(R-97-668)

RESOLUTION NUMBER R-287981

ADOPTED ON OCTOBER 29, 1996

WHEREAS, on August 5, 1992, The University of San Diego ("USD"), a California Not-for-Profit Corporation, submitted an application to the Development Services Department for a Master Plan-Conditional Use Permit/Resource Protection Ordinance ("CUP/RPO") Permit; and

WHEREAS, the permit was set for a public hearing to be conducted by the Council of The City of San Diego; and

WHEREAS, the issue was heard by the Council on October 29, 1996; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Environmental Impact Report No. 92-0568 (SCH No. 93121032); NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Environmental Impact Report No. 92-0568, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the report reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the USD Master Plan-CUP/RPO Permit No. 92-0568.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091, the City Council hereby adopts

the findings made with respect to the project, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that pursuant to California Code of Regulations section 15093, the City Council hereby adopts the Statement of Overriding Considerations, a copy of which is attached hereto and incorporated herein by reference, with respect to the project.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: CASEY GWINN, City Attorney

By _____
Richard A. Duvernay
Deputy City Attorney

RAD:lc
04/14/97
Or.Dept:Clerk
R-97-668
Form=eirl.res

R- 287981

CANDIDATE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

The California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §§ 21000-21177, and the State CEQA Guidelines, Cal. Code of Regulations, Title 14, §§ 15000-15387, require that no public agency shall approve or carry out a project for which an Environmental Impact Report has been completed which identifies one or more significant effects thereof unless such public agency makes one or more of the following Findings:

(a) Changes or alterations have been required in, or incorporated into, such project which mitigate or avoid the significant environmental effects thereof as identified in the completed Environmental Impact Report.

(b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency or can and should be adopted by such other agency.

(c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Environmental Impact Report.

(Section 21081 of the California Environmental Quality Act).

CEQA further requires that, where the decision of the public agency allows the occurrence of significant effects which are identified in the Final EIR, but are not at least substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the public record.

(Section 15093 of the CEQA Guidelines).

The following Findings and Statement of Overriding Considerations have been submitted by the project applicant as candidate Findings to be made by the decision making body. The Development Services Department does not recommend that the discretionary body either adopt or reject these Findings. They are attached to allow readers of this report an opportunity to review the applicant's position on this matter.

R- 287981

DRAFT CANDIDATE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE UNIVERSITY OF SAN DIEGO MASTER PLAN CONDITIONAL USE PERMIT AND RESOURCE PROTECTION PERMIT

The following Candidate Findings and Statement of Overriding Considerations are made relative to the conclusions of the Final Environmental Impact Report (Final EIR) for the University of San Diego ("USD") Master Plan, DEP No. 92-0568, SCH No. 93121032. Specific findings are provided for 23 conceptual projects. Findings regarding the two Future Study Areas will be made as specific projects are proposed. The project applicant is USD. The City of San Diego ("City") is the Lead Agency responsible for making the final discretionary decisions with respect to the project.

The proposed project is a Conditional Use Permit (CUP) for the USD Master Plan which is being proposed by USD to accommodate potential future growth within the campus over the next 25 to 30 years. The proposed Master Plan includes 23 conceptual projects and two Future Study Areas (Northeast Student Housing and Lower Olin Parking Lot).

Site-specific development plans for the 23 Master Plan projects are conceptual at this time. The University will be required to submit grading and building plans and obtain grading and building permits from the City for each of the Master Plan projects prior to construction. In the case of the Future Study Areas, an amendment of the Conditional Use Permit, accompanied by a conceptual site plan for development, would be required before detailed site plans and subsequent permits could be approved for development within the Future Study Areas. Thus, future development within the Future Study Areas would be subject to additional environmental review. With the exception of three areas of the campus that could not be thoroughly surveyed for cultural resources, applications for future Master Plan projects, with the exception of the Future Study Areas, will be reviewed for substantial conformance with the approved Master Plan and associated certified EIR. Design Guidelines are being proposed as part of the Master Plan to guide the planning and City review of future Master Plan projects. In addition to a CUP, the proposed USD Master Plan requires a Resource Protection Ordinance (RPO) permit.

The Final EIR for the project evaluates the following environmental issues in relation to the project: traffic circulation/parking, air quality, visual quality/landform alteration, biological resources, geology/soils, cultural resources, paleontological resources, hydrology, light/glare and land use. The Final EIR also evaluates cumulative impacts of the project, as well as six alternatives to the project.

The Final EIR concludes that the project would not have significant environmental impacts relative to the following environmental issues: noise, water quality, natural resources, hazardous materials, population/housing, public services, utilities and energy. The Final EIR concludes that the direct impacts of the 23 conceptual projects on the following environmental issues can be reduced to less than significant levels if all the mitigation measures recommended in the Final EIR are implemented: traffic circulation/parking, visual quality/landform alteration, air quality, biological resources, geology/soils, cultural resources, paleontological resources, hydrology and

R- 287981

light/glare. The Final EIR concludes that the direct and cumulative impacts of the 23 conceptual projects with respect to land use (modified Sports Park Plan A), air quality (cumulative) and traffic impacts (cumulative) would remain significant even after all feasible mitigation measures recommended in the Final EIR to reduce impacts are implemented.

Several alternatives to the Master Plan were addressed in the EIR that would avoid one or more of the unmitigated impacts, including the No Project Alternative, Reduced Scale and Two-Story Alternatives for the Northeast Student Housing project, No Canyon Fill Alternative, RPO Alternative and Sports Park Plan A - Expanded Parking Lot Alternative. Several of these alternatives have been incorporated into the proposed project, thereby eliminating them as project alternatives. The Reduced-Scale and Two-Story Alternatives to the Northeast Student Housing project are no longer required because the Northeast Student Housing Project has changed to a Future Study Area, and as such, the previously identified environmental impacts associated with the housing project have been eliminated. The Canyon Fill project has been eliminated from the Master Plan which is the No Canyon Fill Alternative. The significant environmental impacts associated with the Canyon Fill project have been eliminated. The RPO Alternative was developed to eliminate impacts related to RPO that would have resulted from implementation of the Northeast Student Housing Project, the Lower Olin Parking Lot and the Canyon Fill projects. The Northeast Student Housing Project and Lower Olin Parking Lot projects are now Future Study Areas, and as mentioned previously, the Canyon Fill project has been eliminated from the Master Plan. The environmental impacts identified in the EIR for these three projects have been eliminated. As such, the RPO Alternative no longer is required to avoid the significant impacts generated by these three projects. Lastly, the Sports Park Plan A - Expanded Parking Lot Alternative would avoid the significant effects of the Lower Olin Parking Lot. Since the Lower Olin Parking Lot is a FSA, no impacts are identified at this time. As such, the Sports Park Plan A - Expanded Parking Lot Alternative is no longer required. The No Project Alternative would still avoid significant impacts of the proposed project.

The applicant has developed a "modified" Sports Park Plan A Parking Lot plan that would compensate for a portion of the parking spaces lost from designating the Lower Olin Parking Lot in a Future Study Area. The proposed modified lot would include approximately 370 parking spaces in comparison to the 550 spaces proposed by the Expanded Parking Lot alternative. This alternative also incorporates landscaped buffers on the northwest, southwest and southeast edges of the lot that range between 20 and 43 feet in width. A six foot masonry wall is also proposed along the northwest property boundary. While the modified parking lot plan was not specifically addressed by the EIR, the analysis of the original Sports Park Plan A parking lot and the Expanded Sports Park Parking Lot - Plan A alternative cover the potential impacts of the proposed modified plan.

The following Findings are made pursuant to Section 21081 of the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §§ 21000-21177, and the State CEQA Guidelines, Cal. Code of Regulations, Title 14, §§ 15091 and 15093.

A. Section 21081 (a) Findings

Pursuant to Public Resources Code Section 21081 (a), the City, having independently reviewed and considered the information contained in the Final EIR, the appendices, and the record, finds

that changes or alterations have been required of, or incorporated into, the proposed project which mitigate, avoid or substantially lessen the significant, direct environmental effects identified in the Final EIR, including: traffic circulation/parking, visual quality/landform alteration, air quality, biological resources, geology/soils, cultural resources, paleontological resources, hydrology and light/glare. Significant and unmitigated impacts would remain for the issues of land use (direct) traffic circulation (cumulative) and air quality (cumulative).

1) Traffic Circulation/Parking

Impact

Based on an annual growth rate of 78 full-time equivalent (FTE) students to a maximum of 7,000 FTE, project traffic in the years 2010 and 2015 (worst case) may have a significant impact on the proposed "T" intersection at USD's east entry (Marian Way/Linda Vista Road) and west entry (Marian Way/Linda Vista Road/Mildred Street).

