

11/20/96

RESOLUTION NUMBER R- 288101

ADOPTED ON NOV 26 1996

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE SECOND AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE CENTRAL IMPERIAL REDEVELOPMENT PROJECT AND THE IMPLEMENTATION OF ACTIVITIES THEREFOR, MAKING CERTAIN FINDINGS REGARDING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED SECOND AMENDMENT TO THE REDEVELOPMENT PROJECT, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS.

WHEREAS, the Redevelopment Agency of The City of San Diego (the "Agency") has prepared a proposed Second Amendment to the Redevelopment Plan for the Central Imperial Redevelopment Project (the "Project"); and

WHEREAS, the Agency, as lead agency, is responsible for preparing an Environmental Impact Report ("EIR") to assess the environmental impacts which may result from the Project; and

WHEREAS, a Draft Supplemental EIR was prepared and circulated for review, comments and consultation with citizens, professional disciplines and public agencies pursuant to the California Environmental Quality Act of 1970 ("CEQA"), as amended, and state and local guidelines and regulations adopted pursuant thereto; and

WHEREAS, a duly noticed public hearing was held by the Agency with respect to the Draft Supplemental EIR, at which all interested persons and organizations were given an opportunity to be heard; and

WHEREAS, the Final Supplemental EIR, relating to the proposed Second Amendment to the Redevelopment Plan for the Project and responding to the concerns raised during the review period and at the public hearing, has been prepared pursuant to CEQA and the guidelines and regulations; and

WHEREAS, the Council of The City of San Diego (the "Council"), in connection with its consideration of the approval of the proposed Second Amendment to the Redevelopment Plan for the Project, has reviewed and considered the information contained in the Final Supplemental EIR; NOW, THEREFORE,

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

1. That the Council hereby certifies that the Final Supplemental EIR for the Second Amendment to the Redevelopment Plan for the Central Imperial Redevelopment Project has been prepared and completed in compliance with CEQA, as amended, and state and local guidelines and regulations adopted pursuant thereto.
2. That the Council hereby further certifies that the information contained in the Final Supplemental EIR has been reviewed and considered by the members of the Council.
3. That the Council hereby finds and determines that:
  - a. The implementation of the Project will not result in significant environmental effects in certain respects identified in the Final Supplemental EIR, as described in Section I of Attachment A (attached hereto and incorporated herein by this reference).

b. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen certain significant environmental effects of the Project identified in the Final Supplemental EIR, as described in Section II of Attachment A.

c. Changes or alterations which avoid or substantially lessen certain significant environmental effects of the Project identified in the Final Supplemental EIR are within the responsibility and jurisdiction of another public agency and not the Agency or the City Council, and such changes have been adopted by such other agency, or can and should be adopted by such other agency, as described in Section III of Attachment A.

d. With respect to significant environmental effects of the Project which cannot be avoided or substantially lessened, specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the Final Supplemental EIR, as described in Section IV of Attachment A.

e. The significant environmental effects of the Project which cannot be avoided or substantially lessened are acceptable due to overriding concerns, as described in Section V of Attachment A.

4. That the Mitigation Monitoring and Reporting Program for the Second Amendment to the Redevelopment Plan for the Project, identified in the Final Supplemental EIR and contained in Attachment B (attached hereto and incorporated herein by this reference), is hereby approved and adopted to monitor and ensure that the mitigation measures identified will be instituted.

5. That the Council hereby adopts the statement of overriding considerations for the Project contained in Section V of Attachment A.

6. That the City Clerk, or designee, is hereby authorized and directed to cause the filing of a Notice of Determination with respect to the Final Supplemental EIR upon adoption of the proposed Second Amendment to the Redevelopment Plan for the Central Imperial Redevelopment Project by the City Council.

APPROVED: JOHN W. WITT, City Attorney

By Allisyn L. Thomas  
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Deputy City Attorney

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**I. The following findings discuss the reasons why, in certain respects, implementations of the Second Amendment to the Central Imperial Redevelopment Plan (Redevelopment Plan) will not result in significant environmental impacts.**

### **A. With respect to Land Use**

The proposed redevelopment activities would create a more efficient use of land in the expansion subareas. The provision of additional commercial facilities in the community, as well as the proposed public infrastructure improvements, would attract new commercial establishments to the area. In addition, deficient residential structures at the Hilltop Redevelopment Activity Site could be replaced with structures that meet current design standards and provide for a more effective use of the land. This would increase and improve the existing housing stock within the community.

1. Quantitative Land Use Change. The North Creek Redevelopment Activity Site would provide 276,500 to 330,000 SF of commercial development. The Hilltop Redevelopment Activity Site would provide either 100 multi-family dwelling units (DU) or 125,000 SF of commercial uses. Depending upon whether the Hilltop Redevelopment Activity would be developed with residential or commercial uses, the proposed Second Amendment would result in a net increase in residential uses of 92 DU or a net loss of 8 DU; and a net increase in commercial uses ranging from 276,500 to 455,000 SF. The proposed redevelopment activities would be compatible with surrounding uses.
2. Open Space Impacts. The proposed land exchange required to provide vehicular access to the North Creek Redevelopment Activity Site would result in a net loss of 0.4 acres of designated open space. The open space area would not be used for commercial uses. Instead, a linear park, containing sidewalks, turf, shrubs, and trees, would be installed in this area. This would afford public access to the creek where none currently exists, which would be a beneficial impact on the community. It would also provide a buffer between the commercial development and the creek. Because the open space would not be converted into a more intensive land use, the net loss of 0.4 acres would not be a significant land use impact.
3. General Plan Community Plan, and Planned District Ordinance Amendments. The proposed project also includes an amendment to the City of San Diego Progress Guide and General Plan, the Southeast San Diego Community Plan and the Southeast San Diego Planned District Ordinance (PDO), which would change the existing land use designations and zone classifications within the North Creek and Hilltop Redevelopment Activity Sites. While the proposed redevelopment activities would not be consistent with the adopted land use designations and zone classifications for the redevelopment activity sites, the proposed Community Plan, General Plan, and PDO amendments would provide consistency between the proposed activities and the land use plans/policies. No significant planned land use impacts would occur.

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### B. With respect to Noise (Traffic Noise)

1. Off-Site Noise. The noise analysis found that the addition of project-related traffic would increase traffic noise levels along the affected street segments by less than two (2) dBA CNEL; therefore, implementation of the proposed Second Amendment would not result in significant traffic-related noise increases.
2. On-Site Noise. Future on-site noise levels at the proposed North Creek Redevelopment Activity Site were found to be between 74 and 75 dBA CNEL from traffic on adjacent streets. These noise levels are consistent with the City's 75 CNEL criteria for commercial uses. Therefore, the proposed North Creek Redevelopment Activity would not be subjected to significant on-site noise levels.

