

RESOLUTION NO. 210321 APR 4 1974

RESOLUTION APPROVING AND ADOPTING THE CITY
MANAGER'S RECOMMENDATIONS IN CONNECTION WITH
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR
THE PROPOSED FEDERAL YOUTH CORRECTIONAL
FACILITY TO BE LOCATED ADJACENT TO THE
TIERRASANTA COMMUNITY WITHIN THE CITY

WHEREAS, in connection with the proposed federal youth
correctional facility, the General Services Administration
has prepared a Draft Environmental Impact Statement pursuant
to judicial order; and

WHEREAS, staff from The City of San Diego has had an
opportunity to review and evaluate the Draft Environmental
Impact Statement; and

WHEREAS, said review and analysis is contained in
"Exhibit A" attached hereto and made a part hereof entitled
"City of San Diego Response to the Draft Environmental
Impact Statement for the Proposed Federal Youth Center, San
Diego," consisting of seven (7) pages; and

WHEREAS, the Council of The City of San Diego has reviewed
and considered said "Exhibit A"; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego,
as follows:

1. That "Exhibit A" attached hereto, which embodies the
City Manager's recommendations and comments regarding the
Draft Environmental Impact Statement for the proposed federal
youth correctional facility to be located adjacent to the

Tierrasanta community within the City is hereby approved,
adopted and designated as The City of San Diego's official
response to said Statement.

2. That the City Manager of said City is hereby
directed to forward a copy of the attached comments to all
appropriate federal, state and local officials.

APPROVED: JOHN W. WITT, City Attorney


BY
Donald W. Detisch, Deputy

DWD:rb
4-1-74

City of San Diego Response to the
Draft Environmental Impact Statement for
the Proposed Federal Youth Center, San Diego

Recognizing the significant responsibility shared by federal, state and local governments in providing guidance and direction to youthful offenders, the City of San Diego welcomes the opportunity to comment on the Draft Environmental Impact Statement (EIS) for the proposed Federal Youth Center at San Diego.

Within the time frame permitted for comment, the following remarks represent concerns expressed by City of San Diego staff, including input from City Departments of Community Development, Environmental Quality, Human Resources, Planning and Police, and solicited outside sources regarding the sufficiency of the Draft EIS. Although many areas and subjects are adequately assessed, the following remarks address subjects which appear to be significant omissions requiring inclusion or understatements requiring expansion.

The comments are presented in a manner which will closely parallel the subject headings of the Draft EIS and are presented in three sections: Description of the Proposed Action; Environmental Impact of the Proposed Action; and, Alternatives to the Proposed Action.

I. DESCRIPTION OF THE PROPOSED ACTION

In order to understand the environmental impacts of the proposed action it is necessary to have a clear understanding of what that action proposes. This section is presented in an attempt to obtain an adequate description of the nature of the project and the service it would provide to San Diego residents.

A. Characteristics of Population

The Draft EIS on page 1 refers to treatment programs for youthful offenders "from San Diego and surrounding areas."

There is a significant need for further explanation and documentation regarding the demographic character of the offenders (designated as "students") to be assigned to the proposed facility. How many students (what percentage of total?) will be from San Diego? How many from what other areas? How large an area will the proposed facility serve, ie. what is meant by "surrounding areas?" (See also discussion of "Alternatives to the Proposed Action", infra.)

EXHIBIT A

210321

B. Scope of the Project

On page 22, the Draft EIS addresses the potential for on-site expansion as a capability "for one additional unit". According to page 1, each unit has a capacity of 60 beds, therefore, the facility's potential capacity would be 310 students. There is need, therefore, to clarify what factors determine the expansion "capability", and how many beds the facility could support and still retain the "youth center" concept?

Representatives of the General Services Administration and the Bureau of Prisons have given assurances that any new construction not included as part of this project (as described in the Draft EIS) would be subject to public review, however, what opportunity for review is there should the nature of the project be altered? Can a "federal youth center" facility be utilized for purposes other than those specifically addressed in the Draft EIS, and if so, what are these purposes?

For example, the Draft EIS states at page 6 that approximately 33 percent of the students would be "committed for drug related offenses". How many students committed for offenses other than "drug related" could be involved in drug use or addiction? What is the proposed facility's potential regarding drug abuse programs? Could the proposed youth center, as described in the Draft EIS, become totally involved in a program not indicated in the Draft EIS?

II. ENVIRONMENTAL IMPACT OF THE PROPOSED ACTION

A. Site Character

1. Geology

There has occurred some confusion regarding the actual size of the project area. The Draft EIS states 206 acres, however, according to the Woodward-Gizienski & Associates report attached as Exhibit C of the Draft EIS, the project site consists of approximately 150 acres. Further, Dr. Richard L. Threet, Professor of Geology, San Diego State University, is unable to justify the 206 acre figure with maps provided in the Draft EIS.

