed project, implementation of the Reduced Residential Density Alternative (135 DU) would result in less than significant air quality impacts.

Noise. The Reduced Residential Density Alternative (135 DU) would result in slightly reduced impacts to noise when compared to the proposed project, because this alternative would result in less traffic. Similar to the proposed

project, implementation of the Reduced Residential Density Alternative (135 DU) would result in less than significant noise impacts.

The Reduced Residential Density Alternative (135 DU) would reduce the number of residential units compared to the proposed project. A traffic sensitivity analysis was performed by LLG dated January 2015 and provided as Appendix K of this EIR, for the critical street segments surrounding the project site to determine the trip generation and traffic impacts associated with the implementation of this alternative with 135 DUs. Based on the results of the analysis, it was determined the implementation of the Reduced Residential Density Alternative (135 DU) would result in similar unavoidable traffic impacts as compared to the proposed project with the exception of the avoidance of a direct impact at the street segment of Hotel Circle N. from Fashion Valley Road to Camino De La Reina. Implementation of a reduced density alternative with 135 residential units would result in an additional 810 daily trips compared to the existing number of daily trips generated by the current use of the site. The 810 daily trips generated by this alternative represent a 29% reduction in project related trips when compared to those generated by the proposed project. Therefore, this alternative would avoid direct impacts to one street segment; however, similar to the proposed project, impacts with the implementation of this alternative would be significant and unavoidable at several other street segments and intersection.

Evaluation of Alternative

When compared to the proposed project, the Reduced Residential Density Alternative (135 DU) would result in similar unavoidable traffic impacts as compared to the proposed project with the exception of the avoidance of a direct impact at the street segment of Hotel Circle N. from Fashion Valley Road to Camino De La Reina. The Reduced Residential Density Alternative (135 DU) would result in similar impacts for all other issue areas; however, as some issue areas will be slightly reduced due to the reduction in residential units (i.e., air quality, noise, public utilities, and public services and facilities).

One of the primary objectives of the proposed project is to develop a mixed-use, TOD. As discussed above, the Reduced Residential Density Alternative (135 DU) would allow for a new development consisting of 135 residential units on a project site that is suited for TOD, which when combined with the existing uses would create a site with multiple land uses on a site within close proximity to public transit. While at a reduced development intensity, this alternative would still provide a mixed-use TOD that could accommodate the increasing growth in the region by providing a portion of the housing needs within the community. In addition, this alternative would still provide connections to existing public transit located adjacent to the project site. As such, this alternative would still meet some of the objectives of the proposed project.

The Reduced Residential Density Alternative (135 DU) would be in conformance with some of the objectives of the Mission Valley Community Plan, which promotes development intensities related to the planned transportation network, designated activity centers and river-related open spaces and encourages mixed-use complexes which offer environments for living, working, shopping and related activities (City of San Diego, 2013). Although this alternative provides minimal retail, the sites proximity to Fashion Valley Mall would still offer future residents an environment for living, working and shopping. In addition, this alternative would generally be in conformance with the City of Villages Strategy outlined in the City of San Diego General Plan, which promotes mixed-use villages throughout the City connected by high-quality transit (City of San Diego, 2008). While this alternative would not be considered a mixed-

use village, it would still be a mixed-use development in close proximity to Fashion Valley Mall and adjacent to public transit.

This alternative would meet most of the project objectives. However, this alternative would not meet the following objectives at the same level as the proposed project because of the reduction in residential units proposed under this alternative:

- To provide a residential development that reasonably maximizes the number of residential units on the project site without exceeding the Mission Valley Planned District Ordinance Threshold 2 for Traffic District C of 417 ADT per acre and subsequently not requiring the need for a Community Plan Amendment;
- To reasonably maximize the efficiency in use of the developable land on this TOD suited site; and,
- To provide a project that is consistent with the City of Villages and Smart Growth policies, maximize residential development at an infill site, where public facilities, transit, and services are within walking distance.

10.0 MITIGATION MONITORING AND REPORTING PROGRAM

Union Tribune Mixed Use Project PTS No. 277550

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlement Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report (PTS No. 277550) shall be made conditions of the project as may be further described below.

A. Land Use

Impact: Although no significant land use impacts were identified, implementation of Mitigation Measure LU-1 would ensure that no significant land use impacts would occur, specifically with regard to project compliance with the MSCP's Land Use Adjacency Guidelines.

Mitigation Measure LU-1:

Prior to issuance of any construction permit or notice to proceed, ADD of LDR, and/or MSCP staff shall verify the Applicant has accurately represented the project's design in or on the Construction Documents (CD's/CD's consist of Construction Plan Sets for Private Projects and Contract Specifications for Public Projects) are in conformance with the associated discretionary permit conditions and Exhibit "A", and also the City's Multiple Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines. The applicant shall provide an implementing plan and include references on/in CD's of the following:

- A. **Drainage** – All new and proposed parking lots and developed areas in and adjacent to the MHPA shall be designed so they do not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- B. **Toxics/Project Staging Areas/Equipment Storage** – Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the CD's that states: *"All construction related activity that may have potential*

for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA.”

- C. **Lighting** – Lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA and be subject to City Outdoor Lighting Regulations per LDC Section 142.0740.D. Overhead lighting shall be shielded and either have a fixed downward-aiming position or have a locking feature to fix the light in the downward position. Additionally, overhead lighting adjacent to the MHPA shall be placed on a timer to turn off from 11 pm to sunrise unless determined by t the City of San Diego that overhead lighting is necessary for public safety.
- D. **Barriers** – New development within or adjacent to the MHPA shall be required to provide barriers (e.g., non-invasive vegetation; rocks/boulders; 6-foot high, vinyl-coated chain link or equivalent fences/walls; and/or signage) along the MHPA boundaries to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- E. **Invasives** – No invasive non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- F. **Brush Management** – New development adjacent to the MHPA shall be set back from the MHPA to provide required Brush Management Zone 1 area on the building pad outside of the MHPA. Zone 2 may be located within the MHPA provided the Zone 2 management will be the responsibility of an HOA or other private entity except where narrow wildlife corridors require it to be located outside of the MHPA. Brush management zones will not be greater in size than currently required by the City's regulations, the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done and vegetation clearing shall be prohibited within native coastal sage scrub and chaparral habitats from March 1 - August 15 except where the City ADD/MMC has documented the thinning would be consist with the City's MSCP Subarea Plan. Existing and approved projects are subject to current requirements of Municipal Code Section 142.0412.
- G. **Noise** - Several sensitive bird species were observed during the biological field work conducted by Rocks Biological Consulting, Inc. However, these species were observed offsite and not within the proposed project impact area. Generally, the Migratory Bird Treaty Act (MBTA) restricts clearing or grading between February 1 and September 15 to protect individual birds, nests, and eggs. Thus, potential impacts could occur if vegetation clearing is undertaken during the breeding season. With implementation of Mitigation Measure BR-1 as identified below and in Section 5.4 Biological Resources of this EIR, impacts would be reduced to a level of significance.

B. Transportation/Circulation/Parking

Impacts:

Existing + Project Conditions

The proposed project has the potential to result in a significant direct impact to intersection operations at the Hotel Circle S./I-8 EB Ramps intersection (LOS F during the PM peak hour). The proposed project has the potential to result in significant direct impacts to street segment operations at the following segments:

- Hotel Circle N.: I-8 WB Ramps to Fashion Valley Road (LOS F)
- Hotel Circle N.: Fashion Valley Road to Camino De La Reina (LOS E)
- Hotel Circle S.: I-8 EB Ramps to Bachman Place (LOS F)
- Hotel Circle S.: Bachman Place to Camino De La Reina (LOS F)

Near-Term (Opening Day 2017) Conditions

The proposed project has the potential to result in significant direct impacts to intersection operations at the Hotel Circle S./I-8 EB Ramps intersection (LOS F during the PM peak hour). The proposed project has the potential to result in significant direct impacts to street segment operations at the following segments:

- Hotel Circle N.: I-8 WB Ramps to Fashion Valley Road (LOS F)
- Hotel Circle N.: Fashion Valley Road to Camino De La Reina (LOS E)
- Hotel Circle S.: I-8 EB Ramps to Bachman Place (LOS E)
- Hotel Circle S.: Bachman Place to Camino De La Reina (LOS E)

Mitigation Measure T-1:

The Applicant shall implement a TDM program using Strategies 1 and 2 (Basic + Transit) as described in Section 5.2 of the EIR and the Traffic Impact Analysis prepared by Linscott, Law and Greenspan, that includes the following:

- Provide a mixed-use, transit oriented development (TOD) that provides the appropriate setting for implementing TDM strategies and supports a VMT neutral project. This includes a corporate office / residential live / work development supported by on-site retail.
- The provision of carpool / vanpool parking spaces in preferentially located areas (closest to building entrances). These spaces would be signed and striped “Carpool / Vanpool Parking Only”. Information about the availability of and the means of accessing the carpool / vanpool parking spaces could be posted on Transportation Information Displays located in retail back-offices, common area or on intranets, as appropriate.
- A pedestrian path (approximately 1,200 feet long) will be provided on the northwest corner of the site that runs along the San Diego River and connects to the existing pedestrian bridge serving the Fashion Valley Transit Center. To promote internal pedestrian circulation, sidewalks are also proposed throughout the site connecting the various uses.
- The provision of a charging station(s) for electric vehicles.
- The project will coordinate with local transit operators to provide input on how and when routes should be implemented to serve the area.
- Transportation information will be displayed in common areas to include, at a minimum, the following materials:
 - Ridesharing promotional materials, including the iCommute program.
 - Promotional materials for “Guaranteed Ride Home” programs like those provided by iCommute to ensure that residents / employees that carpool, vanpool, take transit, walk, or

bike to work are provided with a ride to their home or location near their residence in the event that an emergency occurs during their work day.