### C. With respect to Population/Housing/Employment

1. Population/Housing/Employment Impacts. The proposed Second Amendment could result in a net increase of 92 residential DUs, if the Hilltop Redevelopment Activity Site is developed with residential uses. This would add an estimated 350 new residents to the Project Area. This population increase would not be significant. The development of commercial uses at the Hilltop Redevelopment Activity Site would result in a net decrease in population of approximately 30 persons. The Redevelopment Plan would also create 1,100 to 1,515 new employment positions. The increased employment opportunity created by the Project would be a beneficial impact to the community.
2. Relocation Impacts. The residential and commercial relocation assistance included in the Redevelopment Plan would ensure that impacts to individuals or businesses displaced by the Project would not be significant. The relocation provisions included in the Redevelopment Plan would maintain displacement impacts at below a level of significance. Prior to the demolition of occupied dwelling units and/or commercial structures, the Agency shall develop and implement a relocation program in compliance with the California Relocation Assistance Law.

### D. With respect to Public Services

The following discussions explain the reasons why the Redevelopment Plan would not result in significant environmental impacts to public services and public facilities.

1. Police Services. The Police Department did not indicate that the project-related increase in demand for police protection services would adversely affect the Southeastern Division. Because of the relatively small potential increase in population associated with the proposed Second Amendment (0.8 percent of area population), impacts to police services were considered to be insignificant.

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2. Fire Protection. The City of San Diego Fire Department has indicated that existing facilities would be adequate to meet the proposed project's demand for fire protection services. Therefore, the proposed project would not result in significant fire protection impacts.
3. Library. The proposed project would not cause the population served by the Malcolm X Library to exceed General Plan standards. No significant impacts would occur.
4. Road Maintenance. The proposed project would increase traffic volumes along several streets within the expansion subareas. The street reconstruction activities would serve to improve the existing poor roadway surfaces noted in the Draft Preliminary Report, and would meet the additional maintenance demands associated with the proposed redevelopment activities. Impacts would not be significant.
5. Educational Facilities/Services. The pass-through of tax increment payments required under AB 1290 would mitigate impacts to public services/facilities provided by the San Diego Unified School District, the San Diego Community College District, the County of San Diego, and the County Office of Education, to below a level of significance.

### E. With respect to Utilities

1. Domestic Potable Water and Sewer Systems. The proposed project would result in a net increase in development within the redevelopment subareas and would also increase the demand for water and sewer facilities. However, existing water and sewer systems are adequate throughout the community. The proposed Second Amendment to the Redevelopment Plan would authorize the Redevelopment Agency to install or improve water distribution and sewer systems. Therefore, impacts to water and sewer facilities would not be significant. In addition, the public improvement component of the project proposes to install, replace, and upgrade a number of water and sewer lines within the expansion subareas.
2. Curbs/Gutters. Implementation of the Second Amendment to the Redevelopment Plan would improve curbs and gutters in the Project Area. This would result in a beneficial impact to the Project Area.

### F. With respect to Biology

1. Hilltop Redevelopment Activity Site. No significant impacts to vegetation, wildlife, or channel bottom would occur as a result of the proposed development of the site, because none of these resources are present.
2. North Creek Redevelopment Activity Site (Wildlife Impacts). The proposed redevelopment site would not adversely impact the sharp-shinned hawk. During winter, the sharp-shinned hawk can occur in almost any type of habitat containing trees or shrubs. Because the on-site habitat is not critical to the survival of the sharp-shinned hawk, habitat loss would not adversely impact the sharp-shinned hawk, and would not be significant.

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### **G. With respect to Human Health and Public Safety (North Creek Redevelopment Activity Site)**

Implementation of the amended Central Imperial Redevelopment Project, as proposed, would not result in potentially significant contaminated soils impacts at the North Creek Redevelopment Activity Site. All of the identified contaminated sites are located outside the boundary of the North Creek Redevelopment Activity Site and are separated from the site by over one-eighth mile. Because the potentially contaminated sites were found to pose little or no risk to the redevelopment activity site, no significant contaminated soils impacts would occur.

### **H. With respect to Cultural Resources (Historic Structures)**

No historically significant structures were found within the North Creek or Hilltop Redevelopment Activity Sites, therefore, implementation of the proposed Second Amendment would not result in significant impacts to historical structures.

### **I. With respect to Energy**

The total additional electrical demand associated with the proposed Second Amendment would be 10.6 million to 13.7 million kilowatt hours (kwh) per year. The lower estimate is for commercial uses at North Creek and residential uses at Hilltop. The higher estimate is for all commercial uses. The proposed Second Amendment's annual demand for natural gas would be an additional 38.4 million therms/year to 53.0 million therms per year.

According to SDG&E, this increased demand would not result in significant impacts to available energy resources. In addition, the existing electrical and natural gas distribution facilities are adequate to accommodate present and anticipated development within the amended Central Imperial Redevelopment Project Area. Therefore, the proposed project would not result in significant energy impacts.

**II. The following discussion explains the reasons why certain changes or alterations which have been required in, or incorporated into, the Second Amendment to the Central Imperial Redevelopment Plan, will avoid or substantially lessen certain significant environmental effects of the Project.**

#### **A. With respect to Transportation, Circulation, and Parking**

The proposed North Creek and Hilltop Redevelopment Activities would generate 13,200 and 6,125 ADT, respectively, for a total of 19,325 daily trips. Approximately 593 trips would occur during the AM peak hour, and approximately 1,654 trips would occur during the PM peak hour. The planned residential uses on the sites would generate approximately 2,800 ADT. Therefore, the net new trips generated by the proposed Second Amendment would be 16,525 ADT (19,325 ADT - 2,800 ADT). Of this total, the proposed North Creek Redevelopment Activity would generate



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approximately 11,200 ADT (68 percent of total traffic) and the proposed Hilltop Redevelopment Near Term Impacts

1. Near Term Impacts. The Traffic Report examined the North Creek Redevelopment Activity's potential impact to street segments, intersections and freeway operations. The Traffic Report found that this proposed redevelopment activity would have a significant near term impact on Imperial Avenue between 32nd Street and I-15; and, on Imperial Avenue between 40th Street and I-805. However, it would not result in significant near-term impacts to key intersection or freeway operations.
2. Future Impacts. With respect to future street segment operations, the Traffic Report evaluated impacts for two future (Year 2015) scenarios, including Future + North Creek Redevelopment Activity only, and Future + Project (i.e., North Creek and Hilltop Redevelopment Activities).

a. Future + North Creek

The Traffic Report found that the Future + North Creek scenario would have a significant effect one street segment, Euclid Avenue, north of SR-94; and, on the following four intersections:

- Imperial Avenue/I-805 southbound ramps;
- Imperial Avenue/Western Project Access driveway;
- Imperial Avenue/Eastern Project Access driveway; and,
- Imperial Avenue/40th Street

No significant impacts to future freeway operations were identified.

b. Future + Project

The proposed Second Amendment would not change the level of service on the majority of key street segments examined. While 10 (ten) street segments would operate at LOS E or LOS F in the Future + Project condition, these same street segments would operate at LOS D or below with or without the Project. Therefore, project-related impacts to these street segments would not be significant. Likewise, the proposed Second Amendment would not significantly impact future freeway operations.