The significance of this apparent discrepancy lies in the geologic character of the project area. The Woodward-Gizienski report indicates that landslide prone materials exist in the project area below an elevation of 600-625 feet. The Draft EIS (Exhibit J) indicates that construction will be at the 625 ft. level and below, with an average elevation of 575 feet. The Draft EIS states at pages 18 and 29 that "no major adverse...soil conditions are present..." and that the area is "stable and suitable for construction". These statements would appear to require an explanation of the criteria upon which they are based.

In view of the fact that an earlier proposed site near the current selection was discarded due to geologic hazards, a more

accurate geologic survey, including boundary and area measurement, would be appropriate to adequately assess the implications of these geologic considerations.

2. Archaeology

Archaeological considerations are not addressed in the Draft EIS. According to local sources there is no archaeological record for the project area. Due to the proximity of the Old Padre Dam Historical Site (approximately 1½ miles) and the discovered fired brick flume paralleling the west wall of the San Diego River (which lies approximately 2,000 feet easterly of the project site), there is strong reason to believe that other historically significant sites could be in the area. A survey of the project site should be conducted to determine its archaeological significance.

3. Plant and Animal Life

Although a common name listing of animal life expected to inhabit the project area is provided, plant life is categorized on page 52 as "a mixture of chaparral, sage and grasses" and of "no special quality". According to one local authority, there is a significant probability that "at least one (and perhaps up to four) species" of rare or endangered vascular plants may inhabit the site area. A species listing of flora and fauna indigenous to the project site and a statement as to their significance should be included in the Final EIS.

B. Impact on the Human Environment

1. Effect on Property Values of Surrounding Areas

Although two independent land appraisers were consulted regarding potential land value diminution, one of the assumptions upon which their conclusions were based may not be entirely accurate. Both analyses compare the effects that the San Diego County Juvenile Hall has had on development in the immediately surrounding area and relate those effects to the proposed federal facility. Such a comparison may be inaccurate in two aspects.

First, Juvenile Hall provides detention for offenders under the age of 18. The proposed federal youth center will serve students between the ages of 18 and 25. There is a distinction drawn in the minds of correctional authorities, as well as in the minds of lay citizens, relative to the potential community hazard associated with each of the two age groups.

The federal youth center in Morgantown, West Virginia, serves offenders ages 16-18 and is not surrounded by a wall or fence. The proposed center for San Diego would serve the 18-25 age group and would be encircled by a 12 foot high fence. Although additional elements may be pertinent, the Bureau of Prisons does recognize some age-oriented distinction between offenders regarding their potential safety hazard to surrounding communities.

Secondly, Juvenile Hall was built prior to its surrounding development (with the exception of several older, low cost single family residences). The proposed federal youth center would be constructed in an area with substantial existing new residential development.

If the potential impact of the proposed facility on land values is to be adequately assessed, a closer comparison should be sought. If no closer comparison is available, the limitations of the analyses should be clearly indicated.

2. Impact on Local Property Taxes

On page 45 of the Draft EIS, property tax which could be derived from residential development of the proposed federal youth center site is overstated by approximately four times. It appears that the \$4,547,700/annum figure has been based upon application of tax rate to market value rather than assessed value of the hypothetical residential development. Further, the hypothetical revenues would be distributable between City, Unified School District and County jurisdictions. It is likely, however, that there would be some net gain to the City once cost of services had been deducted.

The City's burden regarding service to be provided the proposed youth facility is not adequately addressed at page 45. It should be noted that the costs of some back-up police service and all fire protection would be borne by City taxpayers without benefit of revenue offset.

3. Social Impact

The Draft EIS does not adequately address the social impacts associated with implementation of the proposed project. Anticipated community reaction is examined in the Draft EIS by means of a generic statement prepared by a noted criminologist and educator. Although the statement provides insight into society reaction in general, it does not specifically address the residents of Tierrasanta and those communities adjacent to Mission Gorge Road which would be actually affected by implementation of the project.

A public opinion survey could determine economic and social characteristics of these communities thereby establishing a foundation for comparison of their reactions to the proposed project with the reactions of other communities maintaining similar facilities (ie. Ashland, Ky., Englewood, Colo., Morgantown, W. Va.).

A major psychological consideration for communities surrounding correctional facilities is the potential for escapes. Page 36 of the Draft EIS indicates that of the three existing federal youth centers, "two have had no notable disturbances", and the "third center has had three disturbances." Page 37 states that a "review of escapes from the three centers indicates that no crimes against persons are known to have been committed by students in escape status."

Both of these statements provide information, however, the lack of specificity raises questions which if answered could significantly affect the social fabric of a neighboring community. How many escapes have there been? Where have they occurred and at what frequency? For example, what significance has the fact that the Morgantown, West Virginia, federal youth center has an average of 31 "walkaways" per year?