- Bicycle route and parking including maps and bicycle safety information.
 - Materials publicizing internet and telephone numbers for referrals on transportation information.
 - Promotional materials provided by MTS and other publically supported transportation organizations.
 - A listing of facilities at the site for carpoolers / vanpoolers, transit riders, bicyclists, and pedestrians, including information on the availability of preferential carpool / vanpool parking spaces and the methods for obtaining these spaces.
- Participation in the MTS's three-month pilot Eco Pass program, which provides reduced cost monthly passes according to a tiered-discount structure based on the annual volume of passes used.
 - Annual events will be held to promote the use of alternative transportation.
 - Bicycle racks will be provided for resident and / or retail employee use.
 - The UT project will provide flexible work schedules to stagger arrivals and departures of employees.

In addition, post-occupancy, the Applicant shall ensure the proposed TDM strategies are adequately implemented by conducting a TDM Monitoring and Reporting Program. The TDM Monitoring and Reporting Program would quantify the net reduction in project trips. The Monitoring efforts will include conducting ADT counts and peak hour counts at the project site. Data relating to transit usage, carpool/vanpool usage, transit and other subsidies will also be collected and will be supplemented by on-site surveys. The Applicant shall conduct the monitoring program every year for a period of five years. A TDM Monitoring Report shall be prepared every year and submitted to the satisfaction of the City Engineer.

The TDM is expected to result in a trip reduction of 85 daily trips (7.5% of the total project trips). A TDM Monitoring and Reporting Program will be conducted to ensure that the proposed TDM strategies are adequately implemented.

Implementation of Mitigation Measure T-1 will result in some trip reduction but will not mitigate the traffic intersection and street segment impacts in the Existing + Project and Near-Term (Opening Day) Scenarios described in Tables 5.2-12 and 5.2-13 to a level of less than significant. With implementation of the proposed project and Mitigation Measure T-1, the significant and unavoidable impacts to the intersection and roadway segments described above will remain.

Cumulative Impacts:

Horizon Year (Year 2035) + Project Conditions

The proposed project has the potential to result in significant cumulative impacts to intersection operations at the Hotel Circle S./I-8 EB Ramps intersection (LOS F during the AM and PM peak hour). The proposed project has the potential to result in significant cumulative impacts to street segment operations at the following segments:

- Camino De La Reina: Hotel Circle to Project Driveway (LOS F)
- Camino De La Reina: Project Driveway to Avenida Del Rio (LOS F)
- Hotel Circle N.: I-8 WB Ramps to Fashion Valley Road (LOS F)
- Hotel Circle N.: Fashion Valley Road to Camino De La Reina (LOS F)
- Hotel Circle S.: I-8 EB Ramps to Bachman Place (LOS F)
- Hotel Circle S.: Bachman Place to Camino De La Reina (LOS F)

Mitigation Measure CUM-1:

Prior to issuance of the first building permit, the Owner/Permittee shall contribute a fair-share (4.3%) towards implementing the widening of the Hotel Circle South/I-8 EB Ramps intersection to include a second EB through lane and restriping the WB approach to include two through lanes with a shared right-turn lane, satisfactory to the City Engineer.

Mitigation Measure CUM-2:

The Applicant shall provide an irrevocable offer of dedication (IOD) and deferred improvement agreement (DIA) for the widening of Camino De La Reina along the project frontage. If this section of Camino De La Reina remains a 4-lane Major classification after approval of the Mission Valley Community Plan Update, the applicant's widening of the roadway to half width of a 4-lane Major would mitigate the project's cumulative impact once the widening is completed. In addition, the project also proposes to contribute a fair-share (16.1%) towards restriping with potential widening (to account for appropriate transitions) of Camino De La Reina to 3-lane Collector standards between the southerly UT property line and Hotel Circle. Provision of the IOD, DIA and payment of the fair-share will mitigate the cumulative impact along this segment.

Mitigation Measure CUM-3:

The Applicant shall provide an IOD and DIA for the widening of Camino De La Reina along the project frontage. If this section of Camino De La Reina remains a 4-lane Major classification after approval of the Mission Valley Community Plan Update, the applicant's widening of the roadway to half width of a 4-lane Major would mitigate the project's cumulative impact once the widening is completed. In addition, the project also proposes to contribute a fair-share (5.4%) towards widening Camino De La Reina between UT northerly property line and Avenida Del Rio to 3-lane Collector (half width of a 4-lane Major) standards. Provision of the IOD, DIA and payment of the fair-share will mitigate the cumulative impact along this segment.

Mitigation Measure CUM-4:

Prior to issuance of the first building permit, the Owner/Permittee shall contribute a fair-share (2.4%) towards widening to accommodate a second WB through lane on Hotel Circle North between I-8 WB Ramps and Fashion Valley Road, satisfactory to the City Engineer.

Mitigation Measure CUM-5:

Prior to issuance of the first building permit, the Owner/Permittee shall contribute a fair-share (4.2%) towards widening to accommodate a second WB through lane on Hotel Circle North between Fashion Valley Road and Camino De La Reina, satisfactory to the City Engineer.

Implementation of Mitigation Measures CUM-1 through CUM-5 would reduce potential significant cumulative impacts to a level less than significant at the one intersection and four roadway segments identified above. In addition, implementation of Mitigation Measure T-1 described above may reduce some of the cumulative traffic generated by the proposed project but would not reduce the cumulatively significant impacts to the following two roadway segments to below a level of significance:

- Hotel Circle S.: I-8 EB Ramps to Bachman Place (LOS F)
- Hotel Circle S.: Bachman Place to Camino De La Reina (LOS F)

With implementation of the proposed project and Mitigation Measure T-1, the cumulatively significant and unavoidable impacts to these two roadway segments will remain.

C. Biological Resources

Impact: The proposed project has the potential to impact avian nests or eggs if vegetation clearing is undertaken during the breeding season.

Mitigation Measure BR-1:

To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction (precon) survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the precon survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City DSD for review and approval and implemented to the satisfaction of the City. The City's MMC Section or RE, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the precon survey, no further mitigation is required.

D. Geologic Conditions

Impact: The proposed project has the potential to expose people or property to geologic hazards, including strong seismic shaking, liquefaction, lateral spread, flow slide, seismically induced settlement, and shallow groundwater.

Mitigation Measure GC-1:

The proposed project shall incorporate the geotechnical recommendations identified in the comprehensive geotechnical investigation report required by the SDMC into the final design of the proposed project. The mitigation of liquefiable soils will likely be necessary for settlement-sensitive structures. The type and extent of mitigation is dependent upon the type and location of structures on the final design plan. Several alternatives are available for mitigation including deep foundations, ground improvements, and structural mitigations. Deep foundations will most likely be recommended to provide structural mitigation of soil liquefaction for the planned residential buildings. Ground improvement (stone columns) and/or a mat slab foundation is/are recommended for the proposed parking structure. Ground improvement should extend at least 15-feet laterally outside to the edge of the planned building structure, where practical. Ground improvement (stone columns) will most likely be recommended to mitigate lateral spread potential along the northern property line. The selection of the type of mitigation and performance standards will depend on the final building plans and building loads.

E. Historical Resources

Impact: The proposed project has the potential to result in significant impacts to sensitive archaeological resources potentially located on the project site.

Mitigation Measure HR-1:

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents, which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present fulltime during grading/excavation/trenching activities, which could result in impacts to archaeological resources as identified on the AME. The Native American monitor shall determine the extent of their presence during construction related activities based on the AME and provide that information to the PI and MMC. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI and Native American monitor shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground-disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and the following procedures as set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE** determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with the California Public Resource and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains shall be determined between the MLD and the PI, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.
 - c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement on the site;

(3) Record a document with the County.

- d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are **NOT** Native American

1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner and the Museum of Man.

V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.

a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night and/or weekend work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution.

This shall be completed in consultation with MMC and the Native American representative, as applicable.

2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

F. Paleontological Resources

Impact: The proposed project has the potential to result in significant impacts to paleontological resources potentially present within the Stadium Conglomerate.

Mitigation Measure PR-1:

I. Prior to Permit Issuance

- A. Entitlements Plan Check
 1. Prior to the issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental Designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualifications have been submitted to ADD
 1. Prior to the NTP, and/or issuance of a Grading Permit, Demolition Permit or Building Permit, the applicant shall provide a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 2. The MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to the Start of Construction

- A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning of any work that requires monitoring, the Applicant shall arrange a Pre-Construction (Precon) Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading-related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring Program with the Construction Manager and/or Grading Contractor.
 - a. If the Monitor is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the RE, CM, or BI as appropriate, to meet and review the job on-site prior to start of any work that requires monitoring.

2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents, which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.
2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSVs shall be faxed by the CM to the RE the first day of monitoring, the last day of

monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discover and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground-disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night Work

A. If night work is included in the contract

1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the Precon Meeting.
2. The following procedures shall be followed:
 - a. No Discoveries

In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVR and submit to MMC via fax by 9:00 a.m. the following morning, if possible.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III – During Construction.

c. Potentially Significant Discoveries

If the PI determines that potentially significant discovery has been made, the procedures detailed under Section III – During Construction shall be followed.

d. The PI shall immediately contact MMC, or by 8:00 a.m. the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
2. The RE or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

V. Post Construction

A. Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revisions or for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

G. Noise

Impact: The proposed project has the potential to result in indirect noise impacts to adjacent sensitive habitat and biological resources during construction.