The following improvements would mitigate the traffic impacts associated with the proposed Second Amendment to below a level of significance.

North Creek Redevelopment Activity

- Imperial Avenue/I-805 Southbound Ramps

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In order to accommodate future traffic volumes associated with the proposed North Creek Redevelopment Activity, the southbound approach should be widened and restriped to provide one right lane, one shared through/left turn lane, and one exclusive left turn lane. This improvement would restore PM peak hour LOS to acceptable levels of service. Because this redevelopment activity is not solely responsible for the ultimate failure of this intersection, the applicant shall contribute to this improvement in proportion to its traffic impact.

- Imperial Avenue/Eastern and Western Project Access

The northbound approach lane shall be channelized to restrict the northbound volumes to right-turns only.

- Imperial Avenue/40th Street

Daily traffic signal warrants will be met at this location under the Future + North Creek conditions. The applicant shall fund the construction of a signal at this location and may seek reimbursement from other area developments. Should the City Engineer place this intersection on the list of future City-funded traffic signal locations, the cost of signalization may be borne by the City.

### Hilltop Redevelopment Activity

- Euclid Avenue

Traffic impacts associated with the proposed Hilltop Redevelopment Activity will be concentrated on Euclid Avenue south of SR-94, with a smaller (but still significant) impact north of SR-94.

The Community Plan recommends that Euclid Avenue be widened to a four-lane Major Arterial. However, Euclid Avenue as a four-lane Major Arterial will not provide sufficient capacity for future traffic volumes, with or without the proposed Hilltop Redevelopment Activity. Additional analysis, prior to the approval of the redevelopment activity, shall be required to determine whether peak-hour operations will be severely congested in the long term. Should this evaluation determine that peak-hour congestion occurs, the Hilltop Redevelopment Activity shall contribute its fair share toward the improvement of Euclid Avenue from Federal Boulevard to Hilltop Drive to six-lane primary arterial standards. The applicant for the proposed redevelopment activity will be responsible for funding this improvement, but should seek reimbursement from other development proposals in the area that affect this facility. Between Hilltop Drive and Market Street, Euclid Avenue should be improved to a six-lane Major Street.

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### B. With respect to Noise

1. On-Site Traffic Noise. Future noise levels at the proposed Hilltop Redevelopment Activity Site were found to be 76.4 dBA CNEL and 75.5 dBA CNEL from traffic on SR-94 and Euclid Avenue. Because these noise levels exceed the City's 65 CNEL standard for residential uses, as well as the City's 75 CNEL criteria for commercial uses, the proposed Hilltop Redevelopment Activity Site would be subject to significant on-site noise impacts.

Prior to the issuance of a Southeast San Diego Planned District Permit, a site-specific acoustical engineering study, conducted by a recognized Acoustical Engineer, shall be prepared for the proposed Hilltop Redevelopment Activity. The acoustical engineering study shall include the following:

- a. Demonstration of the Hilltop Redevelopment Activity's compliance with the City's exterior noise standards.
    1. If this site is developed with residential uses, the proposed redevelopment activity would be required to reduce exterior noise levels to 65 dBA CNEL within 50 feet of the centerline of Euclid Avenue, in order to meet City standards.
    2. The State Housing Code requires that all attached residential projects in areas exceeding 60 CNEL must comply with Title 25 of the California Administrative Code. This mandates that interior noise levels not exceed 45 CNEL. Prior to the issuance of a building permit (s) for the multi-family DUs, the acoustical study shall demonstrate Title 25 compliance.
    3. If the site is developed with commercial uses, the exterior noise level must be reduced to 75 dBA CNEL.
    4. The required noise reduction could be accomplished by the installation of noise attenuation barriers along Euclid Avenue or by setting the structures a minimum of 250 feet back from the centerline of Euclid Avenue. Implementation of such measures would reduce on-site noise impacts to below a level of significance.
  - b. Identification of specific noise control measures that have been or shall be incorporated into the project design such that City standards would be met.
2. Project-Generated Noise. Commercial uses at the Hilltop Redevelopment Activity Site and/or the North Creek Redevelopment Activity Site could subject adjacent residential uses to noise levels that exceed 50 dBA Leq at the property line. This potential impact would be significant. If the Hilltop Redevelopment Activity Site is developed with the residential uses it would not subject adjacent residentially zoned properties to noise levels that exceed the City's.

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Evidence that noise emanating from the proposed North Creek Redevelopment Activity would not exceed 50 dBA Leq at the property line of adjacent residentially-zoned properties in compliance with the City of San Diego Noise Ordinance. Measures to reduce noise levels at the property line of residentially-zoned properties include, but would not be limited to, the installation of sound walls, shielding of mechanical equipment, limits on the hours of operation, equipment noise limits, and operations management.

3. Construction Noise. Construction activities associated with the proposed Second Amendment could result in noise levels that exceed the City's Construction Noise Ordinance and thus could result in significant noise impacts.

The acoustical study shall demonstrate compliance with the Construction Noise Ordinance. If compliance with the ordinance cannot be obtained, the project applicant shall be required to obtain a variance from the Noise Abatement Officer prior to the commencement of construction. A copy of the variance shall be submitted to the Southeastern Economic Development Corporation.

The acoustical engineering studies shall be submitted to and approved by the City's Noise Abatement Control Officer. Approval of the acoustical study shall be evidence that specific noise control measures have been incorporated into the project design such that the City of San Diego exterior and noise criteria would be met.

### C. With respect to Air Quality

1. Construction Impacts. Implementation of the proposed Second Amendment could generate more than 100 pounds of dust per day and therefore would result in potentially significant fugitive dust impacts. Fugitive dust emissions can be reduced by implementation of standard construction dust control practices. Construction equipment emissions are not expected to result in significant air quality impacts.

The following techniques should be used, to the extent possible, to reduce vehicular and fugitive dust emissions from construction activities:

- a. limit the disturbance area to less than 10 acres at any given time;
- b. terminate disturbance when winds exceed 25 mph;
- c. stabilize disturbed areas if construction is delayed by more than 90 days after initial grading;
- d. require 90-day low NOx tune-ups for off-road equipment;
- e. limit allowable idling time of construction vehicles to 10 minutes;
- f. encourage car pooling for construction workers;

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- g. limit lane closures to off-peak travel periods;
  - h. park construction vehicles off traveled roads;
  - i. wet down or cover dirt hauled off-site;
  - j. wash or sweep access points daily;
  - k. encourage the transport of material during non-peak traffic hours; and,
  - l. sandbag construction sites for erosion control.
2. Traffic Reduction Measures. The proposed project would not result in direct, regionally significant air quality impacts. However, because project-related traffic volumes contribute significantly to the regional and subregional air pollution burden, the project would cause a cumulative, regionally significant impact.