Finding

Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment. Implementation of the following mitigation measure would reduce potential direct impacts on traffic circulation to below a level of significance:

Mitigation Measure IV.A-1: Prior to use of the proposed Sports Center, the following traffic improvements shall be implemented:

a) Restripe the southbound lane of Marian Way at the intersection of Linda Vista Road/Mildred Street to accommodate two southbound lanes that include a right-turn movement.

b) Modify the Linda Vista Road/Mildred Street traffic signal to provide a green arrow overlap for the eastbound to northbound left-turn lane entering the project, and the southbound to westbound right-turn movement leaving the project.

c) Restripe the new east campus entry on Linda Vista Road to include a separate right turn/deceleration lane.

Impact

The cumulative impact analysis indicates that only one road segment, East Morena Boulevard, would operate at an unacceptable level of service (LOS F) and is expected to remain at LOS F, with or without the project. USD's incremental contribution to an existing and future congested condition on this road segment, would represent a significant, cumulative impact.

Finding

The project's cumulative traffic effect is a regional issue brought about by development occurring within the overall area served by East Morena Boulevard. Full mitigation of the existing poor operating condition on East Morena Boulevard could require extensive improvements to the regional circulation system which are beyond the scope of any one project to implement. Mitigation is therefore beyond the sole responsibility of the University. The project's cumulative impacts would not be avoided or reduced with any project alternatives as the level of service would be unacceptable with or without the project.

2) Air Quality

Impact

Construction activities associated with the proposed Master Plan projects would result in respirable particulate matter (10-microns in diameter or less or PM-10) emissions that would exceed allowable standards. The PM-10 contribution would represent a significant, direct air quality impact.

Finding

Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment. Implementation of the following mitigation measure would reduce potential direct impacts on air quality to below a level of significance:

Mitigation Measure IV.B-1: Prior to approval of the grading permit for future Master Plan projects, a construction source emission control plan for each project shall be approved by the Development Services Department and incorporated into each grading plan. The emission control plan shall, at a minimum, include the following provisions:

- Exposed surfaces should be watered twice daily.
- Stockpiles of excavated materials should be watered, chemically stabilized or covered.
- A berm should be erected on the downslope of the project site to prevent silt-laden water from running off site.
- Trucks carrying excavated materials from the site should be covered or maintain adequate freeboard and should have their tires and undercarriages washed prior to exiting the site.
- Paving of exposed dirt surfaces should be done as quickly as possible.
- Streets affected by fugitive dust should be swept regularly. An on-site manager should be responsible for monitoring dust levels and suggesting appropriate additional control measures, if necessary.

- Uncovered soil should be bound (by grass or similar groundcover) as soon as is reasonably possible.

- Excavation should not be conducted when surface winds exceed 25 mph.

- Unnecessary idling of construction vehicles and equipment should be avoided.

- All construction contractors should have rideshare programs/incentives for their construction workers if they employ more than 25 workers at any time on campus.

Impact

In some parts of the San Diego Air Basin (SDAB), mobile-source (and stationary-source) emissions currently result in violations of both federal and State standards for ozone (O_3) and carbon monoxide (CO) as well as the State standards for nitrogen dioxide (NO_2) and particulate matter (PM-10). Given the nonattainment status of the SDAB with respect to O_3, CO, and PM-10, all new or additional sources of emissions within the basin would contribute to the regional pollution burden. Implementation of the proposed Master Plan would incrementally contribute to cumulative air quality impacts in the SDAB. This incremental contribution to the non-attainment status of the SDAB would be cumulatively significant in conjunction with planned growth in the region

Finding

The project's cumulative impact to air quality in the San Diego Air Basin is a region-wide issue that cannot be mitigated at the project level. The No Project Alternative would avoid the project's incremental contribution to regional air quality problems, but would not eliminate the non-attainment status of the air basin with respect to certain emissions.

3) Visual Quality/Landform Alteration

Impact

The proposed Technical Learning Center and Academic & Office Building/Southwest Parking Garage would result in a significant impact to visual quality resulting from the change to views from Linda Vista Road.

Finding

Changes or alterations have been required in, or incorporated into, the proposed project which reduce the significant effects on the environment but not to below significance. The visual quality impact associated with the Technical Learning Center and Academic & Office Building/Southwest Parking Garage would be mitigated with landscaping and the design features.

Mitigation Measure IV.C-1: As part of the USD Master Plan, the University shall prepare a Master Landscape Plan and Design Guidelines that shall be reviewed and approved by the City of San Diego Development Services Department. The Master Landscape Plan and Design

Guidelines shall address landscaping throughout the campus, particularly on manufactured slopes and along public streets. The Design Guidelines shall state that all manufactured slopes will be planted with appropriate native and ornamental landscaping. Future projects shall conform to the Master Landscape Plan and Design Guidelines.

Impact

The creation of manufactured slopes in excess of 10 feet in height associated with the Academic & Office Building/Southwest Parking Garage, East Campus Road and modified Sports Park Plan A Parking Lot projects would be considered a significant landform impact. Several of these projects would result in manufactured slopes visible from major roadways and public open space areas.

Finding

Changes or alterations have been required in, or incorporated into, the 23 proposed conceptual projects which reduce the significant effects on the environment to below significance.

Mitigation Measure IV.C-2: Prior to approval of the grading plan for any future Master Plan projects, a detailed grading plan shall be submitted to the City's Development Services Department and shall demonstrate to the satisfaction of the Principal Planner of EAS substantial conformance with all grading policies in place at the time of project application. At a minimum, proposed manufactured slopes shall imitate, to the extent feasible, the existing landform features through the use of: (1) contour grading and terracing to avoid extreme slope faces; (2) undulation to avoid straight slope faces; (3) rounding the tops and toes of slopes to simulate natural contours; and (4) slopes that do not exceed a grade of 2:1. Prior to approval of building permits, the City shall verify that the finished grading for manufactured slopes is in accordance with the approved grading plan.

4) Biological Resources

Impact

Implementation of the USD Master Plan would have significant direct, indirect and cumulative impacts on the following sensitive communities: maritime succulent scrub, Diegan coastal sage scrub, and southern willow riparian scrub. Project impacts upon these communities would potentially result in significant direct and cumulative impacts upon the following associated sensitive species: the coast barrel cactus, San Diego sunflower, ashy-spike moss population and the coastal California gnatcatcher. Specifically, these impacts would be associated with development within the modified Sports Park Plan A Parking Lot.

Finding

Changes or alterations have been required in, or incorporated into, the 23 proposed conceptual projects which mitigate or avoid the significant effects on the environment. Implementation of the following mitigation measure would reduce potential direct and cumulative impacts on biological resources to below a level of significance.

Mitigation Measure IV.D-1: Prior to the approval of the grading permit for the proposed modified Sports Park Plan A Parking Lot, USD shall make a monetary contribution to the City of San Diego's Habitat Acquisition Fund (Fund # 10571). The contribution would be sufficient to purchase Diegan coastal sage scrub and maritime succulent scrub habitats within the Multi-Habitat Planning Area and also an additional 10% to cover administration costs at a replacement ratio of 2:1. The specific acreage to be purchased would be based upon the ultimate acreage of habitat lost.

Mitigation Measure IV.D-2: Prior to the approval of a grading permit for the proposed modified Sports Park Plan A Parking Lot, a final transplantation plan shall be prepared and implemented to the satisfaction of the Principal Planner of EAS that requires the transplantation of the individuals of coast barrel cactus that will be impacted, into existing maritime succulent scrub and/or Diegan coastal sage scrub that will remain in undeveloped areas of the campus; or into appropriate habitat within the Multi-Habitat Planning Area. If the onsite transplantation option is chosen, the transplantation site would be subject to the Resource Protection Ordinance and/or any resource protection afforded by the Conditional Use Permit. The final transplantation plan for this species shall reflect the conceptual plan included in Appendix D of the Biological Resource Report.

Mitigation Measure IV.D-4: Construction of the proposed modified Sports Park Plan A Parking Lot shall not expose areas occupied by the coastal California gnatcatcher to noise levels in excess of 60 dBA L_{eq} during its breeding season (February 1 through August 15). If construction noise cannot be avoided during the breeding season, the use of heavy equipment shall be restricted to hours between 11:00 a.m. and 3:00 p.m. to avoid the bird's peak activity cycles (morning and late afternoon). If this limitation is not feasible, grading occurring during the breeding season shall be monitored by a qualified biologist to insure that noise levels within territories of breeding coastal California gnatcatchers do not result in significant behavior alteration of the bird thereby constituting a "take" as defined by the Federal Endangered Species Act.