Mitigation Measure: Refer to Mitigation Measures **LU-1** and **BR-1** above.

This page intentionally left blank.

11.0 REFERENCES

City Gate, 2011

Fire Service Standards of Response Coverage Deployment Study for the City of San Diego Fire-Rescue Department Report, February 14, 2011. Accessed September 13, 2013.

City of San Diego, 1985

Mission Valley Community Plan. 1985, amended 2008.

City of San Diego, 1997

City of San Diego MSCP Subarea Plan. 1997.

City of San Diego, 2006

City of San Diego Municipal Code, Chapter 14: General Regulations. Last amended March 2006.

City of San Diego, 2008

Progress Guide and General Plan. 2008.

City of San Diego, 2008a

“Public Facilities, Services and Safety Element.” *City of San Diego General Plan*. Adopted March 10, 2008.

City of San Diego, 2008b

“Recreation Element.” *City of San Diego General Plan*. Adopted March 10, 2008.

City of San Diego, 2011

City of San Diego Significance Determination Thresholds. City of San Diego, 2011.

City of San Diego, 2013a

City of San Diego Municipal Code, Chapter 13: Zones. Last amended July 2013.

City of San Diego, 2013b

San Diego River Park Master Plan, May 20, 2013.

City of San Diego, 2014

Water Supply Assessment, City of San Diego Public Utilities Department, January 24, 2014.

City of San Diego Fire-Rescue, 2013

“Fire Station 5.” City of San Diego, San Diego Fire-Rescue Department. Accessed September 12, 2013.

City of San Diego Police Department, 2013

“Western Division.” City of San Diego, San Diego Police Department, Neighborhood Divisions. Accessed September 12, 2013.

FAA, 2012

FAR Part 77: Safe, Efficient Use, and Preservation of the Navigable Airspace. Federal Aviation Administration, 2012.

Freedman, R., 2013

Phone conversation with R. Freedman (Police Lieutenant, Western Division, City of San Diego Police Department) and T. Evert (BRG). September 12, 2013.

Geocon Inc., 2012

Geologic Reconnaissance Union-Tribune Master Plan San Diego, California. April 24, 2012.

Hudson, S., 2013

Letter from S. Hudson (Demographer, Instructional Facilities Planning Department, San Diego Unified School District) to T. Evert (BRG). September 19, 2013.

Latitude 33 Planning and Engineering, 2013

Preliminary Drainage Study. December 12, 2013.

Latitude 33 Planning and Engineering, 2014

Addendum to the Preliminary Drainage Study. December 2014.

Latitude 33 Planning and Engineering, 2013

Preliminary Sewer Study. February 19, 2014.

Latitude 33 Planning and Engineering, 2014

Sewer Study Addendum. October 14, 2014.

Latitude 33 Planning and Engineering, 2014

Waste Management Plan Update for the Union Tribune Master Plan. October 2014.

Latitude 33 Planning and Engineering, 2013

Water Quality Technical Report. April, 2014.

Ldn Consulting, 2014

Greenhouse Gas Assessment. October 6, 2014.

LLG, 2015

Traffic Impact Analysis. Prepared for the Union Tribune Master Plan, San Diego, CA. February 12, 2015.

Rocks Biological Consulting, 2015

Union Tribune Mixed Use Project Biological Resources Report. January 26, 2015.

RWQCB, 2011

San Diego Region. Comprehensive Water Quality Control Plan Report for the San Diego Basin. April 4, 2011.

San Diego County Regional Airport Authority, 1992

San Diego International Airport Land Use Compatibility Plan, 1992, Amended 2004.

San Diego County Regional Airport Authority, 2010

Montgomery Field Airport Land Use Compatibility Plan, 2010.

SDUSD, 2013

“Attendance Area 2012-13 Maps for Elementary Schools, Junior High/Middle Schools, and High Schools.” Accessed September 12, 2013.

State of California, 2000

State Planning and Zoning Law, Government Code of the State of California. Section 653000, 2000.
http://ceres.ca.gov/planning/pzd/2000/pzd2000_web/pzd2000_plan3.html

Swanson, L., 2013

Phone conversation with L. Swanson (Public Information Officer, San Diego Fire-Rescue Department) and T. Evert (BRG). September 12, 2013.

USDA, 1973. *Soil Survey of the San Diego Area, California*, prepared by Roy H. Bowman, United States Department of Agriculture, Soil Conservation Service and Forest Service, December 1973.

This page intentionally left blank.

12.0 CERTIFICATION PAGE

This document has been completed by the City's Environmental Analysis Section under the direction of the Development Services Department Assistant Deputy Director and is based on independent analysis and determinations made pursuant to the San Diego Municipal Code Section 128.0104. The following individuals contributed to the preparation of this report. Resumes of EIR preparers are on file and available for review at the City of San Diego, Development Services, Department, 1222 First Avenue, Fifth Floor, San Diego, 92101.

This document was prepared by the following persons/organizations:

City of San Diego

Will Zounes, Project Manager

Jeff Szymanski, Senior Planner, Environmental Analysis Section

Julius Ocen, Engineering

Jim Quinn, Geology

Glenn Spindell, Landscaping

Farah Mahzari, Transportation Development

Robin Shifflet, Parks and Recreation

Oscar Galvez III, Facilities Financing

Brian Schoenfisch, Long Range Planning

Jeanne Krosch, Multiple Species Conservation Plan

Mahmood Keshavarzi, Water and Sewer Development

Lisa Wood, Environmental Services Department

Laura Brenner-Mikoly, Communication's Response Planning, San Diego Fire-Rescue

Dawn M. Summers, Police Lieutenant, Operational Support, San Diego Police Department

Halla Razak, Director of Public Utilities

BRG Consulting, Inc.

Erich R. Lathers, Principal-in-Charge

Kathie D. Washington, Vice President/Senior Project Manager

Mary Bilse, Senior Project Manager

Audrey Young, Assistant Project Manager

Tristan Evert, Assistant Environmental Planner

John Addenbrooke, Production Manager

Karl Lintvedt, GIS Coordinator/Environmental Planner

BRG Consulting was assisted by the following consultants:

Dealy Development, Inc.

Perry Dealy, President and CEO

Linscott Law and Greenspan, Engineers, Transportation Impact Analysis

John Keating, P.E., Principal
Walter Musial, P.E., Associate Principal
Shankar Ramakrishnan, P.E., Senior Transportation Engineer
Amelia Giacalone, Transportation Planner II
Renald Espiritu, Transportation Engineer I

Ldn Consulting, Inc., Greenhouse Gas Assessment

Jeremy Loudon, Principal

Rocks Biological Consulting, Biological Resources

Melanie Rocks, Principal

Geocon Incorporated, Geologic Reconnaissance

John Hoobs, CEG, Vice President/Senior Geologist
Shawn Foy Weedon, GE, Associate/Senior Engineer
Cristian A. Liang, Senior Staff Engineer

Latitude 33 Planning & Engineering, Drainage Study, Water Quality Technical Report, Sewer Study, Waste Management Plan, and Design Plans

Randi Coppersmith, Principal
Matthew Semic, P.E., Associate
Cara Hilgesen, Senior Planner

KTU&A, Design Plans

Mark Carpenter, Senior Associate
Emily Hubbard, Associate

AVRP Studios, Architect, Design Plans

Doug Austin, Chairman/CEO
Tom Larimer, Associate Project Manager
Sharron Rissling, Senior Project Manager

The following persons and organizations were contacted in preparation of this Environmental Impact Report:

San Diego Unified School District

Sarah Hudson, Demographer

UNION TRIBUNE
MIXED USE PROJECT

Appendix A

Notice of Preparation & Comment Letters

Prepared by BRG Consulting, Inc.

March 27, 2013



THE CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT

Date of Notice: March 13, 2013

PUBLIC NOTICE OF PREPARATION

OF A DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT AND A PUBLIC EIR SCOPING MEETING

SAP No: 24002602

The City of San Diego Entitlements Division will prepare a draft Program Environmental Impact Report for the following project and is inviting your comments regarding the scope and content of the document. **Your comments must be received by 30 days after receipt of this notice.** Please send your written comments to the following address: **Phil Lizzi, Environmental Planner, City of San Diego, Development Services Center, 1222 First Avenue, MS 501, San Diego, CA 92101** or e-mail your comments to **PLizzi@sandiego.gov** with the Project Number (277550) in the subject line.

SCOPING MEETING: A scoping meeting will be held by the City of San Diego, Advanced Planning and Engineering Division on Wednesday, March 27th from 6:00 to 8:00 p.m. at the Union Tribune building, 350 Camino de la Reina, San Diego, 92108. Verbal and written comments regarding the scope and alternatives of the proposed Environmental Impact Report (EIR) will be accepted at the meeting. Written comments may also be sent to Phil Lizzi, City of San Diego, Development Services Department, 1222 First Avenue, MS 501, San Diego, CA, 92101 or emailed to dsdeas@sandiego.gov with the Project Number (277550) in the subject line.