The project-related traffic volumes would not create carbon monoxide (CO) "hot spots" and would not result in a significant localized air quality impact.

The following traffic control measures (TCMs) shall be implemented where possible:

- a. Trip Reduction Programs (Employment and Personal)
- b. College Travel Trip Reduction
- c. Goods Movement/Trucking Restrictions
- d. Transit Improvement Program
- e. Vanpool Programs (2,500 new vanpools countywide)

### **D. With respect to Utilities (Solid Waste)**

The implementation of the proposed Second Amendment would result in annual waste generation volumes that exceed City significance thresholds. Therefore, the proposed Second Amendment would result in significant landfill capacity impacts. In addition, the deposition of construction/demolition debris could also have a significant impact on landfill capacity. Project-related impacts to Waste Management Services, City collection crews, and the Miramar Landfill Entrance facility would not be significant.

The City's Environmental Services Department (ESD) shall review all concept plans for the specific redevelopment activities to ensure that impacts to solid waste facilities are mitigated to below a level of significance. Prior to approval of the North Creek or Hilltop Redevelopment Activities, project applicants shall submit evidence to the Agency that ESD has reviewed the project and that the appropriate solid waste mitigation measures have been incorporated into the project.

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With respect to impacts on landfill capacity from the North Creek and Hilltop redevelopment activity, the project applicants shall prepare a waste management plan. ESD shall assist in the preparation of, and shall also approve the waste management plan, which shall include the following elements:

1. The type and quantity of solid waste expected to enter the waste stream;
2. Source separation techniques to be used and the location of on-site storage for separated materials;
3. The method of transport and destination of separated waste and/or construction debris not re-used on-site;
4. A "buy-recycled" program for the project ; and
5. An impact analysis spreadsheet completed by an ESD analyst.

A copy of the waste management plan shall be submitted to ESD and the Agency.

With respect to construction/demolition debris, the amount of this material being deposited in the landfill could be reduced by the implementation of any or all of the following mitigation techniques:

6. On-site re-use of demolition material in the construction of the redevelopment activities.
7. Separating construction debris for recycling/re-use by others.
8. Using recycled materials in the construction of the redevelopment activities.

### **E. With respect to Biology**

1. Upland Resources. The loss of 1.4 acres of disturbed CSS would be a direct, significant impact of the proposed North Creek Redevelopment Activity Site. In addition, it would also result in a significant cumulative biological impact to a habitat that has a very limited range, supports a number of sensitive species (e.g., California gnatcatcher), and has been greatly reduced in recent years as a result of development. Impacts to this community, or the plants/wildlife supported by it, would be significant.

The Biological Resources Report (Appendix E) identified two mitigation options that will reduce CSS impacts to below a level of significance. Prior to the approval of the North Creek Redevelopment Activity, the Agency will select the mitigation option to be implemented.

#### Option 1

Because the North Creek Redevelopment Activity Site contains CSS habitat of low value as defined in the Conservation Guidelines, and is less than 10 acres in size, significant impacts

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to CSS may be mitigated through the payment of a fee into the City of San Diego's Habitat Acquisition Fund. The City of San Diego shall obtain mitigation lands within one year of project approval, resulting in equivalent habitat value to that which was lost. The City of San Diego is responsible for prioritizing the acquisition areas within their subregion/subarea preserve planning area.

With Option 1, mitigation monies shall be deposited in the City of San Diego's Habitat Acquisition Fund. The amount of mitigation monies to be deposited shall be determined by the City of San Diego, and agreed upon by the applicant prior to the approval of the North Creek Redevelopment Activity. For all funds deposited as mitigation for impacts to biological resources the following must also be provided:

- The amount of the contribution designated for administrative costs (10 percent of the total);
- The amount of the contribution designated for the development of long-term management (10 percent of the total).

### Option 2

A second mitigation option would involve habitat acquisition, restoration and management of degraded habitat at a 1:1 replacement ratio. An approved off-site location containing degraded CSS would have to be purchased, restored, maintained throughout the required monitoring period, and managed as a biological open space. At a 1:1 replacement ratio, 1.4 acres of disturbed CSS habitat would have to be acquired, restored, maintained, and preserved. The acquisition of an Interim Habitat Loss Permit from the City of San Diego will be required for the loss of the 1.4 acres of on-site CSS habitat. In addition, a Resource Protection Ordinance (RPO) Permit (also issued by the City of San Diego) will be required for the project.

2. Wetland Resources. Significant impacts to biological resources occurring downstream of the North Creek Site are not anticipated to occur, if construction within and adjacent to the creek channel is done outside of the rainy season. However, if the channel is flowing during construction, direct impacts to water quality may result in indirect impacts to biological resources occurring downstream.

Virtually the entire creek channel in the vicinity of the North Creek Redevelopment Activity would be altered by the project. However, the reintroduction of native upland and riparian trees and shrubs to the unvegetated and ruderal channel would be considered a beneficial impact. In addition, the eradication of giant reed occurring within the channel would also be considered beneficial.

The following mitigation measures, all of which are typically requirements of a Stream Alteration Agreement, shall be applied, as appropriate, during streambed alteration activities:

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1. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. The disturbed portions of any stream channel or lake margin within the high water mark of the stream or lake.
2. Restoration shall include the revegetation of stripped or exposed areas.
3. Rock, rip rap, or other erosion protection shall be placed in areas where vegetation cannot reasonably be expected to become reestablished.
4. Installation of bridges, culverts, or other structures shall be such that water flow is not impaired and upstream or downstream passage of fish is assured at all times. Bottoms of temporary culverts shall be placed at or below stream channel grade. Bottoms of permanent culverts shall be placed below stream channel grade.
5. Plans for design of concrete skills and other features that could potentially impede fish migrations must be approved by Department engineers.
6. When any dam (any artificial obstruction) is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream to maintain fish life below the dam.
7. An adequate fish passage facility must be incorporated into any barrier that obstructs fish passage.
8. Any temporary dam (any artificial obstruction) constructed shall only be built from material such as clean gravel which will cause little or no siltation.
9. No equipment will be operated in live stream channel.
10. Equipment shall not be operated in the stream channels of following live streams except as may be necessary to construct crossings or barriers and fills at channel changes.
11. When work in a flowing stream is unavoidable, the entire streamflow shall be diverted around the work area by a barrier, temporary culvert, and/or a new channel capable of permitting upstream and downstream fish movement. Construction of the barrier and/or the new channel shall normally begin in the downstream area and continue in an upstream direction, and the flow shall be diverted only when construction of the diversion is completed. Channel bank or barriers shall not be made of earth or other substances subject to erosion unless first enclosed by sheet piling, rock rip rap, or other protective material. The enclosure and the supportive material shall be removed when the work is completed and the removal shall normally proceed from downstream in an upstream direction.