If construction is to occur during the gnatcatcher breeding season, a biologist shall inspect areas determined to be suitable habitat for the gnatcatcher each day before grading to determine if gnatcatchers are breeding. If breeding is observed, the biologist shall be present throughout the grading operation to observe the birds and determine if grading activities are significantly altering the bird's behavior. In the event the biologist determines that the activity is significantly impacting breeding activities, the biologist shall determine, in consultation with the City and U.S. Fish and Wildlife Service, what modifications in the grading operation are necessary to avoid the disturbance. Monitoring may be terminated before August 15, if the biologist determines that breeding activities are no longer occurring in adjacent habitat. At the end of the monitoring period, the biologist shall file a letter report with the City of San Diego and U.S. Fish and Wildlife Service summarizing the results of the monitoring activities, the remedial measures taken and conclusions as to their effectiveness.

Mitigation Measure IV.D-5: Lighting from projects adjacent to occupied coastal California gnatcatcher habitat would be selectively placed, shielded and/or directed away from any natural habitat. Lighting adjacent to this habitat will be screened with vegetation and large spotlight-type lighting that may affect the habitat or its occupants will be prohibited.

Mitigation Measure IV.D-6: In accordance with the Resource Protection Ordinance (§101.0462, G.5.g. of the Municipal Code), all hillsides and biologically sensitive lands which remain undisturbed or which are restored or enhanced as a result of the USD Master Plan implementation shall be conserved as a condition of permit approval through a deed restriction, open space easement or other suitable restriction acceptable to the City that will preclude any future development or grading of such lands.

5) Geology/Soils

Impact

Potential geologic constraints are associated with the inactive fault located in the western portion of the campus and unstable slopes found in various onsite locations. All soil types identified on the project site are subject to severe erodability. During construction activity and periods of heavy rains, soil erosion may occur on steep slopes. Where vegetation is sparse, erosion potential would be accelerated. Offsite, the erosion would increase the potential for sedimentation within downstream bodies of water, such as the San Diego River.

Finding

Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment. Implementation of the following mitigation measure would reduce potential direct impacts on geology and soils to below a level of significance:

Mitigation Measure IV.E-1: Prior to issuance of grading permits for future Master Plan projects, site-specific geotechnical evaluations shall be prepared to the satisfaction of the Principal Planner of the Development Services Department. The evaluations shall address all potential geologic constraints associated with each site and include, but not be limited to, remedial grading measures for any unstable bedrock, slope instability, soil erosion, and any potential seismic hazards. Remedial measures may include, but would not be limited to, structural requirements, restricting the grade of manufactured slopes to no steeper than 2:1, requiring revegetation of manufactured slopes immediately after grading and/or requiring conformance with the seismic safety building requirements in the current Uniform Building Code. Implementation of the approved remedial grading measures shall be to the satisfaction of the City Engineer prior to approval of building permits.

Mitigation Measure IV.E-2: Prior to issuance of grading permits for the modified Sports Park Plan A Parking Lot, Copley Library Addition, Environmental Studies Building, Technical Learning Center, a thorough investigation of the onsite fault shall be conducted to the satisfaction of the Principal Planner of the Development Services Department. The investigation shall include recommendations for seismic safety building features to be incorporated into the building plans for each of these Master Plan projects.

Implementation of Mitigation Measures IV.C-2 and IV.E-1 in addition to the following measure would reduce potential soil erosion impacts of the USD Master Plan to below a level of significance:

Mitigation Measure IV.E-3: Prior to issuance of grading permits, the applicant shall prepare site-specific erosion control plans for each Master Plan project in conformance with the City's Grading Ordinance to the satisfaction of the City Engineer. The erosion control plans shall include temporary and permanent erosion/siltation control measures and/or devices that would be installed both during and after site grading and construction, including, but not limited to, interim and post-development landscaping/hydro-seeding; jute netting (or other approved geotextile material) on manufactured slopes; sandbags, brow ditches, energy dissipators and desilting/detention basins; and any other methods to control short-and long-term surficial runoff and erosion. Prior to approval of grading permits, the applicant shall retain a soils engineer to monitor the grading, construction, installation of runoff control devices and revegetation of the project site. The soils engineer shall submit in writing to the City Engineer and Principal Planner of the Development Services Department certification that the project has complied with the required notes on the grading plan addressing erosion controls.

6) Cultural Resources

Impact

The proposed Master Plan would not impact any known archaeological or historical resources. However, three areas of the campus were not able to be surveyed because of accessibility and visibility. While no Master Plan projects are proposed for these areas, the Final EIR cannot conclusively determine the status of archaeological resources in these areas. Potentially significant impacts to cultural resources could occur if development is proposed for the slopes west of Technical Learning Center and east of Marian Way, east of the modified Sports Park Parking Lot and west of the president's residence and the USD High School site.

Finding

Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment. Implementation of the following mitigation measure would reduce potential direct impacts on cultural resources to below a level of significance:

Mitigation Measure IV.F-1: Should the University propose projects within the three unsurveyed areas shown in Figure IV.F-1 of the Final EIR (Areas A, B and C), they would not be reviewed by the City under substantial conformance like the Master Plan projects addressed by this EIR. Prior to approval of grading permits for future projects in these three areas, the project would undergo discretionary review which would require a cultural resources investigation in conformance with the City of San Diego's guidelines.

7) Paleontological Resources

Impact

Projected buildout of the proposed USD Master Plan could result in potentially significant impacts on paleontological resources. These impacts are associated with the development of Master Plan projects on geologic units having a medium to high potential for significant

paleontological resources. These onsite geologic units consist of the Scripps and Friars Formations.

Finding

Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment. Implementation of the following mitigation measure would reduce potential direct impacts on paleontology to below a level of significance:

Mitigation Measure IV.G-1: A qualified paleontologist shall attend any preconstruction meetings to consult with the excavation contractor. A qualified paleontologist is defined as an individual with a Ph.D. or M.S. degree in paleontology or geology, who is a recognized expert in the application of paleontological procedures and techniques such as screen washing of materials and identification of fossil deposits. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials and who is working under the direction of a qualified paleontologist.

Prior to issuance of a grading permit, the requirement for paleontological monitoring shall be noted on all grading plans. The paleontologist's duties shall include monitoring, salvaging, preparing materials for deposit at a scientific institution that houses paleontological collections, and preparing a results report. The duties are defined as follows:

1. *Monitoring.* The paleontologist or paleontological monitor shall be onsite during the initial cutting of previously undisturbed areas to inspect for well-preserved fossils. The paleontologist shall work with the contractor to determine the monitoring locations and the amount of time necessary to ensure adequate monitoring of the project.

2. *Salvaging.* In the event that well-preserved fossils are found, the paleontologist shall have the authority to divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains.

3. *Preparation.* Fossil remains shall be cleaned, sorted, catalogued, and then deposited in a scientific institution that houses paleontological collections (such as the San Diego Natural History Museum).

4. *Monitoring Results Report.* Prior to issuance of a building permit, a monitoring results report, with appropriate graphics, summarizing the results, analysis and conclusions of the above program shall be submitted to the Environmental Analysis Section of the City of San Diego Development Services Department for approval.

8) Hydrology

Impact

Although the project is not anticipated to significantly impact offsite drainage facilities, onsite drainage system improvements would be necessary for new projects proposed by the USD Master

Plan. Without these additional drainage facilities, future development on campus could result in significant hydrology impacts. On campus improvements, as well as any necessary off-campus improvements, would be addressed during project design. All new drainage improvements would be required to meet City of San Diego engineering standards for drainage systems. Drainage improvements that would impact the Tecolote Canyon Natural Park would require review and approval by the City of San Diego's Park and Recreation Department.

Finding

Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment. Implementation of the following mitigation measure would reduce potential direct impacts on hydrology to below a level of significance:

Mitigation Measure IV.H-1: Prior to grading permit issuance for any project proposed by the USD Master Plan, a site-specific drainage plan shall be prepared and incorporated into the grading plan to the satisfaction of the City Engineer. The drainage plan shall provide appropriate measures to be utilized during construction to control and minimize runoff from proposed development sites. Wherever physically possible, the site-specific drainage plans should include measures to direct onsite drainage away from canyons and undeveloped areas. Best Management Practices (BMPs) to control runoff shall be included in the drainage plan. Prior to building permit issuance, the University shall provide evidence to the satisfaction of the City Engineer that runoff control devices have been installed pursuant to the approved grading plans.

9) Light/Glare

Impact

The proposed USD Master Plan would create direct and cumulative lighting impacts that are considered potentially significant. The additional night lighting at the East Campus Playing Field would potentially impact residences east of the proposed athletic fields that may be disturbed by the proximity of the additional lights. In addition, residences across Tecolote Canyon could be disturbed by the additional lights.