General Project Information:

- Project No. **277550**, SCH No. **Pending**
- Community Plan Area: **Mission Valley Community Planning Area**
- Council District: **7**

SUBJECT: Union Tribune Mixed Use: The Union Tribune Mixed Use Project is a 12.86-acre project site located at 350 Camino De La Reina within the MV-1 (Multiple Use), and OF-1-1 (Open Space Flood Plain) zones in the Mission Valley Community Plan area. The project site is located between the San Diego River and State Highway 163 and north of Interstate 8 in Council District 6. The proposed project would consist of 194 multiple dwelling units, 243,680 square feet of office space 5,000 square feet of restaurant space and 6,790 square feet of retail space. The project would also create 67,100 square feet of open space area for the residential area. The required discretionary approvals include a Community Plan Amendment (CPA), Vesting Tentative Map (VTM), and Site Development Permit (SDP) for Environmentally Sensitive Land (ESL). Approval of the VTM would allow the applicant to subdivide the 12.86-acre site into 3 residential lots. Legal Description: Lot 2 of Golden Valley No. 2; Map No. 6860 recorded February 26, 1971.

Applicant: Mission Valley Holdings LLC.

Recommended Finding: The recommended finding that the project may have a significant effect on the environment is based on an Initial Study. The following issue areas that have been identified include:



THE CITY OF SAN DIEGO

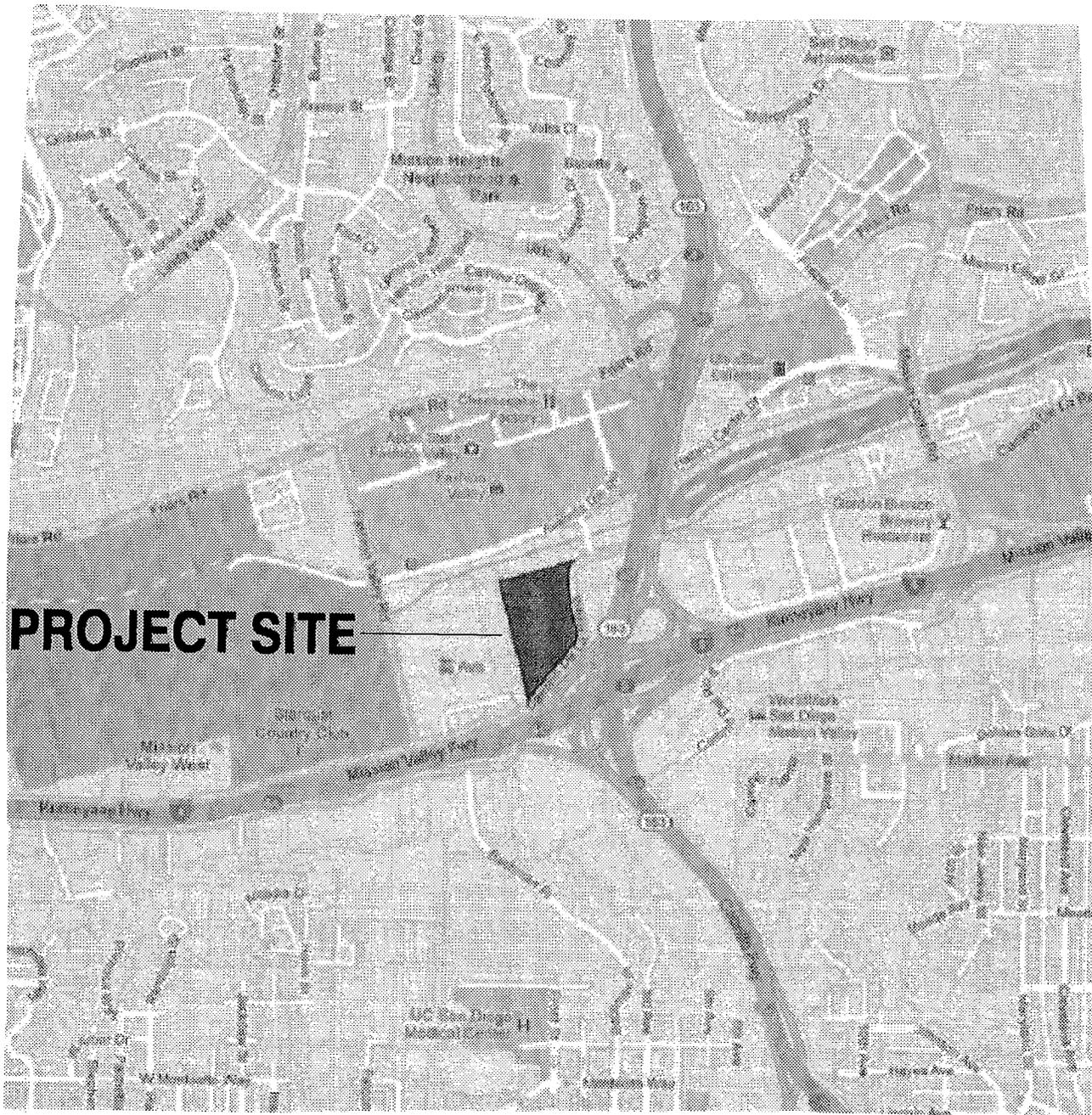
Land Use, Transportation/Traffic/Circulation/Parking, Biological Resources, Air Quality, Greenhouse Gases, Growth Inducement, Landform Alteration/Visual Quality/Community Character, Health and Safety, Mineral Resources, Noise, Public Services and Facilities, Public Utilities, Hydrology, Water Quality, Geology/Soils, Cumulative Effects, Paleontological Resources, Population and Housing, and Historical Resources (Archaeology).

Availability in Alternative Format: To request this Notice, the Scoping Letter, and/or supporting documents in alternative format, call the Development Services Department at 619-446-5460 or (800) 735-2929 (TEXT TELEPHONE).

Additional Information: For environmental review information, contact Phil Lizzi at (619) 446-5159. The Scoping Letter and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Fifth floor of the Development Services Center. For information regarding public meetings/hearings on this project, contact Project Manager Will Zounes at (619) 687-5942. This notice was published in the SAN DIEGO DAILY TRANSCRIPT, placed on the City of San Diego web-site (<http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml>), and distributed on March 13th, 2013.

Cathy Winterrowd
Assistant Deputy Director
Development Services Department

Attachments: Figure 1: Location Map
Figure 2: Union Tribune Mixed Use Site Plan



Union Tribune Mixed Use

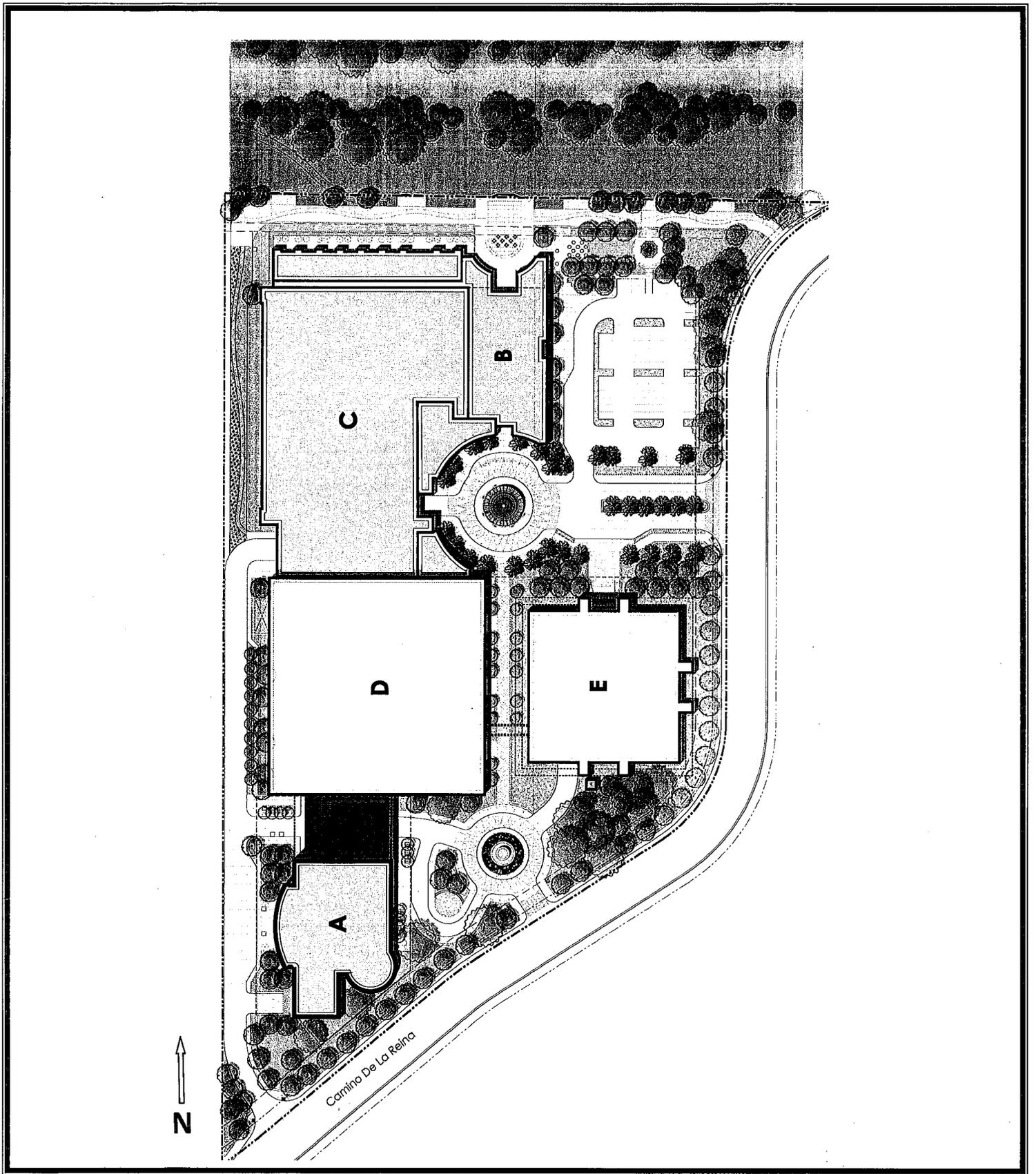
Location Map

Environmental Analysis Section Project No. 277550

CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure

1



Union Tribune Mixed Use

Site Plan

Environmental Analysis Section Project No. 277550
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure