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12. Temporary fills shall be constructed of nonerodible materials and shall be removed immediately upon work completion.
13. Equipment shall not be operated in the lake or its margin except during excavation and as may be necessary to construct barriers or fills. If work in the lake is unavoidable, a curtain enclosure to prevent situation of the lake beyond the immediate working are shall be installed. The enclosure and any supportive material shall be removed when the work is completed.
14. Silt settling basins shall be located away from the stream or lake to prevent discolored, silt-bearing water from reaching the stream or lake.
15. Preparation shall be made so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.
16. Wash water containing mud or silt from aggregate washing or other operations shall not be allowed to enter a lake or flowing streams.
- 17a. A silt catchment basin shall be constructed across the stream immediately below the project site. This catchment basin shall be constructed of gravel which is free from mud or silt.
- 17b. Upon completion of the project and after all flowing water in the area is clear of turbidity, the gravel along with the trapped sediment shall be removed from the stream.
18. If operations require moving of equipment across a flowing stream, such operations shall be conducted without substantially increasing stream turbidity. for repeated crossings, the operator shall install a bridge, culvert, or rock-fill crossing as specified in comments below.
19. If a stream channel has been altered during the operations, its low flow channel shall be returned as nearly as possible to its natural state without eating a possible future bank erosion problem, or a flat wide channel or sluice-like are. If a lake margin a has been altered, it shall be returned as nearly as possible to its natural state without creating a future bank erosion problem. The gradient of the Streambed or lake margin shall be as nearly as possible the same gradients as existed prior to disturbance.
20. Structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur.
21. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or washings thereof, oil or petroleum products or other organic or earthen material from any logging, construction, or associated activity of whatever nature shall be allowed

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to enter into or placed where it may be washed by rainfall or runoff into, waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream or lake.

22. The operator will notify the Department of Fish and Game of the date of commencement of operations and the date of completion of operations at least five days prior to such completion.

Implementation of Mitigation Option 1 or 2, and the streambed alternation mitigations, would reduce impacts to below a level of significance.

### F. With respect Geology and Soils

Redevelopment activities within the North Creek and Hilltop Redevelopment Activity Sites would be subject to potentially significant geotechnical constraints including seismic shaking, liquefaction, differential settlement, and erosion.

1. Geotechnical Constraints. Site specific geotechnical investigations (including subsurface exploration, laboratory testing of representative soil samples, and geotechnical analysis) shall be performed prior to the construction at the North Creek and Hilltop Redevelopment Activity Sites. The investigations shall determine soil characteristics, thickness, distribution, and seismic design criteria for structures. The investigations shall also be used to develop appropriate soil engineering parameters and structural design for the redevelopment activities.
2. Filling In Floodplain. The North Creek Redevelopment Activity shall require a City of San Diego Resource Protection Ordinance (REPO) permit for adding fill to the floodplain and may require an Army Corps of Engineers 404 permit for adding fill to waters of the United States. These permits shall be obtained if necessary, prior to the issuance of grading permits for the site.

In order to receive a REPO permit, the Agency shall prepare and submit the following to the City of San Diego Development Services Department for review and approval:

- A drainage plan;
- A hydrology study of the North Creek Redevelopment Activity site and the affected water shed;

In accordance with the development regulations of the Resource Protection Ordinance, the relevant findings of the hydrology study shall be incorporated into the design of the North Creek Redevelopment Activity to ensure that there will be no increase in the peak run-off rate from the site once developed, compared to the discharge that would be expected from the existing undeveloped site, as a result of the most intensive rainfall expected once every

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ten (10) years in a six (6) hour period. Such findings shall include, but shall not be limited to erosional characteristics, flow velocities and sediment transport.

3. Erosion. Final design and grading plans for the proposed redevelopment activities shall incorporate measures which would limit and control runoff and erosion of the soils in the Project area. These measures could include the following:
  - No grading shall take place during the rainy season (as determined by a case by case basis).
  - Depending on the extent of the proposed project; limit the extent of the area to be graded at one time.
  - Apply perimeter control measures such as water bars or sediment traps to protect any undisturbed areas downslope.
  - Complete erosion and runoff control measures before beginning major grading.
  - Keep runoff velocities low and retain runoff from the site through structural measures such as waterbars, and by minimizing impervious surfaces.
  - Stabilize disturbed areas immediately after final grade has been attained. This could be accomplished by revegetating cleared areas and applying seed, straw, or hydromulch.
4. Off-site Grading. No significant impacts have been identified for the off-site grading required for the North Creek Redevelopment Activity. However, the Agency shall be required to obtain letters of permission from the off-site property owners prior to the issuance of grading permits.

### G. With respect to Hydrology/Water Quality

The North Creek Redevelopment Activity could result in potentially significant hydrology and water quality impacts associated with erosion and sedimentation during construction; causing potential off-site flooding impacts; increasing stormwater runoff; and, altering the South Las Chollas Creek by installing the creek crossing. Likewise, the Hilltop Redevelopment Activity could result in potentially significant hydrology and water quality impacts associated with erosion and sedimentation during construction and increasing stormwater runoff.

Prior to the issuance of a REPO permit for the North Creek Redevelopment Activity, a hydrologic study shall be conducted, reviewed, and approved by the City Floodplain Engineer at the Development Department. Specific flood control measures required by the floodplain engineer shall be incorporated into the final project design. The Agency shall be responsible for ensuring that adequate flood protection is provided to all affected properties.

1. Filling in the Floodplain/Stormwater Runoff. In addition, applicants for specific redevelopment activities within waters of the United States shall obtain a U.S. Army Corps

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of Engineers 404 permit. Issuance of the 404 permit will ensure that potential flooding impacts associated with the redevelopment activities would be maintained below a level of significance. A general construction activity storm water permit will also be required for development sites over five (5) acres in size to assure that potential water quality impacts will not be significant.

2. Creek Crossing. The proposed creek crossing would also require a 1603 Streambed Alteration Agreement. Issuance of this permit will ensure that potential hydrology impacts to the South Las Chollas Stream are maintained below a level of significance.
3. Erosion and Sedimentation. Final design and grading plans for the proposed redevelopment activities shall incorporate measures that limit and control runoff and erosion of the soils. These measures could include, but would not be limited to the following:
  - No grading shall take place during the rainy season.
  - Limit the extent of the area to be graded at any one time.
  - Apply perimeter control measures such as water bars or sediment traps to protect any undisturbed areas downslope.
  - Complete erosion and runoff control measures before beginning major grading.
  - Keep runoff velocities low and retain runoff from the site through structural measures such as waterbars, and by minimizing impervious surfaces.
  - Stabilize disturbed areas immediately after final grade has been attained. This could be accomplished by revegetating cleared areas and applying seed, straw, or hydromulch.
  - No debris, soil, silt, sawdust, rubbish, cement, concrete or washing thereof, oil or petroleum products should be allowed to enter into or be placed where it may be washed by rainfall or runoff into the creek channel.