Finding

Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment. Implementation of the following mitigation measure would reduce potential direct impacts on light and glare to below a level of significance:

Mitigation Measure IV.I-1: Prior to approval of the East Campus Playing Field Lighting project, the University shall assure to the satisfaction of the City that the Performance Standards included in the lighting study contained in Appendix H are incorporated into construction plans.

Mitigation Measure IV.I-2: Prior to issuance of grading permits for the Mission Parking Complex, modified Sports Park Plan A Parking Lot, Marian Way Mall, Academic Office

Building/Southwest Parking Garage, Technical Learning Center, Alcala Vista Student Housing, East Student Housing & East Campus Road and Public Safety Building, a detailed lighting study shall be submitted to and approved by the Principal Planner of the City of San Diego's Development Services Department. This study shall include, but shall not be limited to, an evaluation of the following Performance Standards:

- Lighting shall enhance and complement the architectural theme and character of the project. Illuminated entries shall be lighted low to the ground, and be adequately controlled to prevent hot spots, flashing, glare and "spill-over" into adjacent areas;

- All recreational lighting shall use the minimum light intensity necessary, in accordance with NCAA standards, to meet night-time recreational needs. All outdoor, night-time recreational activities shall cease by 11:00 p.m. Where conflicts arise between the City of San Diego Light Pollution Ordinance and NCAA standards, the City's ordinance shall prevail;

- All security and access lighting facilities or fixtures including parking lot and street standards shall consist of high-pressure sodium vapor lamps, or equivalent source, with 90-degree cut-off luminaries, to the extent feasible, to provide maximum shielding and direct light away from adjacent residential and natural open space areas;

- All street standards and light standards shall be limited to a maximum height of 40 feet. The number of light poles shall also be kept to a minimum by combining several luminaries on a single pole;

- High-intensity security lighting shall be avoided, except where unfeasible. If used, such lighting shall be adequately shielded so as to confine the light within a defined service area;

- Outdoor lighting facilities or fixtures shall be used which provide the necessary light in a manner that illuminates the desired area or feature most efficiently with a minimum amount of energy consumption (e.g., automatic timing devices); and

- Outdoor lighting shall be in substantial conformance with the City of San Diego Lighting Ordinance and all other applicable provisions of the Municipal Code.

Mitigation Measure IV.I-3: Prior to issuance of a certificate of occupancy for the proposed Master Plan projects identified in Mitigation Measure IV.I-2, the applicant shall verify that the appropriate lighting controls have been installed at the buildings, associated parking areas and recreation areas in accordance with the approved lighting study, to the satisfaction of the City of San Diego's Development Services Department.

R- 287981

B. Section 21081 (b) Findings

The decision maker, having independently reviewed and considered the information contained in the Final EIR, the appendices and the record, finds that there are no changes or alterations to the project that are within the responsibility and jurisdiction of another public agency which would avoid or substantially lessen the significant environmental effects of the project.

C. Section 21081 (c) Findings

The City, having independently reviewed and considered the information contained in the Final EIR, the appendices and the record, finds and declares that specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or alternatives identified in the Final EIR.

1) Mitigation Measures

The applicant has agreed to implement all mitigation measures recommended in the Final EIR to reduce identified significant impacts.

2) Project Alternatives

Several alternatives to the Master Plan were addressed in the EIR that would avoid one or more of the unmitigated impacts, including the No Project Alternative, Reduced Scale and Two-Story Alternatives for the Northeast Student Housing project, No Canyon Fill Alternative, RPO Alternative and Sports Park Plan A - Expanded Parking Lot Alternative. The Reduced-Scale and Two-Story Alternatives are no longer applicable to the project as proposed because the Northeast Student Housing Project has changed to a Future Study Area, and no conceptual plan is being proposed for this project at this time. The Canyon Fill project has been eliminated from the Master Plan, therefore the No Canyon Fill Alternative has essentially been incorporated into the proposed project. The RPO Alternative was developed to eliminate impacts from the Northeast Student Housing Project, the Lower Olin Parking Lot and the Canyon Fill projects. The Northeast Student Housing Project and Lower Olin Parking Lot projects are now Future Study Areas, and as mentioned previously, the Canyon Fill project has been eliminated from the Master Plan. As such, the RPO Alternative is no longer required to avoid significant impacts generated from these three projects. The RPO Alternative assumed that the original Sports Park Parking Lot would be implemented. As such, the RPO Alternative does not address the unmitigable land use impact remaining from the modified Sports Park Plan A Parking Lot. Lastly, the Sports Park Plan A - Expanded Parking Lot Alternative would avoid significant effects of the Lower Olin Parking Lot, but since this project is a FSA, no impacts have been identified. This alternative is no longer required to avoid impacts from the Lower Olin Parking Lot. The only remaining alternative to reduce or avoid significant impacts is the No Project Alternative, which is addressed below.

No Project Alternative

Under the No Project Alternative, USD would be retained in its existing configuration, and the University would be allowed to increase enrollment to the maximum allowed by the current CUP,

which is 5,200 FTE. The No Project Alternative would avoid the significant direct impacts to traffic circulation/parking, air quality, visual quality/landform alteration, biological resources, geology/soils, cultural resources, paleontological resources, hydrology, and light/glare~~, and land use~~. The cumulative air quality, traffic, biological and lighting impacts would also be avoided.

Finding

The No Project Alternative is not considered feasible because:

1) The No Project Alternative would not attain the basic objectives of the proposed project which are:

- To provide upgraded facilities for those uses which are currently overcrowded or housed in temporary or antiquated facilities;
- To increase the amount of classroom and auxiliary space per student in response to changing academic conditions, subject matter and teaching methodology;
- To provide additional facilities for the anticipated increase in enrollment over the next several decades;
- To change the pedestrian/vehicular circulation systems to: a) support the increased attendance at evening graduate study and community outreach programs, and b) increase the attractiveness of alternative modes of transportation; and
- To increase security for the campus.

2) The failure to accommodate potential future growth resulting from this alternative would result in lowered academic standing for USD because of inadequate facilities and less educational opportunities, particularly in the areas of computer technology, biotechnology, education, psychology, environmental studies, and performing arts. Failure to upgrade facilities would decrease the ability to adequately serve student requirements, ultimately resulting in a declining student enrollment, adverse effect on cultural diversity, and increased economic hardship on USD and the surrounding region.

The resulting academic decline resulting from the No Project Alternative would have corresponding negative city and regional consequences because of USD's inability to continue its academic, economic, cultural, social and athletic contributions to the area. For example, based on the 1994-1995 USD Economic and Social Impact Report, each dollar brought into San Diego by USD generated a total of $2.25 for the region. In addition, USD's total dollar impact on the local economy in fiscal year 1994-1995 is estimated at $196.2 million. In 1994-1995, 325 students gave 4,000 hours of service as part of their academic courses to the community, and USD faculty, administrators and staff contributed more than 27,000 hours to more than 140 agencies and groups. Social, cultural and political contributions have included prominent speakers, such as U.S. Supreme Court Justices, Mother Teresa and the upcoming 1996 presidential debate. The City would lose the proportional increase in revenues and hours of community service as well as the possibility of additional prominent speakers if the University is not allowed to maintain the high quality, academically competitive characteristics for which it is currently known.

3) The No Project Alternative would not achieve the long range plans for the campus as discussed in the adopted Linda Vista Community Plan including the "conversion of the central spine road into a pedestrian area", the "performing arts center on the west edge of the campus adjacent to Marian Way", "additional parking", "a new sports field" and "additional athletic facilities" (Linda Vista Community Plan, Public Facilities and Services Element, 1987). In addition, the development potential of Subareas 10 and 18 of the community plan, which are designated for future development, would not be realized.

DRAFT STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE USD MASTER PLAN CONDITIONAL USE PERMIT AND RESOURCE PROTECTION PERMIT

The San Diego Planning Commission, pursuant to Section 15093 of the State CEQA Guidelines, having balanced the benefits of the project against its unavoidable environmental effects, which remain notwithstanding the mitigation measures described in the Findings, determines that such remaining significant environmental effects are acceptable due to the following considerations:

1. **Increased Community Service**

USD plays a vital role in providing community service within the Linda Vista Community and the City as a whole. Implementation of the proposed Master Plan would increase the University's capacity to provide such services over the next several decades.

Based on the University's 1994-1995 Economic and Social Impact Report, more than 50 percent of undergraduate students are actively involved in community service while they attend USD. Approximately 200 USD students volunteer in projects in Linda Vista every day. The following lists several of the community programs that have been or are currently being implemented by USD students:

- At Bayside Settlement House, USD students revived a defunct, after-school, recreation program. USD students also tutor and mentor youngsters at Carson Elementary; tutor low-income children at the University Canyon Housing project; organize recreation facilities at Montgomery Jr. High; and, provide homework assistance at the Linda Vista Library.