2



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor

March 26, 2013

Mr. Phil Lizzi
City of San Diego
1222 First Avenue, MS-501
San Diego, California 92101

NOTICE OF PREPARATION (NOP) OF AN ENVIRONMENTAL IMPACT REPORT (EIR) UNION TRIBUNE MIXED USE, SAN DIEGO, CALIFORNIA, SCH # 2013031032

Dear Mr. Lizzi:

The Department of Toxic Substances Control (DTSC) has received your submitted document for the above-mentioned project. The following project description is stated in your document:

"The Union Tribune Mixed Use Project is a 12.86-acre site located at 350 Camino De La Reina within the multiple use and open space flood plain zones in the Mission Valley Community Plan Area. The project is located between the San Diego River and State Highway 163 and north of I-8 in Council District 6. The proposed project consist of 194 multiple dwelling units, 243,680 square foot of office space, 5000 square foot of restaurant space and 6790 square foot of retail space. The project would also create 67,100 square foot of open space for residential area."

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances.
- 2) The EIR should identify any known or potentially contaminated sites within the proposed project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- Site Mitigation Program Property Database (formerly CalSites):

A Database primarily used by the California Department of Toxic Substances Control.

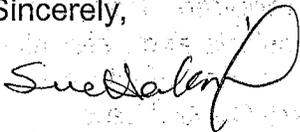
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 3) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state laws, regulations and policies.
- 4) All environmental investigations, sampling and/or remediation for the site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found should be clearly summarized in a table.

- 5) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted at the site prior to the new development or any construction. All closure, certification or remediation approval reports by these agencies should be included in the EIR.
- 6) If buildings or other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should be conducted for the presence of other related hazardous chemicals, lead-based paints or products, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 7) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.
- 8) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 9) If it is determined that hazardous wastes are or will be generated and the wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from DTSC may be required. If so, the facility should contact DTSC to initiate pre application discussions and determine the permitting process applicable to the facility. Hazardous wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If so, the facility should obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 10) If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).

- 11) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.
- 12) If the site was used for agricultural or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.
- 13) If weed abatement occurred, onsite soils may contain herbicide residue. If so, proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.
- 14) Envirostor is a database primarily used by the California Department of Toxic Substances Control, and is accessible through DTSC's website.
- 15) DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA please see www.dtsc.ca.gov/SiteCleanup/Brownfields; or contact Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489 for the VCA.

If you have any questions regarding this letter, please contact Ms. Sue Hakim, Project Manager, at soad.hakim@dtsc.ca.gov, or by phone at (714) 484-5381.

Sincerely,



Sue Hakim
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov



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

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



April 12, 2013

Mr. Phil Lizzi
City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, California 92101

Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Union Tribune Mixed Use Project, City of San Diego, San Diego County, California (Project No. 277550; SCH No. 2013031032)

Dear Mr. Lizzi:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Preparation (NOP), dated March 13, 2013, for the Union Tribune Mixed Use Draft Environmental Impact Report (DEIR). The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act [CEQA] Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code § 2050 et seq.) and Fish and Game Code section 1600 et seq. The Department also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. The City of San Diego (City) participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP).

The Union Tribune Mixed Use project would be constructed on a 12.86-acre project site located at 350 Camino De La Reina. The property is zoned MV-1 (Multiple Use) and OF-1-1 (Open Space Flood Plain) within the Mission Valley Community Plan Area in the City of San Diego. The project site is located between the San Diego River and State Highway 163 and north of Interstate 8. The proposed project would consist of 194 multiple dwelling units, 243,680 square feet (sf) of office space, 5,000 sf of restaurant space, and 6,790 sf of retail space. The project would also create 67,100 sf of open space area for the residential area. The required discretionary approvals include a Community Plan Amendment (CPA), Vesting Tentative Map (VTM), and Site Development Permit (SDP) for Environmentally Sensitive Land (ESL). Approval of the VTM would allow the application to subdivide the 12.86-acre site into three residential lots. The project site is located wholly within the City's MSCP SAP and adjacent to the MSCP's Multi-Habitat Planning Area (MHPA).

The Department offers the following comments and recommendations to assist the City in avoiding or minimizing potential project impacts on biological resources.

Conserving California's Wildlife Since 1870

Specific Comments

1. The NOP included a site plan (i.e., Figure 2) for the development proposal; however, it lacked information on the specific distance that the development would be setback from the San Diego River corridor. The Department is concerned about the potential project-related direct and indirect effects on the San Diego River, the sensitive habitats it supports, the adjacent transitional/upland habitat, and the sensitive species that occur in both the riparian and transitional/upland habitats. Specifically, we are concerned about the biological effects (e.g., wildlife movement, behavior such as breeding activity) from the project-related construction and operational (i.e., long-term) disturbances to these biological resources resulting from:

- encroachment by humans and domestic animals;
- possible conflicts resulting from wildlife-human interactions at the interface between the proposed development and the biological buffer;
- line-of-sight disturbances;
- noise;
- light;
- glare;
- shading; and
- hydrological changes both within the reach of the River adjacent to the project site and downstream.

The Department has previously expressed similar concerns with respect to development occurring along the San Diego River corridor. Specific projects included the Grantville Redevelopment environmental impact report (EIR), Grantville Master Plan – Subarea B Amendment/River Park at Mission Gorge/Shawnee CG7600 Master Plan EIR, Shawnee Master Plan EIR, San Diego River Park Master Plan EIR, and the Town and County Parking Lot mitigated negative declaration. In the case of each of these projects, we emphasized the need for the City to incorporate ample biological buffers for development occurring along the San Diego River.

We routinely emphasize that riparian buffers are crucial for the protection of riparian habitat in urban areas. They provide numerous functions, including: (a) expansion of the habitat's biological values (e.g., buffers are an integral part of the complex riparian ecosystems that provide food and habitat for the fish and wildlife they support); (b) protection from direct disturbance by humans and domestic animals; and (c) reduction of edge effects¹ from, for

¹ Edge effects are defined as undesirable anthropogenic disturbances beyond urban boundaries into potential reserve habitat (Kelly and Rotenberry 1993). Edge effects, such as disturbance by humans and non-native predators (pets), exotic ants, trampling, noise, and lighting, and decreases in avian productivity (Andren and Angelstam 1988), are all documented effects that have negative impacts on sensitive biological resources in southern California. Surrounding natural habitat could be permanently destroyed by human or domestic animal encroachment, trampling, bushwhacking, and frequent fires; therefore, development and open space configurations should minimize adverse edge effects (Soule 1991).

Regarding artificial night lighting, illumination of riparian corridors by night lighting has the potential to adversely affect birds. Physiological, developmental, and behavioral effects of light intensity, wavelength, and photoperiod on bird species are well-documented. In the wild, urban lighting is associated with early daily initiation of avian song activity (Bergen and Abs 1997). Avian species are known to place their nests significantly farther from motorway lights than from unlighted controls (de Molenaar et al, 2000). Placement of nests away from lighted areas implies that part of the home range is rendered less suitable for nesting by artificial light. If potential nest sites are limited within the bird's home range, reduction in available sites associated with artificial night lighting may cause the bird to use a suboptimal nest site, that is more vulnerable to predation, cowbird parasitism, or extremes of weather.

example, artificial noise and light, line-of-sight disturbances, invasive species, and anthropogenic nutrients and sediments (streams should not be burdened by anthropogenic pollutants which often represent levels beyond their natural assimilative capacity). Determining an adequate buffer width requires considering that edge effects can penetrate up to 650 feet into habitat (CBI 2000). In order to fulfill their primary function of protecting wetlands and the faunal species they support, buffers to wetland habitats are, by definition, comprised of only upland vegetation – they should surround, be around, or adjacent to and not include any of the wetlands they are to protect. Wetland buffers should be measured starting at the outside edge of the wetland habitat. The Fish and Game Commission Policy on the *Retention of Wetland Acreage and Habitat* states, “Buffers should be of sufficient width and should be designed to eliminate potential disturbance of fish and wildlife resources from noise, human activity, feral animal intrusion, and any other potential sources of disturbance.” Specific recommendations for the width of riparian buffers in published journals range from 10 to 240 meters, or approximately 33 to 787 feet, and the U.S. Corps of Engineers suggest that narrow strips of 100 feet may be adequate to provide many of the functions cited above (USACE 1991).

In addition to the width of the biological buffer, the following measures should be applied to this development proposal to ensure that the buffer provides the protection for which it is intended. Subsequent environmental documents should provide adequate information (e.g., a restoration plan) for public review about how each of these measures will be implemented.