III. ALTERNATIVES TO THE PROPOSED ACTION

This section is approached from the vantage that alternatives to a proposal include (A.) The type of program proposed and (B.) The location for the selected program alternative. These types of alternatives are addressed in the Draft EIS, but adequacy requires further expansion or inclusion.

A. The Type of Program Proposed

1. "No Project"

The alternative of "no project" is presented on page 57 of the Draft EIS by means of undocumented opinion regarding the local need for such a facility. Opposing opinions are not addressed.

The most pertinent question is again, what area is to be served by the proposed facility? Secondly, how do statistics indicate the need for a federal youth correctional center in the service area?

According to correspondence dated December 19, 1973, from California Governor Ronald Reagan to U. S. Attorney General William B. Saxbe, State correctional facilities are available on a contractual basis and the State is anxious to cooperate in this matter.

In order to adequately assess the "no project" alternative, the Draft EIS should specifically document the need for the project and then indicate the impact associated with its non-implementation.

2. Modify Plans for the San Diego Center

The construction of a more conventional correction facility is assessed on page 57 of the Draft EIS, however, construction of a less conventional facility is not discussed.

For example, the Morgantown, West Virginia, federal youth center is a more "open" facility than that proposed for San Diego (see discussion page 3 of these comments, supra). Why was this particular design selected for San Diego, and what alternative types of facilities and programs are available to serve San Diego residents?

B. Alternative Locations for the Proposed Program:

1. Potential for Land Exchange

The proposed project includes the ability to trade federal land for private land. This ability increases potential sites manifold.

Page 58 of the Draft EIS addresses this alternative and eliminates it because of the amount of time which would be necessary to accomplish a land trade.

Many potentially advantageous locations for the proposed project have been eliminated by the decision that "time" is the single determining factor. There is a trade-off to be considered for any project between time associated costs and available alternatives, however, the Draft EIS does not indicate what potential sites were evaluated against the time constraint. If no potential trades were explored, then this alternative has not been adequately assessed.

2. Locations Other Than San Diego

The initial question is again, what area is actually to be served? If the proposed youth center will be serving a substantial number of residents from other Southern California cities, what prospective sites have been assessed in these other cities? An evaluation of San Diego locations to serve Southern California is not an adequate assessment of alternative locations.

3. Alternative Locations Within San Diego

a. Second Site Selections A and C

These locations, in Jamul and on NAS Miramar property respectively, were eliminated as viable alternatives primarily due to acquisition time constraints. As stated in the "Potential For Land Exchange" comment (supra), this criterion, standing alone, is not adequate to assess a site alternative. Second Site Selections A and C should be reevaluated to insure adequate assessment.

b. Second Site Selection E (Proposed project site)

The proposed Camp Elliot location has been selected as the best alternative for the Federal Youth Center, San Diego. The following factors indicate a need for reassessment of this site regarding its potential for providing a successful youth correctional facility.

There is significant community opposition to the proposed project in this particular location.

Mr. George Wilkinson of the Bureau of Prisons, Washington, D. C., has indicated that the proposed facility could function effectively regardless of the land use surrounding it, ie. there is no need for a residentially developed location. Given that assumption, what criteria establish the need for a controversial facility in a residential community? If there is such a need, the surrounding community should be surveyed for opinion and provided with answers to their heretofore inadequately determined questions.

Representatives of the General Services Administration and of the Bureau of Prisons have strongly indicated the conceptual importance of community inter-action vis-a-vis the proposed facility. The public hearing process could provide a vehicle for creating community awareness and interest in support of the federal youth center.

Local mechanisms for public hearings include pursuance of a Conditional Use Permit (Site E is in an area currently zoned for single-family, residential development) and Community Plan Amendment (proposed use at Site E is not in conformance with the Elliott Community Plan).

Because the proposed project relies heavily upon community interaction, an assessment of project location is not adequate without a determination of community reaction to the proposal.

In conclusion, the City of San Diego wishes to acknowledge the amount of research already accomplished and presented in the Draft EIS as prepared by the General Service Administration on behalf of the Bureau of Prisons. It is hoped that the concerns expressed in these comments, and in those of other participating agencies and groups, can be adequately resolved and that a result, mutually beneficial to the Bureau of Prisons and the residents of San Diego, can be achieved.

Passed and adopted by the Council of The City of San Diego on APR 4 1974
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

By *Zplanda Limon*, Deputy.

RECEIVED
 CITY CLERK'S OFFICE
 1974 APR -2 AM 11:58
 SAN DIEGO, CALIF.
 KAC

Office of the City Clerk, San Diego, California

Resolution Number 210321 Adopted APR 4 1974