- USD has been actively involved in the Linda Vista Fair for the past 10 years, each year assisting by contributing student volunteers, planning and booking the entertainment for the fair, assisting with printing of posters and flyers and contributing financially in significant ways ($3,800 in 1994 and $800 in 1996).

- USD students have also assisted the community with research assistance which has resulted in obtaining outside funds. USD School of Business students worked on a Linda Vista needs-assessment which involved organizing and leading 11 focus groups which reached 162 people, assisting with disseminating 4,000 surveys; and, working with community leaders to gather information. This effort culminated in applying for and obtaining a $400,000 Healthy Start grant to address the needs of children and families in Linda Vista (funded in early 1996).

- The Linda Vista KIDS project was created by the University approximately five years ago to address concerns from the community regarding a rise in vandalism and problems with youth gangs. Seed money was provided by a private donor, and for the past three years, USD has absorbed the funding for this project. This project created after-school recreation, tutoring and mentoring programs at the Linda Vista Boy's and Girl's Clubs, the Linda Vista Park and Recreation Center, the Linda Vista Public Library, and

Montgomery Junior High and Carson Elementary Schools. Hundreds of Linda Vista children have benefitted from this program.

- Students from various science classes are also working with the Tecolote Canyon Nature Center on numerous project that will ultimately benefit and promote the longevity of Tecolote Canyon. One science class is working on a water-testing project to determine the type of pollution contaminating the creeks that flow into the canyon. Students are also conducting a survey and preparing a catalogue of all of the plant species in the canyon. The USD Biology Club has worked to remove non-native plants and shrubs from the canyon. More projects are planned for the Fall of 1996.

During the 1994-1995 academic year, 1,400 students gave 22,400 hours of community service to San Diegans. An additional 325 students gave 4,000 hours of service as part of their academic courses. Approximately 65 percent of the research projects funded through USD's Office of Sponsored Programs in 1993-1994 involved community outreach.Lastly, according to a survey completed in the fall of 1995, USD faculty, administrators and staff contributed more than 27,000 hours over the past year to more than 140 agencies, including nonprofit boards, places of worship, agencies serving the homeless, local police departments and juvenile halls, mayoral commissions, hospices and a variety of arts organizations.

Implementation of the proposed Master Plan would allow the University to increase its enrollment by an additional 1,800 Full Time Equivalent students (FTE). The number of faculty, administrators and staff would increase to accommodate the increase in student enrollment. The increase in students and University-related personnel would proportionately increase the number of persons providing service within the Linda Vista Community and the region as a whole. It is estimated that the increase in FTE would provide an additional 7,740 hours of community service from the University based on existing rates.

2. Increased City of San Diego Revenues

Implementation of the proposed Master Plan would significantly increase the revenues already being realized by the City of San Diego.

The USD's Economic and Social Impact Report for 1994-1995 recognizes that the University also plays a vital role in the economics of the region. USD's total dollar impact on the local economy in fiscal year 1994-1995 was estimated at $196.2 million. USD's students provided an additional $36 million to the local economy through spending on rent, food and entertainment. Each dollar brought into San Diego by USD generates a total of $2.25 for the region. USD also contributes to the economic base of the region through the payment of property and sales taxes. In 1994-1995, USD's tax contributions totalled approximately $500,000.

Upon buildout of the Master Plan, it is estimated that USD's total dollar impact on the local economy would be $220 million. For every dollar brought to San Diego by USD, a total of $2.52 would be generated for the region upon buildout of the plan. Based on past trends and figures, USD's tax contributions would total approximately $700,000.

3. Expansion of Academic and Athletic Programs

The proposed Master Plan would continue and expand the excellent academic and athletic programs currently offered by the USD which, in turn, enhances the national image of the City of San Diego.

USD is known for its commitment to teaching the liberal arts, the formation of values and community involvement. USD's excellence as an educational institution has been recognized by *U.S. News & World Report* in its annual survey, "America's Best Colleges". In 1994, *U.S. News & World Report* moved USD from its regional rankings into the top 115 nationally ranked universities. In 1995, USD was ranked in the top half of that group.

The John Templeton Foundation recently selected USD for its Honor Roll, which recognizes approximately 125 colleges across the United States that do an outstanding job of educating and building the character of their students.

USD's recognition as a superior institution of higher learning has attracted significant grant monies to continue university programs. Faculty and student research projects conducted in 1994-1995 were estimated to attract $7.4 million in foundation, governmental and private grants, up from $5.6 million the previous year.

The new projects which are included in the proposed Master Plan would assure that USD continues to be a leader in academic and athletic programs. Overall, the enhanced facilities and programs will increase student and faculty interest in USD, and ultimately will increase student enrollment, draw superior faculty to the institution and result in increased academic-related benefits to the community and region. Improved and expanded academic facilities provided by such Master Plan projects as the Technical Learning Center, Academic Office Building, School of Education, Environmental Studies Building and additions to Olin Hall and Serra Hall, will provide state-of-the art programs that are competitive with other institutions of higher learning. These improvements in academic training will benefit local businesses and industries by providing local graduates to meet the growing demand for highly skilled professionals. The expanded athletic facilities provided by the proposed Sports Center will promote intercollegiate sporting events that will bring more competition (spectator) sports to the community.

4. Increased Employment Opportunities

The proposed Master Plan would increase employment opportunities on and off-campus.

The expansion which would occur with implementation of the proposed Master Plan would generate employment opportunities in a variety of ways. In the long-term, realization of the Master Plan would provide additional on-campus jobs. Of even greater importance is the number of long-term jobs created in the industries which provide goods and services to the University. related to campus faculty, students as well as support industry jobs. In the short-term, construction jobs would be created.

In the 1994-1995 academic year, USD employed more than 2,800 part- and full-time people in a variety of positions, including faculty, cooks, security personnel, housekeepers and librarians.

Of that total, USD provides jobs to 944 students, primarily in clerical and service areas. Based on past trends, upon buildout of the proposed Master Plan, USD would employ an additional 128 people on-campus.

Currently, it is estimated that the University generates approximately 10 jobs in the service industry for every $100 spent. This includes providing for the onsite goods and service needs of the University. In addition, provided for the offsite retail and entertainment needs of the students and faculty generates additional jobs. Regionally, direct and indirect spending by the USD students supported approximately 736 jobs for San Diegans in 1994-1995. Full development under the Master Plan would generate an additional 200 retail, entertainment and service industry jobs.

Upon buildout of the Master Plan, construction associated with implementing the Master Plan would bring an estimated $275 million into the economy of San Diego.

5. Enhanced Cultural Significance

Improved facilities, such as the arena and Technical Learning Center, will continue to draw political personalities, panels, entertainment and key speakers to the community.

Because of its reputation for excellence in academics, research, community service and formation of values, USD attracts speakers and events that are of world-wide importance. Speakers at the campus have included Mother Teresa, Coretta Scott King, U.S. Supreme Court Justices Antonin Scalia and Sandra Day O'Connor, and Author Amy Tan. USD was also selected by the Presidential Debate Commission to host the final presidential debate in October 1996. The public speakers as well as guests and out-of-town media would contribute to the overall economy of the City. In addition, the national publicity would indirectly benefit the tourism industry in San Diego.

6. Conformance with the Linda Vista Community Plan

The proposed Master Plan implements the existing Linda Vista Community Plan.

The Linda Vista Community Plan recognizes USD as a focal point in the community. The Linda Vista Community Plan designates the remaining undeveloped areas of the campus as developable. In addition, the Plan recognizes several of the key projects being proposed as part of the Master Plan, such as the "conversion of the central spine road into a pedestrian area", the "performing arts center on the west edge of the campus adjacent to Marian Way", "additional parking", "a new sports field" and "additional athletic facilities". Implementation of the Master Plan would implement some of the long-range plans for the Linda Vista Community.

MITIGATION MONITORING
AND
REPORTING PROGRAM

for the proposed

University of San Diego Master Plan Conditional Use Permit
San Diego, California

DEP No. 92-0568

October 29, 1996

R- 287981

EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM THE UNIVERSITY OF SAN DIEGO, CONDITIONAL USE PERMIT AND RESOURCE PROTECTION OVERLAY ZONE PERMIT

DEP NO. 92-0568

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 Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report (DEP No. 92-0568) shall be made conditions of Conditional Use Permit and Resource Protection Overlay Zone Permit as may be further described below.

Project Description

The proposed project is a Conditional Use Permit (CUP) for the University of San Diego (USD) Master Plan which is being proposed by the University to accommodate potential future growth within the campus over the next 25 to 30 years. The proposed Master Plan addresses 23 projects and two Future Study Areas (Northeast Student Housing and Lower Olin Parking Lot) that include the construction of new facilities and modification of existing facilities.