- I. Any trail proposals should be kept out of the biological buffer except in areas of lower biological sensitivity. Trails within the buffer should be limited to trails that provide access to biological and/or cultural interpretive areas along the River, and aligned roughly perpendicular to the length of the buffer (i.e., spur trails). These interpretive areas and spur trails should be carefully chosen and should not be placed in biologically sensitive areas or areas with strong potential for effective habitat restoration and enhancement of species diversity.
 - II. As required by the MSCP SAP, (Section 1.2.3; B15) native vegetation should be restored as a condition of future development proposals along the Urban Habitat Areas of the San Diego River corridor.
 - III. Permanent fencing and signage should be installed at the outside edge of the buffer areas. The limits of spur trails within the buffer should be effectively demarcated and/or fenced to avoid human encroachment into the adjacent habitat. The fencing should be designed to prevent encroachment by humans and domestic animals into the buffer areas and riparian corridor. The signage should inform people that sensitive habitat (and, if appropriate, mitigation land) lie beyond the fencing and that entering the area is illegal.
 - IV. All post-construction structural best management practices (BMPs) such as grass swales, filter strips, and energy dissipators, should be outside of the riparian buffer and the riparian corridor (i.e., they should be within the development footprint). All filtration and attenuation of surface flows provided by the proposed BMPs should occur prior to the discharge of the flows into the buffer areas.
-

- V. Brush management zones should be outside the riparian buffer. The City's proposed brush management regulations state, "no brush management is required in areas containing wetland vegetation."
- VI. No additional lighting should be added within the vicinity of both upland and wetland sensitive habitats, and where possible, existing lighting within such areas should be removed.
- VII. As to noise, methods should be employed to attenuate project-related construction and operational noise levels in excess of ambient levels at the edge of sensitive habitats to avoid or minimize further degradation by noise of conditions for wildlife, particularly, avian species. Where possible, existing sources of noise audible within the buffer should be removed.
- VIII. Evaluation of compatible land uses in accordance with section 1.4.1 of the SAP.

We recognize the extent of the existing development footprint; nevertheless, we believe that the redevelopment of the site provides many opportunities to improve the protection of the San Diego River and the biological resources it supports. We hope the City (i.e., applicant) will solicit input (in accordance with Environmentally Sensitive Lands Regulations § 143.0142 (b)(2)) from the Department regarding the appropriate buffer width and requirements early in the design phase for this project. This includes incorporating our recommendations into the Union Tribune Mixed Use project so that forthcoming CEQA documents reflect the adequate buffers and measures to protect the important biological values of the San Diego River.

- 2. The NOP acknowledges that the property is located adjacent to a designated Regional Wildlife Corridor within the MHPA. We concur with the statements recognizing the importance of the San Diego River corridor and sensitive biological resources that it supports. The Grantville Redevelopment Project programmatic EIR (SCH# 2004071122) acknowledged that "the San Diego River riparian habitat and adjacent Diegan coastal sage scrub are still areas of relatively high species diversity and abundance and provide a regional wildlife corridor" between Mission Trails Park and Mission Bay Park, and that "these habitats and linkages are crucial for wildlife species survival and reproduction within the Redevelopment Area and surrounding region." Similarly, the Grantville Master Plan NOP identified that much of the riparian habitat and adjacent upland vegetation communities are within the MHPA, and that the MSCP identifies the San Diego River corridor as a habitat linkage between core resource areas. The excerpts cited from each of these projects emphasize that it is essential that every effort be made to protect the biological resources associated with the San Diego River from additional direct and indirect impacts. We recommend that similar design considerations be applied to this project to protect sensitive biological resources.
- 3. One of the principles of the City's River Park Master Plan is to reorient development towards the San Diego River. The Department is concerned that situating development in such a manner could result in otherwise avoidable indirect impacts to the San Diego River and the associated biological resources and adjacent uplands. If the project includes windows or glass doors on the side of the building facing the River, or amenities (e.g., outdoor tables) intended to attract human activities between the building and the biological buffer, we request that the project description in the DEIR (a) include that the windows and glass doors facing the biological buffer would be of non-reflective glass and would be treated to prevent indoor light from shining through them (see <http://www.flap.org/film.htm>) to avoid or minimize

avian collisions because of reflection during the day and disorientation from indoor lighting shining out through windows at dusk and after dark; and (b) prohibit the placement of tables and other amenities that would encourage prolonged human presence between the building and the buffer.

4. The development proposal could result in direct/indirect impacts to the City's MHPA. The DEIR should accurately disclose the relationship of this project to the City's MSCP and the general planning policies and design guidelines (i.e., manner consistent with section 1.4.2 of the City's Subarea Plan) that are required to be considered and to adhere to minimizing impacts to the maximum extent practicable. The direct, indirect and cumulative impact analysis should include figures of the designated preserve area that exist within and adjacent to the project boundaries. The analysis should also include a discussion on the current status and long-term management obligations associated with this area and any potential impacts to this area that may result from the proposed project. In addition, the DEIR should address biological issues that are not addressed in the SAP and Implementing Agreement (IA), such as specific impacts to and mitigation requirements for wetlands or sensitive species and habitats that are not covered by the SAP and IA.
5. The project description in the DEIR should include the use of native plants in the landscaped areas adjacent to the MHPA/biological buffer. The applicant should not plant, seed, or otherwise introduce invasive exotic plant species to landscaped areas adjacent and/or near native habitat areas. Exotic plant species not to be used include those species listed on the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory. This list includes such species as: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom.² In addition, landscaping adjacent to native habitat areas should not use plants that require intensive irrigation, fertilizers, or pesticides. Water runoff from landscaped areas should be directed away from the MHPA/biological buffer and contained and/or treated within the development footprint.
6. One of the purposes of CEQA is to "prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible" (CEQA Guidelines §15002 (a)(3); emphasis added). Because of the alteration of the MHPA preserve boundary and many sensitive species and habitats that could be negatively affected or lost by the proposed project, the CEQA alternatives analysis for this project is extremely important. The Department is particularly interested in the DEIR describing a "range of reasonable alternatives to the project (particularly options to minimize grading impacts to MHPA), or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives," as required by section 15126.6(a) of the CEQA Guideline. The alternatives are to include "alternative [that] would impede to some degree the attainment of the project objectives, or would be more costly" (§15126.6[b] of the CEQA Guidelines). "The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and

² A copy of the complete list can be obtained by contacting the Cal-IPC at <http://www.cal-ipc.org>.

informed decision making" (§ 15126.6[f] of the CEQA Guidelines). The Department will consider the alternatives analyzed in the context of their relative impacts on biological resources on both a local and regional level.

General Comments

1. To enable the Department to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish and wildlife, we recommend the following information be included in the DEIR.
 - a) The document should contain a complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas.
 - b) A range of feasible alternatives should be included to ensure that alternatives to the proposed project are fully considered and evaluated; the alternatives should avoid or otherwise minimize impacts to sensitive biological resources. Specific alternative locations should be evaluated in areas with lower resource sensitivity where appropriate.

Biological Resources within the Project's Area of Potential Effect

2. The document should provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. This should include a complete floral and faunal species compendium of the entire project site, undertaken at the appropriate time of year. The DEIR should include the following information.
 - a) Per CEQA Guidelines, section 15125(c), information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis placed on resources that are rare or unique to the region.
 - b) A thorough assessment of rare plants and rare natural communities, following the Department's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see: <http://www.wildlife.ca.gov/habcon/plant/>) (hard copy available on request).
 - c) A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. The Department's California Natural Diversity Database in Sacramento should be contacted at (916) 322-2493 or www.wildlife.ca.gov/biogeodata/cnddb/ to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
 - d) An inventory of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380). This should include sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.

Analyses of the Potential Project-Related Impacts on the Biological Resources

3. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the DEIR.
 - a) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage should also be included. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. The discussions should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary, and the potential resulting impacts on the habitat, if any, supported by the groundwater. Mitigation measures proposed to alleviate such impacts should be included.
 - b) Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a NCCP). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR.
 - c) The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.
 - d) A cumulative effects analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation for the Project-related Biological Impacts

4. The DEIR should include measures to fully avoid and otherwise protect Rare Natural Communities (Attachment) from project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.
5. The DEIR should include mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.
6. For proposed preservation and/or restoration, the DEIR should include measures to perpetually protect the targeted habitat values from direct and indirect negative impacts. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

7. The City's MSCP SAP does not provide take for non-MSCP covered species, including many migratory avian species. In order to avoid impacts to nesting birds (in accordance with § 3503 and 3503.5 of the Fish and Game Code), the DEIR should require (beyond MSCP SAP obligations) that clearing of vegetation, and when biologically warranted construction, occur outside of the peak avian breeding season which generally runs from February 1 through September 1 (as early as January for some raptors). If project construction is necessary during the bird breeding season, a qualified biologist should conduct a survey for nesting birds, within three days prior to the work in the area, and ensure no nesting birds in the project area would be impacted by the project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer shall be a minimum width of 300 feet (500 feet for raptors), shall be delineated by temporary fencing, and shall remain in effect as long as construction is occurring or until the nest is no longer active. No project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the project. Reduction in the nest buffer distance may be appropriate depending on avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.
8. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.
9. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

We appreciate the opportunity to comment on the referenced NOP. Questions regarding this letter and further coordination on these issues should be directed to Paul Schlitt at (858) 637-5510.