### H. With respect to Human Health and Public Safety

1. Potentially Contaminated Soils. Implementation of the amended Central Imperial Redevelopment Project may result in potentially significant contaminated soils impacts at the Hilltop Redevelopment Activity Site. One contaminated site and one potentially contaminated site are located in close enough proximity to the Hilltop Redevelopment Activity Site that migration of contaminants from these sites to the redevelopment activity site may have occurred. This is considered a potentially significant impact.

There is no known contamination at the Hilltop Redevelopment Activity Site, only a potential for underground contamination caused by materials migrating from nearby contaminated/potentially contaminated sites. Remediation of the nearby Texaco Station and former auto wrecking yard are not required mitigation measures, as the Redevelopment

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Agency proposes no activity on these two parcels. The Redevelopment Agency shall, however, implement the following mitigation measures to mitigate the potential for contamination at the Hilltop Redevelopment Activity Site prior to any ground-clearing activities:

- Review and evaluate available site specific records related to site contamination to determine if there is a potential for migration of contaminants to the Hilltop Redevelopment Activity Site;
  - If such a potential is found to exist, or cannot be determined conduct site specific studies at the Hilltop Redevelopment Activity Site to determine the extent of contamination migration;
  - If contaminants are found to have migrated, devise and implement a remediation plan in consultation with the appropriate regulatory agencies; and
  - Prepare a report for the Redevelopment Agency that documents the steps taken to comply with the mitigation process described above, and provides substantial evidence that the Hilltop Redevelopment Activity Site is not contaminated.
2. Asbestos and Lead-Based Paint Contamination. The potential presence of asbestos-containing materials and/or lead-based paint in existing structures that would be demolished would result in potentially significant human health and public safety impacts.

Asbestos and lead-based paint sampling and analysis shall be conducted for any of the pre-1978 structures that would be demolished/ removed as a result of the proposed North Creek and/or Hilltop Redevelopment Activity. The sampling, analysis, and removal of asbestos containing material and lead-based paint shall comply with all applicable laws and regulations.

### I. With respect to Cultural Resources

1. Archaeological Resources. The proposed Second Amendment is not expected to effect prehistoric archaeological resources as no such resources were found within the Redevelopment Activity Sites or the Cultural Resource Survey Area. Nonetheless, an archaeological monitoring program shall be required to ensure that potentially significant impacts are reduced to below a level of significance.

Although no archaeological resources were found within the Cultural Resource Survey Area and none are expected to occur, the following monitoring program has been added to the Project to ensure that impacts are maintained at below a level of significance.

An archaeological monitor shall be required to monitor initial ground disturbance activities at the redevelopment activity sites within the Cultural Resource Survey Area. Prior to the commencement of ground disturbing activities, the Agency shall retain a qualified

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archaeologist to carry out the resource mitigation identified below. A qualified archaeologist is defined as an individual certified by the Society of Professional Archaeologists. This monitoring program shall be conducted in compliance with Appendix K of the State CEQA Guidelines.

- a. The qualified archaeologist shall attend any pre-construction meeting to make comments and/or suggestions concerning the monitoring program and discuss grading plans with the excavation contractors. The archaeologist shall be on-site to monitor initial ground disturbance activities and inspect any archeological resources uncovered at the site.
- b. In the event that archaeological resources are discovered, the archaeologist shall temporarily direct, divert or halt construction activities in the area of discovery to allow recordation or recovery of potentially significant cultural resources. The degree of significance of the resource discovered shall be determined by the archaeologist. All significant cultural artifacts shall be photographed at the site and mapped before they are collected in an appropriate manner. Any human bone fragments of Native American origin shall be turned over to the appropriate Native American group for reburial. The entire salvaging effort will be handled in an expeditious manner.
- c. Collect any significant cultural remains; clean, catalog, and analyze all recovered cultural materials; and curate them with an appropriate scientific institution.
- d. A brief letter report summarizing the above program (with map showing site locations) shall be prepared and submitted to the Agency within three months following termination of the archaeological monitoring program. Also, any sites or features encountered shall be recorded with the South Coastal Information Center at San Diego State University and the San Diego Museum of Man.

Implementation of the archeological monitoring program would reduce potential impacts to below a level of significance.

### **J. With respect to Neighborhood Character/Aesthetics**

1. Short-Term Impacts. Mitigation of the short-term localized aesthetic effects related to construction may be achieved through careful planning and conformance with existing City and County regulations. Noise and dust emissions from construction activities would be largely mitigated by contractor compliance with equipment standards and standard construction procedures, including the public right-of-way. The hours of construction would be regulated by the City of San Diego's Noise Ordinance.
2. Design Standards and Guidelines. The proposed redevelopment activities would be subject to the development criteria and regulations contained within the Southeast San Diego PDO. The Urban Design Element of the Southeast Community Plan and the Project First Class Urban Design Program provide similar, although more general urban design standards. Adherence to the design principles, recommendations, and objectives of these urban design

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guidelines will specifically mitigate potential adverse aesthetic and urban design impacts. In addition, the Redevelopment Agency shall review all discretionary development permits and make recommendations of design review for discretionary development permits within its area of responsibility.

### **K. With respect to Paleontological Resources**

The North Creek Redevelopment Activity Site contains the Linda Vista, San Diego and Bay Point formation. This site also contains Alluvium and slopewash. The Hilltop Redevelopment Activity contains the Linda Vista Formation. Due to the known fossiliferous nature of segments of the San Diego Formation the Bay Point Formation, and the potential fossiliferous nature of the Lindavista Formation, impacts to undisturbed portions of these geologic formations associated with the North Creek and the Hilltop Redevelopment Activities would be potentially significant.

Approval of the proposed North Creek and Hilltop Redevelopment Activities would contain the following conditions for a monitoring program in undisturbed areas of fossil-bearing geologic formations, or potential fossil-bearing geologic formations, to mitigate potentially significant impacts to paleontological resources. Prior to the issuance of a grading permit(s) for the proposed redevelopment activities, the project applicant shall present a letter to the City of San Diego Development Services Department and/or the Redevelopment Agency indicating that a qualified paleontologist has been retained to carry out the resource mitigation.

1. Grading plans and schedule shall be provided to a qualified paleontologist in advance of actual construction activities.
2. A qualified paleontologist shall be present at any pre-grading meetings to discuss grading plans with the grading and excavation contractors.
3. During grading, a qualified paleontologist shall be on-site during the original cutting of previously undisturbed sediments of potential fossil bearing formations.
4. In the event that well preserved fossils are discovered, the paleontologist shall be allowed to temporarily direct, divert or halt grading operations to allow recovery of fossil remains in a timely manner. It may be necessary to set up a screen-washing operation on the site. The City of San Diego Building Services Department must concur with the salvaging methods to be performed before construction activities are allowed to résumé.
5. Fossil remains collected during the salvage program shall be cleaned, sorted and cataloged and then, with the owner's permission, deposited in a scientific institution with paleontological collections.