Site-specific development plans for the Master Plan projects are conceptual at this time. The University will be required to submit grading and building plans and obtain grading and building permits from the City for each of the Master Plan projects prior to construction. In the case of the Future Study Areas, an amendment of the Conditional Use Permit, accompanied by a conceptual site plan for development, would be required before detailed site plans and subsequent permits could be approved for development within the Future Study Areas. Thus, future development within the Future Study Areas would be subject to additional environmental review. With the exception of three areas of the campus that could not be thoroughly surveyed for cultural resources, applications for future Master Plan projects, with the exception of the Future Study Areas, will be reviewed for substantial conformance with the approved Master Plan and associated certified EIR. Design Guidelines are being proposed as part of the Master Plan to guide the planning and City review of future Master Plan projects. In addition to a CUP, the proposed USD Master Plan requires a Resource Protection Ordinance (RPO) permit.

Project Impacts, Mitigation Measures and Monitoring Program

The following text includes a summary of the potentially significant project impacts, a list of mitigation measures identified in the Environmental Impact Report (EIR), and the monitoring

efforts necessary to ensure that the mitigation measures are properly implemented. All mitigation measures shall be implemented through conditions of approval for the proposed CUP and Resource Protection Overlay Zone Permit.

Traffic Circulation/Parking

Impact

1. Based on a growth rate of 78 full-time equivalent (FTE) students to a maximum of 7,000 FTE, project traffic in the years 2010 and 2015 (worst case) is anticipated to have a significant impact on the proposed "T" intersection at USD's east entry (Marian Way/Linda Vista Road) and west entry (Marian Way/Linda Vista Road/Mildred Street).

2. The Final EIR indicates that the project combined with three other large projects planned/approved for the area would contribute traffic to one segment of East Morena Boulevard that currently operates at a level of service (LOS) F and is expected to remain at LOS F, with or without the project. USD's incremental contribution to an existing and future congested condition on this road segment, is a significant and cumulative impact

Mitigation

1. Implementation of the following mitigation measure would reduce potential direct impacts on traffic circulation to below a level of significance:

   Mitigation Measure IV.A-1: The following traffic improvements shall be implemented:

   a) Restripe the southbound lane of Marian Way at the intersection of Linda Vista Road/Mildred Street to accommodate two southbound lanes that include a right-turn movement.

   b) Modify the Linda Vista Road/Mildred Street traffic signal to provide a green arrow overlap for the eastbound to northbound left-turn lane entering the project, and the southbound to westbound right-turn movement leaving the project.

   c) Restripe the new east campus entry on Linda Vista Road to include a separate right turn/deceleration lane.

2. The cumulative traffic effect is a regional issue and cannot be mitigated at the project level. The project's cumulative impacts would not be avoided or reduced with any project alternatives as the level of service would be unacceptable with or without the project.

Monitoring & Reporting

1. ***Mitigation Measure IV.A-1:*** Prior to use of the proposed Sports Center, the traffic improvements listed above shall be implemented.

2. Not applicable.

Air Quality

Impact

1. Construction of the proposed Master Plan projects would result in PM-10 emissions that would be significant, but mitigable with implementation of dust control measures.

2. Given the nonattainment status of the SDAB with respect to O_3, CO, and PM-10, all new or additional sources of emissions within the basin would contribute to the regional pollution burden. Implementation of the proposed Master Plan would incrementally contribute to cumulative air quality impacts in the SDAB. This incremental contribution to the non-attainment status of the SDAB would be cumulatively significant in conjunction with planned growth in the region.

Mitigation

1. Implementation of the following mitigation measure would reduce potential direct impacts on air quality to below a level of significance:

   Mitigation Measure IV.B-1: A construction source emission control plan for each project shall be approved by the Development Services Department and incorporated into each grading plan. The emission control plan shall, at a minimum, include the following provisions:

   - Exposed surfaces should be watered twice daily.
   - Stockpiles of excavated materials should be watered, chemically stabilized or covered.
   - A berm should be erected on the downslope of the project site to prevent silt-laden water from running off site.
   - Trucks carrying excavated materials from the site should be covered or maintain adequate freeboard and should have their tires and undercarriages washed prior to exiting the site.
   - Paving of exposed dirt surfaces should be done as quickly as possible.

- Streets affected by fugitive dust should be swept regularly. An on-site manager should be responsible for monitoring dust levels and suggesting appropriate additional control measures, if necessary.

- Uncovered soil should be bound (by grass or similar groundcover) as soon as is reasonably possible.

- Excavation should not be conducted when surface winds exceed 25 mph.

- Unnecessary idling of construction vehicles and equipment should be avoided.

- All construction contractors should have rideshare programs/incentives for their construction workers if they employ more than 25 workers at any time on campus.

2. The significant cumulative impact to air quality is a regional issue that cannot be mitigated at the project level. Only implementation of the No Project Alternative would avoid this impact.

Monitoring & Reporting

1. ***Mitigation Measure IV.B-1:*** Prior to approval of the grading permit for future Master Plan projects, a construction source emission control plan for each project shall be approved by the Development Services Department and incorporated into each grading plan.

2. Not applicable.

Visual Quality/Landform Alteration

Impact

1. Implementation of the proposed USD Master Plan would result in significant impacts to the existing landform features on campus. The creation of manufactured slopes in excess of 10 feet in height associated with the modified Sports Park Plan A Parking Lot, the Academic & Office Building/Southwest Parking Garage and East Campus Road would be considered a significant landform impact. Several of these Master Plan projects would result in manufactured slopes visible from major roadways and public open space areas. In addition, the proposed Technical Learning Center and Academic & Office Building/Southwest Parking Garage would result in significant impacts to visual quality resulting from the change to views from Linda Vista Road.

Mitigation

1. Implementation of the following mitigation measures would reduce potential direct impacts on visual quality/landform alteration to below a level of significance:

   Mitigation Measure IV.C-1: The University shall prepare a Master Landscape Plan and Design Guidelines. The Master Landscape Plan and Design Guidelines shall address landscaping throughout the campus, particularly on manufactured slopes and along public streets. The Design Guidelines shall state that all manufactured slopes will be planted with appropriate native and ornamental landscaping. Future projects shall conform to the Master Landscape Plan and Design Guidelines.

   Mitigation Measure IV.C-2: A detailed grading plan shall be submitted to the City's Development Services Department and shall demonstrate substantial conformance with all grading policies in place at the time of project application. At a minimum, proposed manufactured slopes shall imitate, to the extent feasible, the existing landform features through the use of: (1) contour grading and terracing to avoid extreme slope faces; (2) undulation to avoid straight slope faces; (3) rounding the tops and toes of slopes to simulate natural contours; and (4) slopes that do not exceed a grade of 2:1. The City shall verify that the finished grading for manufactured slopes is in accordance with the approved grading plan.

Monitoring & Reporting

1. ***Mitigation Measure IV.C-1:*** As part of the USD Master Plan, the University shall prepare a Master Landscape Plan and Design Guidelines that shall be reviewed and approved by the City of San Diego Development Services Department. Conformance with the Landscape Plan and Design Guidelines shall be assured during substantial conformance review of future Master Plan projects.

   Mitigation Measure IV.C-2: Prior to approval of the grading plan for any future Master Plan projects, a detailed grading plan shall be submitted to the City's Development Services Department and shall demonstrate to the satisfaction of the Principal Planner of EAS substantial conformance with all grading policies in place at the time of project application. Prior to approval of building permits, the City shall verify that the finished grading for manufactured slopes is in accordance with the approved grading plan.

Biological Resources

Impact

1. Implementation of the USD Master Plan would have significant direct, indirect and cumulative impacts on the following sensitive communities: maritime succulent scrub,

Diegan coastal sage scrub, and southern willow riparian scrub. Project impacts upon these communities would potentially result in significant direct and cumulative impacts upon the coast barrel cactus, San Diego sunflower, ashy-spike moss population and the coastal California gnatcatcher. These impacts would be associated with the modified Sports Park Plan A.

Mitigation

1. Implementation of the following mitigation measures would reduce potential direct impacts on biological resources to below a level of significance:

   Mitigation Measure IV.D-1: USD shall make a monetary contribution to the City of San Diego's Habitat Acquisition Fund (Fund # 10571). Each contribution would be sufficient to purchase Diegan coastal sage scrub and maritime succulent scrub habitats within the Multi-Habitat Planning Area and also an additional 10% to cover administration costs at a replacement ratio of 2:1. The specific acreage to be purchased would be based upon the ultimate acreage of habitat lost.