Sincerely,



for David A. Mayer
Acting Environmental Program Manager
South Coast Region

Enclosure
Sensitivity of Top Priority Rare Natural Communities in Southern California

Literature Cited:

- Andren, H and P. Angelstrom. 1988. Elevated predation rates as an edge effect in habitat islands: experimental evidence. *Ecology* 69: 544-547.
- Bergen, F. and M. Abs. 1997. Etho-ecological study of the singing activity of the blue tit (*Parus caeruleus*), great tit (*Parus major*) and chaffinch (*Fringilla colelebs*). *Journal fuer Ornithologie* 138(4): 451-467
- Conservation Biology Institute. 2000. Public Review Draft MHCP Plan Volume 1.
Kelly, P.A. and J.T. Rotenberry. 1993. Buffer zones for ecological reserves in California: replacing guesswork with science. In J. E. Keeley, ed. *Interface Between Ecology and Land Development in California*. Southern California Academy of Sciences, Los Angeles.
- Molenaar, J.G. de, D.A. Jonkers, and M.E. Sanders. 2000. "Road Illumination and Nature III. Local Influence of Road Lights on a Black-tailed Godwit (*Limosa l. limosa*) Population." Alterra and Ministry of Transport, Public Works and Water Management, The Netherlands. DWW Report No. P-DWW-2000-058. 88 pp.
- Soule, M. E. 1991. Land use planning and wildlife maintenance. *Journal of the American Planning Association*, Vol. 57, No.3, Summer 1991. American Planning Association, Chicago, Illinois
- United States Army Corps of Engineers (USACE). 1991. Hydraulic design of flood control channels. USACE Headquarters, EM11102-0-1601, Washington D.C.
- ec: State Clearinghouse, Sacramento
Patrick Gower, U.S. Fish and Wildlife Service, Carlsbad

Sensitivity of Top Priority Rare Natural Communities in Southern California

Sensitivity rankings are determined by the Department of Fish and Game, California Natural Diversity Data Base and based on either number of known occurrences (locations) and/or amount of habitat remaining (acreage). The three rankings used for these top priority rare natural communities are as follows:

- S1.# Fewer than 6 known locations and/or on fewer than 2,000 acres of habitat remaining.
- S2.# Occurs in 6-20 known locations and/or 2,000-10,000 acres of habitat remaining.
- S3.# Occurs in 21-100-known locations and/or 10,000-50,000 acres of habitat remaining.

The number to the right of the decimal point after the ranking refers to the degree of threat posed to that natural community regardless of the ranking. For example:

- S1.1 = very threatened
- S2.2 = threatened
- S3.3 = no current threats known

Sensitivity Rankings (February 1992)

<u>Rank</u>	<u>Community Name</u>
S1.1	Mojave Riparian Forest Sonoran Cottonwood Willow Riparian Mesquite Bosque Elephant Tree Woodland Crucifixion Thorn Woodland Allthorn Woodland Arizonan Woodland Southern California Walnut Forest Mainland Cherry Forest Southern Bishop Pine Forest Torrey Pine Forest Desert Mountain White Fir Forest Southern Dune Scrub Southern Coastal Bluff Scrub Maritime Succulent Scrub Riversidean Alluvial Fan Sage Scrub Southern Maritime Chaparral Valley Needlegrass Grassland Great Basin Grassland Mojave Desert Grassland Pebble Plains Southern Sedge Bog Cismontane Alkali Marsh

- S1.2 Southern Foredunes
Mono Pumice Flat
Southern Interior Basalt Flow Vernal Pool
- S2.1 Venturan Coastal Sage Scrub
Diegan Coastal Sage Scrub
Riversidean Upland Coastal Sage Scrub
Riversidean Desert Sage Scrub
Sagebrush Steppe
Desert Sink Scrub
Mafic Southern Mixed Chaparral
San Diego Mesa Hardpan Vernal Pool
San Diego Mesa Claypan Vernal Pool
Alkali Meadow
Southern Coastal Salt Marsh
Coastal Brackish Marsh
Transmontane Alkali Marsh
Coastal and Valley Freshwater Marsh
Southern Arroyo Willow Riparian Forest
Southern Willow Scrub
Modoc-Great Basin Cottonwood Willow Riparian
Modoc-Great Basin Riparian Scrub
Mojave Desert Wash Scrub
Engelmann Oak Woodland
Open Engelmann Oak Woodland
Closed Engelmann Oak Woodland
Island Oak Woodland
California Walnut Woodland
Island Ironwood Forest
Island Cherry Forest
Southern Interior Cypress Forest
Bigcone Spruce-Canyon Oak Forest
- S2.2 Active Coastal Dunes
Active Desert Dunes
Stabilized and Partially Stabilized Desert Dunes
Stabilized and Partially Stabilized Desert Sandfield
Mojave Mixed Steppe
Transmontane Freshwater Marsh
Coulter Pine Forest
Southern California Fellfield
White Mountains Fellfield
- S2.3 Bristlecone Pine Forest
Limber Pine Forest

April 14, 2013

Mr. Phil Lizzi
Environmental Planner
City of San Diego, Development Services Center
1222 First Avenue, MS 501
San Diego, California 92101
Via email, PLizzi@sandiego.gov

Dear Mr. Lizzi:

SUBJECT: Scoping letter for EIR for Union Tribune Mixed Use Project, Number (277550)

San Diego Audubon Society presented initial comments by voice at the scoping meeting on March 27, 2013 at the Union Tribune Building. In this letter we will amplify some of those and present additional items that should be addressed in the pending EIR for it to satisfy CEQA and to adequately protect the natural resource value of the habitat and wildlife of the region of the project.

HABITAT CORRIDOR VALUE

The portion of the River just north of this project has significant wildlife corridor value. There is lots of riparian habitat along the River west of the project and east of the project and west of Fashion Valley Road that are linked by this project. It is unfortunate that the linkage value of the river immediately west of the project has been degraded by previous projects, but that does not diminish the wildlife corridor value of the portion of the River near the project. The EIR needs to identify that corridor value as being important and include adequate measures in the project to preserve it in the face of this intense development project.

BIRD STRIKES

There is a very high level of bird activity and species diversity in and around the San Diego River near the proposed project. The project will have a very large area of windows facing every direction, to a very high elevation. Thus bird strikes against windows are a likely significant impact of this project. We urge that the EIR fully identify this impact and identify fully effective measures to prevent it. We also urge that the EIR define a monitoring program to assess to what extent the bird strike reduction measures are effective or not, at a multiple times during each season. The EIR should direct that additional measures to prevent bird strikes be implemented if the in-place measures are not being effective. The EIR should include the specific measures that are appropriate for this location and building type, and what additional or alternative measures should be implemented if those measures do not prove to be effective. This potential measures should include consideration of window design, window tinting, window films or laminated windows which appear to birds to be walls, screens over particularly problematic windows, not providing rooms through which birds can see through to an outdoor space on the other side of the room, sloped windows, distance between trees and windows, etc.

The EIR should assess to what extent the likelihood of bird strikes could be reduced if the tower building were moved farther farther from the River and/or if it were oriented in an east/west axis

vs. the planned north/south axis. This could reduce the obstruction of the dominant east/west flight movement.

If an aircraft warning light is required for the tower building the EIR should require that it be a flashing light vs. a constant light to significantly reduce the likelihood of birds circling the light at night, which could result in bird strikes.

HABITAT CORRIDOR VALUE

The San Diego River provides a corridor for seasonal movement and disbursement for a wide range of wildlife connecting the Ocean all the way to the mountains, over 50 miles. The portion of the River just north of this project has significant and essential wildlife corridor value. It is unfortunate that the linkage value of the river immediately west of the project has been degraded, but that does not diminish the value of the portion of the River immediately north of the project. The EIR needs to identify that corridor value as being of significant value and include adequate measures in the project to keep it viable in the context of this project and other reasonably foreseeable projects.

PREDATOR PERCHES

The tower structure will provide an unnatural perch for avian predators which will make songbirds, their eggs, and their chicks less likely to survive in this rich riparian area. We strongly urge that the EIR identify this impact and require that the tower building be designed to eliminate such perches. In cases where predator perches can not be eliminated, we urge that EIR require that bird deterrent devices be designed into the building and that a program to inspect and repair them at least four times per year be required. The devices become ineffective due to damage, misalignment, broken fasteners, or becoming covered by obstructions, unless they are frequently inspected and inspected.

TRAIL

The additional activity along the river will cause substantial cumulative and indirect impacts to the value of the habitat along the River. The March 27 scoping presentation showed that the River path will run on the UTSD property, allowing it to be out of the sensitive riparian habitat. We greatly appreciate this measure, which will substantially reduce the cumulative and indirect impacts of the project. We urge that it be required by the EIR for that purpose.

TRASH

The increase in human activity within and around the development will increase the amount of trash that could get into the river. As such we urge that the EIR require that trash receptacles be provided in many parts of the development for water quality and so the project will not attract scavengers which also predate on bird nests. This is especially important between the tower building and the river and the adjacent walkways. We urge that these trash receptacles be constructed to completely prevent intrusion by mammal or avian scavengers. A unit with the scavenger proof features of the solar powered "Big Belly" receptacle/compactors should be considered.

TRASH, INVASIVE ANIMAL SPECIES

The EIR should require that the trash management facilities for the buildings be designed and constructed so they can not be accessed by scavenger animals, including cats, skunks, raccoons, etc. This is so they do not attract invasive animal species or unnatural levels of native scavenger/predators to the area and reduce the success of the native wildlife.