Implementation of this mitigation measure would reduce potentially significant paleontological resource impacts to below a level of significance.

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**III. The Final ER did not identify any changes or alterations which would avoid or substantially lessen certain significant environmental effects of the Second Amendment to the Central Imperial Redevelopment Project that are within the responsibility and jurisdiction of another public agency, and not the Redevelopment Agency or the City Council.**

**IV. The following discussion explains the reasons why specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the Final ER.**

**A. With respect to significant Cumulative Air Quality impacts**

As indicated in the air quality impact discussion in Section 4.4, pollutant emissions from construction activities and motor vehicle trips associated with various land uses in the expansion subareas are predicted to contribute additional pollution to the local air pollution background. This project-related increase would be in addition to existing vehicular and stationary source emissions in the area, as well as emissions from any other local projects that would be completed before the completion of regional air quality management plans. Therefore, implementation of the amended Redevelopment Plan would cause significant cumulative air quality impacts.

No Project Alternative. There would be no new air emissions under the No Project Alternative; therefore adoption of this Alternative would avoid the cumulative air quality impacts identified with the Proposed Project. The No Project Alternative would result in a continuation of the physical and economic conditions noted in the Draft Preliminary Report for the expansion subareas. Specifically, factors that contribute to the existing blighted conditions would be expected to remain, including:

- substandard, deteriorated and dilapidated structures, which pose a serious threat to the health and safety of residents and workers of the area;
- structures with neglected building repair and maintenance; and,
- structures with inappropriate building material, poor quality or faulty construction, faulty utilities, deficient light and ventilation.

These conditions would only be changed as the individual structures/ parcels were targeted either for reuse or demolition by individual development proposals. Implementation of development proposals would be influenced solely by private market forces.

Under the No Project Alternative, the public improvement deficiencies noted in the Preliminary Report would only be improved as adjacent areas are developed. Improvements to public facilities could be implemented as part of the City's Capital Improvement Program (CIP). CIP projects in the expansion subareas would be ranked as to their priority along with all other CIP projects in other areas of the City. These projects would be scheduled for implementation as funding becomes available. However, there is no guarantee that CIP funds would be available in the future. The deficiencies include:



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- inadequate traffic circulation, and water and sewer systems that do not adequately serve an area;
- limited vehicular access, both on- and around the redevelopment activities sites;
- a lack of curbs, gutters and sidewalks, settlements in the sidewalk, sidewalks of insufficient width, no sidewalks, unpaved roads/ inadequate driveways, damaged sidewalks, and no curbs or gutters;
- poor and sometimes nonexistent landscaping and street lighting; and,
- portions of the North Creek expansion subarea that lie within the 100-year flood-plain.

The economic characteristics noted in the expansion subareas would continue under the No Project Alternative. Specifically, the No Project Alternative would not correct the depreciated or stagnant property values; the low levels of assessed value growth; low residential property values; low levels of building permit activity; excessive vacant and underutilized lots; the lack of necessary commercial facilities; or, residential overcrowding.

### **B. With respect to significant Cumulative Solid Waste impacts**

Implementation of the proposed Second Amendment would result in a cumulative increase in the demand for solid waste facilities as discussed in Section 4.7. The City of San Diego Environmental Services Division has indicated that all projects resulting in a net increase in waste generation would result in cumulatively significant impacts on the ability of the City to provide landfill capacity (City of San Diego, 1994). Thus, the proposed Second Amendment would have a significant cumulative impact on landfill capacity. Implementation of the mitigation measures identified in Section 4.7.4 will reduce impacts to below a level of significance.

No Project Alternative. There would be no new solid waste generation under the No Project Alternative; therefore adoption of this Alternative would avoid the cumulative solid waste impacts identified with the Proposed Plan. The No Project Alternative would result in a continuation of the physical and economic conditions noted in the Draft Preliminary Report for the expansion subareas. Specifically, factors that contribute to the existing blighted conditions would be expected to remain, including:

- substandard, deteriorated and dilapidated structures, which pose a serious threat to the health and safety of residents and workers of the area;
- structures with neglected building repair and maintenance; and,
- structures with inappropriate building material, poor quality or faulty construction, faulty utilities, deficient light and ventilation.

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These conditions would only be changed as the individual structures/ parcels were targeted either for reuse or demolition by individual development proposals. Implementation of development proposals would be influenced solely by private market forces.

Under the No Project Alternative, the public improvement deficiencies noted in the Preliminary Report would only be improved as adjacent areas are developed. Improvements to public facilities could be implemented as part of the City's Capital Improvement Program (CIP). CIP projects in the expansion subareas would be ranked as to their priority along with all other CIP projects in other areas of the City. These projects would be scheduled for implementation as funding becomes available. However, there is no guarantee that CIP funds would be available in the future. The deficiencies include:

- inadequate traffic circulation, and water and sewer systems that do not adequately serve an area;
- limited vehicular access, both on- and around the redevelopment activities sites;
- a lack of curbs, gutters and sidewalks, settlements in the sidewalk, sidewalks of insufficient width, no sidewalks, unpaved roads/ inadequate driveways, damaged sidewalks, and no curbs or gutters;
- poor and sometimes nonexistent landscaping and street lighting; and,
- portions of the North Creek expansion subarea that lie within the 100-year flood-plain.

The economic characteristics noted in the expansion subareas would continue under the No Project Alternative. Specifically, the No Project Alternative would not correct the depreciated or stagnant property values; the low levels of assessed value growth; low residential property values; low levels of building permit activity; excessive vacant and underutilized lots; the lack of necessary commercial facilities; or, residential overcrowding.

### C. With respect to significant Cumulative Biology impacts

Coastal sage scrub (CSS) has a very limited range, supports a number of sensitive species (e.g., California gnatcatcher), and has been greatly reduced in recent years as a result of development. Therefore, the loss of 1.4 acres of disturbed CSS associated the proposed North Creek Redevelopment Activity Site, would be significant cumulative biological impact. Two mitigation options, either of which would reduce impacts to below a level of significance, are presented in Section 4.8.4 of this ER.

1. No Project Alternative. There would be no new disturbance of biological resources under the No Project Alternative; therefore adoption of this Alternative would avoid the cumulative biology impacts identified with the Proposed Plan. The No Project Alternative would result in a continuation of the physical and economic conditions noted in the Draft Preliminary

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Report for the expansion subareas. Specifically, factors that contribute to the existing blighted conditions would be expected to remain, including:

- substandard, deteriorated and dilapidated structures, which pose a serious threat to the health and safety of residents and workers of the area;
- structures with neglected building repair and maintenance; and,
- structures with inappropriate building material, poor quality or faulty construction, faulty utilities, deficient light and ventilation.