   Mitigation Measure IV.D-2: A final transplantation plan shall be prepared and implemented that requires the transplantation of the individuals of coast barrel cactus that will be impacted, into existing maritime succulent scrub and/or Diegan coastal sage scrub that will remain in undeveloped areas of the campus; or into appropriate habitat within the Multi-Habitat Planning Area. If the onsite transplantation option is chosen, the transplantation site would be subject to the Resource Protection Ordinance and/or any resource protection afforded by the Conditional Use Permit. The final transplantation plan for this species shall reflect the conceptual plan included in Appendix D of the Biological Resource Report.

   Mitigation Measure IV.D-4: Construction of the proposed modified Sports Park Plan A Parking Lot shall not expose areas occupied by the coastal California gnatcatcher to noise levels in excess of 60 dBA L_{eq} during its breeding season (February 1 through August 15). If construction noise cannot be avoided during the breeding season, the use of heavy equipment shall be restricted to hours between 11:00 a.m. and 3:00 p.m. to avoid the bird's peak activity cycles (morning and late afternoon). If this limitation is not feasible, grading occurring during the breeding season shall be monitored by a qualified biologist to insure that noise levels within territories of breeding coastal California gnatcatchers do not result in significant behavior alteration of the bird thereby constituting a "take" as defined by the Federal Endangered Species Act.

   If construction is to occur during the gnatcatcher breeding season, a biologist shall inspect areas determined to be suitable habitat for the gnatcatcher each day before grading to determine if gnatcatchers are breeding. If breeding is observed, the biologist shall be present throughout the grading operation to observe the birds and determine if grading activities are significantly altering the bird's behavior. In the event the biologist

determines that the activity is significantly impacting breeding activities, the biologist shall determine, in consultation with the City and U.S. Fish and Wildlife Service, what modifications in the grading operation are necessary to avoid the disturbance. Monitoring may be terminated before August 15, if the biologist determines that breeding activities are no longer occurring in adjacent habitat. At the end of the monitoring period, the biologist shall file a letter report with the City of San Diego and U.S. Fish and Wildlife Service summarizing the results of the monitoring activities, the remedial measures taken and conclusions as to their effectiveness.

Mitigation Measure IV.D-5: Lighting from projects adjacent to occupied coastal California gnatcatcher habitat would be selectively placed, shielded and/or directed away from any natural habitat. Lighting adjacent to this habitat will be screened with vegetation and large spotlight-type lighting that may affect the habitat or its occupants will be prohibited.

Mitigation Measure IV.D-6: In accordance with the Resource Protection Ordinance (§101.0462, G.5.g. of the Municipal Code), all hillsides and biologically sensitive lands which remain undisturbed or which are restored or enhanced as a result of the USD Master Plan implementation shall be conserved as a condition of permit approval through a deed restriction, open space easement or other suitable restriction acceptable to the City that will preclude any future development or grading of such lands.

Monitoring & Reporting

1. ***Mitigation Measure IV.D-1:*** Prior to the approval of the grading permit for the proposed modified Sports Park Plan A Parking Lot, USD shall make a monetary contribution to the City of San Diego's Habitat Acquisition Fund (Fund # 10571).

   Mitigation Measure IV.D-2: Prior to the approval of a grading permit for the proposed modified Sports Park Plan A Parking Lot, a final transplantation plan shall be prepared and implemented to the satisfaction of the Principal Planner of EAS that requires the transplantation of the individuals of coast barrel cactus that will be impacted.

   Mitigation Measure IV.D-4: Construction of the proposed modified Sports Park Plan A Parking Lot shall not expose areas occupied by the coastal California gnatcatcher to noise levels in excess of 60 dBA L_{eq} during its breeding season (February 1 through August 15). If construction noise cannot be avoided during the breeding season, the use of heavy equipment shall be restricted to hours between 11:00 a.m. and 3:00 p.m. to avoid the bird's peak activity cycles (morning and late afternoon). If this limitation is not feasible, grading occurring during the breeding season shall be monitored by a qualified biologist to insure that noise levels within territories of breeding coastal California gnatcatchers do not result in significant behavior alteration of the bird thereby constituting a "take" as defined by the Federal Endangered Species Act.

If construction is to occur during the gnatcatcher breeding season, a biologist shall inspect areas determined to be suitable habitat for the gnatcatcher each day before grading to determine if gnatcatchers are breeding. If breeding is observed, the biologist shall be present throughout the grading operation to observe the birds and determine if grading activities are significantly altering the bird's behavior. In the event the biologist determines that the activity is significantly impacting breeding activities, the biologist shall determine, in consultation with the City and U.S. Fish and Wildlife Service, what modifications in the grading operation are necessary to avoid the disturbance. Monitoring may be terminated before August 15, if the biologist determines that breeding activities are no longer occurring in adjacent habitat. At the end of the monitoring period, the biologist shall file a letter report with the City of San Diego and U.S. Fish and Wildlife Service summarizing the results of the monitoring activities, the remedial measures taken and conclusions as to their effectiveness.

Mitigation Measure IV.D-5: Lighting from projects adjacent to occupied coastal California gnatcatcher habitat would be selectively placed, shielded and/or directed away from any natural habitat. Lighting adjacent to this habitat will be screened with vegetation and large spotlight-type lighting that may affect the habitat or its occupants will be prohibited.

Mitigation Measure IV.D-6: In accordance with the Resource Protection Ordinance (§101.0462, G.5.g. of the Municipal Code), all hillsides and biologically sensitive lands which remain undisturbed or which are restored or enhanced as a result of the USD Master Plan implementation shall be conserved as a condition of permit approval through a deed restriction, open space easement or other suitable restriction acceptable to the City that will preclude any future development or grading of such lands.

Geology/Soils

Impact

1. Potential geologic constraints are associated with the inactive fault located in the western portion of the campus and unstable slopes found in various onsite locations.

2. All soil types identified on the project site are subject to severe erodability. During construction activity and periods of heavy rains, soil erosion may occur on steep slopes. Where vegetation is sparse at these locations, erosion potential would be accelerated. Offsite, the erosion would increase the potential for sedimentation within downstream bodies of water, such as the San Diego River.

Mitigation

1. Implementation of the following mitigation measure would reduce potential direct impacts on geologic resources to below a level of significance:

Mitigation Measure IV.E-1: Site-specific geotechnical evaluations shall be prepared. The evaluations shall address all potential geologic constraints associated with each site and include, but not be limited to, remedial grading measures for any unstable bedrock, slope instability, soil erosion, and any potential seismic hazards. Remedial measures may include, but would not be limited to, structural requirements, restricting the grade of manufactured slopes to no steeper than 2:1, requiring revegetation of manufactured slopes immediately after grading and/or requiring conformance with the seismic safety building requirements in the current Uniform Building Code.

Mitigation Measure IV.E-2: A thorough investigation of the onsite fault shall be conducted. The investigation shall include recommendations for seismic safety building features to be incorporated into the building plans for the modified Sports Park Plan A Parking Lot, Copley Library Addition, Environmental Studies Building, and Technical Learning Center.

2. Implementation of Mitigation Measures IV.C-2 and IV.E-1 in addition to the following measure would reduce potential soil erosion impacts of the USD Master Plan to below a level of significance:

Mitigation Measure IV.E-3: The applicant shall prepare site-specific erosion control plans for each Master Plan project in conformance with the City's Grading Ordinance. The erosion control plans shall include temporary and permanent erosion/siltation control measures and/or devices that would be installed both during and after site grading and construction, including, but not limited to, interim and post-development landscaping/hydro-seeding; jute netting (or other approved geotextile material) on manufactured slopes; sandbags, brow ditches, energy dissipators and desilting/detention basins; and any other methods to control short-and long-term surficial runoff and erosion. The applicant shall retain a soils engineer to monitor the grading, construction, installation of runoff control devices and revegetation of the project site.

Monitoring & Reporting

1. *Mitigation Measure IV.E-1:* Prior to issuance of grading permits for future Master Plan projects, site-specific geotechnical evaluations shall be prepared to the satisfaction of the Principal Planner of the Development Services Department. Implementation of the approved remedial grading measures shall be to the satisfaction of the City Engineer prior to approval of building permits.

Mitigation Measure IV.E-2: Prior to issuance of grading permits for the modified Sports Park Plan A Parking Lot, Copley Library Addition, Environmental Studies Building, Technical Learning Center, a thorough investigation of the onsite fault shall be conducted to the satisfaction of the Principal Planner of the Development Services Department.