FERAL ANIMALS

The project will lead to additional people living and working close to the sensitive and productive riparian habitat. It will also provide them easier access to the sensitive habitat areas. Unfortunately, many feral cat feeding stations have occurred in similar locations throughout the City. These are the most environmentally damaging possible locations for such feeding stations. We urge that the EIR require measures to prevent that from happening including contracts with purchasers and/or sub- renters specifically preclude such activities enforced by stiff penalties. We also urge that the EIR require that the property's management and security staff be required to make sure that such prohibitions are fully implemented.

FLOOD PLAIN DEVELOPMENT AND HYDROLOGY

The EIR should identify if any portions of the project will encroach on the 100 year floodplain of the SD River. The region of the project already experiences serious flooding problems so any additional flood risk must be identified as a significant environmental impact. If there is any encroachment in the floodplain, the EIR must require project alternatives so that the project will not cause any increased flooding risk to the project site or any other site in the watershed.

WATER QUALITY

The project will have a considerable amount of landscaped area, irrigation, fertilizers, pesticides, parking lots, dripping from cars, and rooftops. The human activity on the site will result in a considerable amount of litter. The EIR should identify and quantify all of these and specify measures to reduce each of them. However, some polluted runoff will still be generated from the project. In the March 27 Scoping meeting, it was stated that runoff from the project will flow into a sedimentation, storm retention, and water quality basin before it flows into the River. We strongly support the inclusion of such a basin and urge that it be required by the EIR to offset the project's potential water quality impact. The EIR should specify that it be designed with adequate capacity to contain and dispose of by evaporation, evapotranspiration from plants in the basin, and infiltration, all of the dry weather runoff from the project. It should also have adequate capacity, design, and vegetation to clean storm water of nutrients, sediments, hydrocarbon, and litter from the project's runoff. Any vegetation in the stormwater treatment measures should be native to the River.

LIQUEFACTION

The EIR must identify any risk from earthquakes, especially with respect to location near a fault and to liquefaction. If the project is vulnerable and is made unusable because of these issues, it is very likely that the deconstruction of the project would have a lot more impact on water quality, wildlife, and habitat value than its construction would. The EIR needs to identify and assess whether the structures could be subject to liquefaction and, if so what the impact of a structural failure and site restoration would have on the River and its wildlife.

WATER CONSERVATION

This project will use a very large amount of water. Our region has very limited water supply, which will probably be diminishing in the future. The EIR should identify the amount of water that the project will use, ways to reduce it, and measures to offset the unavoidable use. These could include double plumbing to allow recycled water to be used for irrigation and toilet flushing, on-site treatment of wastewater for use on-site for irrigation and toilet flushing, and deep water conservation in the operation of the project.

INVASIVE SPECIES, FLORA, DURING CONSTRUCTION

The demolition and the construction portions of the project will include thousands of loads of equipment and materials and workers. Most of these vehicles, equipments, materials and clothing of the workers will contain seeds of weedy invasive plant species. Many of these seeds will find their way into the riparian habitat north of the project. Some will sprout during the next rainy season, and some will sprout many years from the end of construction. We urge that the EIR identify ways to minimize the introduction of weed seeds into the nearby habitat area. But, even the most effective measures will still cause weed seeds from the construction to be dispersed into the habitat area. Therefore we also urge that the EIR require that the project proponent either conduct, fund, or endow an adequate weed control program for the riparian habitat for years after construction is complete to offset that impact. Controlling these weeds will also make the project more scenic and reduce fire risk.

INVASIVE SPECIES, FLORA, DURING OPERATION

From the March 27 presentation it is clear that the project will have a pleasant level of landscaping. The landscaping, if well designed can help reduce water quality problems and retain some storm water flows. But if designed poorly it could spread non-native landscaping plants into the habitat area. We urge that plants native to the area be used for landscaping as much as possible within the project, including along the bordering streets. We also urge that non-native plants that have any potential for invading the sensitive habitat area not be used anywhere in the site. This should excluding any of the plants included in invasive plant species lists as well as locally problematic plants for local riparian areas such as Brazilian pepper, palms, myoporum, etc.

ENERGY

We urge that the EIR identify the energy use of the building and the resulting impacts on Global Climate Change and identify measures and alternatives that will reduce carbon related energy use, including serious conservation, on-site photo-voltaic collectors, and solar water heating. The EIR should address whether the proposed geometry of the buildings could be modified to support more effective use of photo-voltaic energy and solar hot water heating.

INTERPRETATION

The protection of the sensitive habitat areas adjacent to this project will, in some part, depend on the education, understanding, and interest of the people who live, work, and visit there. We urge that the EIR specify a program of interpretive signs, interpretive written material, interpretive presentations, scenic overlooks, and training of security personnel so they can keep people from activities that will degrade the habitat value of the area. Such a program, if done well could significantly reverse the potential negative cumulative impacts that could result from the significant increase in human activity in the region.

It could help provide a positive branding and marketing value for the project, if done particularly well. This in turn could enhance the economic value of the project and tend to make residents, workers and visitors more likely to take personal actions to help protect the adjacent sensitive habitat and its wildlife.

REPLACEMENT OF LOW-FLOW CROSSING WITH A BRIDGE

The low flow crossing that connects Avenida Del Rio on the north side of the River and Camino De La Reina on the south will receive a substantial increase in traffic as a result of this project. This crossing floods during modest and larger rain events. As a result the oil, copper, tire fragments, etc. that are deposited on the crossing by vehicles are washed into the River when

the crossing is flooded. When the crossing is flooded, water coming over it also causes erosion from the banks into the River.

This crossing is dysfunctional from a traffic perspective causing cars to have to constantly start and stop when getting across it which will be made worse by the increase in vehicle activity from the project. This stopping and starting results in unnecessary vehicle pollution into the River at that point. The EIR should require that this low flow crossing should be replaced by a vehicle bridge that would be above the flood level during all but the heaviest rainstorms as partial mitigation for the cumulative traffic and water quality impacts of the project. The bridge should line up with the axis of the Fashion Valley parking lot and the north/south segment of Camino De La Reina and be designed to improve traffic controls to substantially reduce the need for stopping and starting near the River. The bridge should also have storm water management measures so the contaminants from the pavement from it and the connecting streets will be treated before flowing into the River. The EIR should include this bridge as part of the project so it can be implemented along with the project and not await subsequent environmental review.

The EIR should specify that the new bridge should also have an attractive and safe pedestrian walkway, at least on the north side of the bridge, to encourage pedestrian and bicycle transportation between the UTSD project and the Shopping Center to help mitigate the traffic and water quality impacts of the project.

If the replacement of the low flow crossing with an all weather bridge is not feasible, then the EIR should seriously consider requiring that the current low flow crossing be eliminated and replaced with a pedestrian, bicycle, and emergency vehicle bridge that would accommodate movement across the River without the unacceptable cumulative water quality impacts that will result from the additional traffic over the crossing and in the region due to the project.

SUMMARY

These comments are generic and are done without knowledge of the specific species that are in the adjacent habitat areas and their needs. We anticipate that the EIR will fully provide specific species, habitat type, and hydrological expansion of the points mentioned above. We urge that this EIR be very thorough in view of the sensitivity of the site and in view of the lack of consideration that has been given to the protection of the San Diego River and its natural resources in previous projects. The existence of the San Diego River Conservancy, the San Diego River Foundation, the San Diego River Coalition, and the San Diego River Park Master Plan effort suggest that the well being of the River has become a major public interest since the last major developments have occurred along the River. We strongly urge that this EIR be fully adequate to provide the level of analysis, avoidance of impacts, and mitigation of unavoidable impacts that this new respect for the San Diego River warrants.

Please keep us informed of all future steps in the environmental review, planning, permitting, and approval of this project. In case of questions or need for follow up, the undersigned can be reached at 619-224-4591 or by email at peugh@sandiegoaudubon.org.



James A. Peugh
Conservation Committee Chair
San Diego Audubon Society

RINCON BAND OF LUISEÑO INDIANS

Culture Committee

Post Office Box 68 · Valley Center, California 92082 ·
(760) 297-2622 or (760) 297-2635 & Fax:(760) 297-2639



March 20, 2013

The City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Subject: Union Tribune Mixed Use, Project No. 277550

Dear Phil Lizzi,

This letter is written on behalf of the Rincon Band of Luiseño Indians. Thank you for inviting us to submit comments on the Union Tribune Mixed Use, Project No. 277550. Rincon is submitting these comments concerning your Project's potential impact on Luiseño cultural resources.

The Rincon Band has concerns for impacts to historic and cultural resources and findings of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you, your identified location is not within the Luiseño Aboriginal Territory. In fact, your project falls within the boundaries of the Kumeyaay Aboriginal Territory. We recommend that you locate a Tribe within the project area to receive direction on how to handle any inadvertent findings according to their traditions and customs. Also, we recommend a Native American Monitor be present during any and all ground disturbances.

If you would like information on Tribes within your project area, please contact the Native American Heritage Commission and they will assist with a referral. If for some reason you are unable to locate an interested tribe please notify us and we will be happy to assist you in the matter. We also request you update your contact information for Rincon and send any future letters and correspondence to the Rincon Tribal Chairman and the Tribal Historic Preservation Officer in the Cultural Resource Center, Post Office Box 68, Valley Center, CA 92082 (760) 297-2635.

Thank you for this opportunity to protect and preserve our cultural assets.

Sincerely,

Rose Duro
Rincon Culture Committee Chairman

Bo Mazzetti
Tribal Chairman

Stephanie Spencer
Vice Chairwoman

Steve Stallings
Council Member

Laurie E. Gonzalez
Council Member

Frank Mazzetti III
Council Member