2. *Mitigation Measure IV.E-3:* Prior to issuance of grading permits, the applicant shall prepare site-specific erosion control plans for each Master Plan project in conformance with the City's Grading Ordinance to the satisfaction of the City Engineer. Prior to approval of grading permits, the applicant shall retain a soils engineer to monitor the grading, construction, installation of runoff control devices and revegetation of the project site. The soils engineer shall submit in writing to the City Engineer and Principal Planner of the Development Services Department certification that the project has complied with the required notes on the grading plan addressing erosion controls.

Cultural Resources

Impact

1. Three areas not proposed for Master Plan projects were not able to be surveyed, and thus the Final EIR cannot conclusively determine the status of archaeological resources in these areas. Potentially significant impacts to cultural resources could occur with development of the slopes below the Technical Learning Center, modified Sports Park Plan A Parking Lot and USD High School site if University proposes development in these areas.

Mitigation

1. Implementation of the following mitigation measure would reduce potential direct impacts on cultural resources to below a level of significance:

   Mitigation Measure IV.F-1: Should the University propose projects within the three unsurveyed areas shown in Figure IV.F-1 of the Final EIR (Areas A, B and C), they would not be reviewed by the City under substantial conformance like the Master Plan projects addressed by this EIR. The project would undergo discretionary review which would require a cultural resources investigation in conformance with the City of San Diego's guidelines.

Monitoring & Reporting

1. *Mitigation Measure IV.F-1:* Prior to approval of grading permits for future projects in the three areas that were not surveyed for cultural resources, the project would undergo discretionary review which would require a cultural resources investigation in conformance with the City of San Diego's guidelines.

Paleontological Resources

Impact

1. Projected buildout of the proposed USD Master Plan could result in potentially significant impacts on paleontological resources. These impacts are associated with the development

of Master Plan projects on geologic units having a medium to high potential for significant paleontological resources. These onsite geologic units consist of the Scripps and Friars Formations.

Mitigation

1. Implementation of the following mitigation measure would reduce potential direct impacts on paleontology to below a level of significance:

Mitigation Measure IV.G-1: A qualified paleontologist shall attend any preconstruction meetings to consult with the excavation contractor. A qualified paleontologist is defined as an individual with a Ph.D. or M.S. degree in paleontology or geology, who is a recognized expert in the application of paleontological procedures and techniques such as screen washing of materials and identification of fossil deposits. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials and who is working under the direction of a qualified paleontologist.

The requirement for paleontological monitoring shall be noted on all grading plans. The paleontologist's duties shall include monitoring, salvaging, preparing materials for deposit at a scientific institution that houses paleontological collections, and preparing a results report. The duties are defined as follows:

1. *Monitoring.* The paleontologist or paleontological monitor shall be onsite during the initial cutting of previously undisturbed areas to inspect for well-preserved fossils. The paleontologist shall work with the contractor to determine the monitoring locations and the amount of time necessary to ensure adequate monitoring of the project.

2. *Salvaging.* In the event that well-preserved fossils are found, the paleontologist shall have the authority to divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains.

3. *Preparation.* Fossil remains shall be cleaned, sorted, catalogued, and then deposited in a scientific institution that houses paleontological collections (such as the San Diego Natural History Museum).

4. *Monitoring Results Report.* Prior to issuance of a building permit, a monitoring results report, with appropriate graphics, summarizing the results, analysis and conclusions of the above program shall be submitted to the Environmental Analysis Section of the City of San Diego Development Services Department for approval.

Monitoring & Reporting

1. ***Mitigation Measure IV.G-1:*** The above paleontological monitoring program shall be implemented prior to issuance of a grading permit for any Master Plan project in the Scripps or Friars Formations.

Hydrology

Impact

1. Onsite drainage system improvements will be necessary for new projects proposed by the USD Master Plan; these improvements would be addressed during project design. The new projects would be required to meet City of San Diego engineering standards for drainage systems.

Mitigation

1. Implementation of the following mitigation measure would reduce potential direct impacts on hydrology to below a level of significance:

   Mitigation Measure IV.H-1: A site-specific drainage plan shall be prepared and incorporated into the grading plan for each Master Plan project. The drainage plan shall provide appropriate measures to be utilized during construction to control and minimize runoff from proposed development sites. Wherever physically possible, the site-specific drainage plans should include measures to direct onsite drainage away from canyons and undeveloped areas. Best Management Practices (BMPs) to control runoff shall be included in the drainage plan.

Monitoring & Reporting

1. ***Mitigation Measure IV.H-1:*** Prior to grading permit issuance for any project proposed by the USD Master Plan, a site-specific drainage plan shall be prepared and incorporated into the grading plan to the satisfaction of the City Engineer. Prior to building permit issuance, the University shall provide evidence to the satisfaction of the City Engineer that runoff control devices have been installed pursuant to the approved grading plans.

Light/Glare

Impact

1. The proposed USD Master Plan would create direct and cumulative lighting impacts that are considered potentially significant. The additional night lighting at the East Campus Playing Field would potentially impact residences that may be distracted by the proximity

of the additional lights. In addition, residences across Tecolote Canyon could be distracted by the additional lights.

Mitigation

1. Implementation of the following mitigation measure would reduce potential direct and cumulative impacts on light and glare to below a level of significance:

   Mitigation Measure IV.I-1: The University shall include the Performance Standards in the lighting study contained in Appendix H of the EIR in construction plans.

   Mitigation Measure IV.I-2: A detailed lighting study for the Mission Parking Complex, modified Sports Park Plan A Parking Lot, Marian Way Mall, Academic Office Building/Southwest Parking Garage, Technical Learning Center, Alcala Vista Student Housing, East Student Housing & East Campus Road and Public Safety Building shall be submitted to and approved by the Principal Planner of the City of San Diego's Development Services Department. This study shall include, but shall not be limited to, an evaluation of the following Performance Standards:

   - Lighting shall enhance and complement the architectural theme and character of the project. Illuminated entries shall be lighted low to the ground, and be adequately controlled to prevent hot spots, flashing, glare and "spill-over" into adjacent areas;

   - All recreational lighting shall use the minimum light intensity necessary, in accordance with NCAA standards, to meet night-time recreational needs. All outdoor, night-time recreational activities shall cease by 11:00 p.m. Where conflicts arise between the City of San Diego Light Pollution Ordinance and NCAA standards, the City's ordinance shall prevail;

   - All security and access lighting facilities or fixtures including parking lot and street standards shall consist of high-pressure sodium vapor lamps, or equivalent source, with 90-degree cut-off luminaries, to the extent feasible, to provide maximum shielding and direct light away from adjacent residential and natural open space areas.

   - All street standards and light standards shall be limited to a maximum height of 40 feet. The number of light poles shall also be kept to a minimum by combining several luminaries on a single pole;

   - High-intensity security lighting shall be avoided, except where unfeasible. If used, such lighting shall be adequately shielded so as to confine the light within a defined service area;

- Outdoor lighting facilities or fixtures shall be used which provide the necessary light in a manner that illuminates the desired area or feature most efficiently with a minimum amount of energy consumption (e.g., automatic timing devices); and

- Outdoor lighting shall be in substantial conformance with the City of San Diego Lighting Ordinance and all other applicable provisions of the Municipal Code.

Mitigation Measure IV.I-3: The applicant shall verify that the appropriate lighting controls have been installed at the buildings, associated parking areas and tennis courts identified in Mitigation Measure IV.I-2 in accordance with the approved lighting study.

Monitoring & Reporting

1. ***Mitigation Measure IV.I-1:*** Prior to approval of the East Campus Playing Field lighting project, the University shall assure that the Performance Standards in the lighting study contained in Appendix H are incorporated into construction plans.

   Mitigation Measure IV.I-2: Prior to issuance of grading permits for these projects, a lighting study shall be submitted to and approved by the Principal Planner of the City of San Diego's Development Services Department.

   Mitigation Measure IV.I-3: Prior to issuance of a certificate of occupancy for the proposed Master Plan projects identified in Mitigation Measure IV.I-2, the applicant shall verify that the appropriate lighting controls have been installed.

Land Use

Impact

1. The modified Sports Park Plan A Parking Lot would conflict with the Resource Protection Ordinance (RPO) by encroaching into areas which are classified as biologically sensitive lands. However, encroachment into sensitive resources is allowed through the alternative compliance provision of the ordinance.

Mitigation

1. The University is not proposing redesign of the modified Sports Park Plan A Parking Lot as part of the Master Plan submittal. Therefore, the impact to land use due to lack of conformance with RPO remains unmitigated. The No Project Alternative would eliminate the land use impact. The RPO Alternative would not eliminate the land use impact because it assumes that the original, smaller parking lot at the Sports Park would be implemented. Thus, the RPO impact associated with the modified Sports Park Plan A Parking Lot would remain significant and unmitigated even with implementation of the RPO Alternative.

Monitoring & Reporting

1. Not applicable.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.