These conditions would only be changed as the individual structures/ parcels were targeted either for reuse or demolition by individual development proposals. Implementation of development proposals would be influenced solely by private market forces.

Under the No Project Alternative, the public improvement deficiencies noted in the Preliminary Report would only be improved as adjacent areas are developed. Improvements to public facilities could be implemented as part of the City's Capital Improvement Program (CIP). CIP projects in the expansion subareas would be ranked as to their priority along with all other CIP projects in other areas of the City. These projects would be scheduled for implementation as funding becomes available. However, there is no guarantee that CIP funds would be available in the future. The deficiencies include:

- inadequate traffic circulation, and water and sewer systems that do not adequately serve an area;
- limited vehicular access, both on- and around the redevelopment activities sites;
- a lack of curbs, gutters and sidewalks, settlements in the sidewalk, sidewalks of insufficient width, no sidewalks, unpaved roads/ inadequate driveways, damaged sidewalks, and no curbs or gutters;
- poor and sometimes nonexistent landscaping and street lighting; and,
- portions of the North Creek expansion subarea that lie within the 100-year flood-plain.

The economic characteristics noted in the expansion subareas would continue under the No Project Alternative. Specifically, the No Project Alternative would not correct the depreciated or stagnant property values; the low levels of assessed value growth; low residential property values; low levels of building permit activity; excessive vacant and underutilized lots; the lack of necessary commercial facilities; or, residential overcrowding.

2. 43rd Street Alternative. There would be no new biological impacts under the 43 Street Alternative; therefore adoption of the 43 Street Alternative would avoid the cumulative biology impacts identified with the Proposed Plan. The Southeast San Diego Development

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Committee recommended that SEDC evaluate the southwest corner of the intersection of 43rd Street/National Avenue and the National Avenue corridor as an alternative to the proposed North Creek Redevelopment Activity (Southeast San Diego Development Committee, 1996). This alternative is referred to in this ER, as the "43rd Street Alternative". For purposes of this analysis, this alternative assumes that the Agency would develop commercial uses at the southwest corner of the intersection of 43rd Street/National Avenue and along the National Avenue corridor with no commercial development at the North Creek Redevelopment Activity Site. Under this alternative, the provision of site access points along Imperial Avenue and Oceanview Boulevard, would not be required, nor would the flood control improvement activities. The remaining characteristics of the 43rd Street Alternative (i.e., size and type of proposed uses) are assumed to be similar to those identified for the proposed North Creek Redevelopment Activity.

The Final ER focuses on land use, traffic, biology, hydrology, and human health and public safety. These are the areas for which impacts associated with the 43rd Street Alternative and the North Creek Redevelopment Activity vary substantially. The 43rd Street Alternative's impacts to the remainder of environmental resources evaluated in this ER would be similar to those identified for the proposed redevelopment activity.

In summation, the 43rd Street Alternative would not be a feasible alternative to the proposed project. It would not achieve the objectives of the proposed Second Amendment, in that existing blighting conditions at the North Creek Redevelopment Activity Site would continue. In addition, this alternative would result in additional significant impacts that would not occur with the proposed project.

### D. With respect to Project Alternatives

The primary objective of the proposed Second Amendment to the Central Imperial Redevelopment Plan (Second Amendment) is to eliminate and prevent the spread of blight and deterioration via redevelopment, rehabilitation, and revitalization of the expansion subareas.

The Final ER evaluates alternatives that could lessen or avoid the significant impacts not mitigated by the Second Amendment as proposed.

1. No Project Alternative. The No Project Alternative would result in a continuation of the physical and economic conditions noted in the Draft Preliminary Report for the expansion subareas. Specifically, factors that contribute to the existing blighted conditions would be expected to remain, including:
  - substandard, deteriorated and dilapidated structures, which pose a serious threat to the health and safety of residents and workers of the area;
  - structures with neglected building repair and maintenance; and,

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- structures with inappropriate building material, poor quality or faulty construction, faulty utilities, deficient light and ventilation.

These conditions would only be changed as the individual structures/ parcels were targeted either for reuse or demolition by individual development proposals. Implementation of development proposals would be influenced solely by private market forces.

Under the No Project Alternative, the public improvement deficiencies noted in the Preliminary Report would only be improved as adjacent areas are developed. Improvements to public facilities could be implemented as part of the City's Capital Improvement Program (CIP). CIP projects in the expansion subareas would be ranked as to their priority along with all other CIP projects in other areas of the City. These projects would be scheduled for implementation as funding becomes available. However, there is no guarantee that CIP funds would be available in the future. The deficiencies include:

- inadequate traffic circulation, and water and sewer systems that do not adequately serve an area;
- limited vehicular access, both on- and around the redevelopment activities sites;
- a lack of curbs, gutters and sidewalks, settlements in the sidewalk, sidewalks of insufficient width, no sidewalks, unpaved roads/ inadequate driveways, damaged sidewalks, and no curbs or gutters;
- poor and sometimes nonexistent landscaping and street lighting; and,
- portions of the North Creek expansion subarea that lie within the 100-year flood-plain.

The economic characteristics noted in the expansion subareas would continue under the No Project Alternative. Specifically, the No Project Alternative would not correct the depreciated or stagnant property values; the low levels of assessed value growth; low residential property values; low levels of building permit activity; excessive vacant and underutilized lots; the lack of necessary commercial facilities; or, residential overcrowding.

2. North Creek Residential Alternative. The proposed Second Amendment to the Central Imperial Redevelopment Plan and the associated Community Plan Amendment would allow the development of either residential or commercial uses on the redevelopment activity sites. The recommended redevelopment activity for the North Creek Redevelopment Activity Site included the development of 276,500 to 330,000 SF of commercial uses on the site. Impacts associated with this commercial development are assessed in Chapter 4 of this ER. Because the proposed Second Amendment and Community Plan Amendment would also allow the residential development of this site, this section provides a discussion of the impacts associated with residential development on the North Creek Redevelopment Activity Site.

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The North Creek Residential alternative is defined as development of the redevelopment activity site with 200 single-family dwelling units (DUs). Under this alternative, no commercial uses would be developed at the site. The remainder of project features associated with the redevelopment activity (i.e., access points from Imperial Avenue and Oceanview Boulevard, elevating a portion of the site above the 100-year floodplain, provision of the pedestrian/bike lane, etc.) are assumed to be the same as those identified for the proposed redevelopment activity.

In summation, both the proposed North Creek Redevelopment Activity and the North Creek Residential Alternative achieve the project's overall objective, which is the elimination of blighting influences. However, the North Creek Residential Alternative does not provide necessary commercial facilities to the community, nor does it provide employment opportunities for area residents.

3. 43rd Street Alternative. The Southeast San Diego Development Committee recommended that SEDC evaluate the southwest corner of the intersection of 43rd Street/National Avenue and the National Avenue corridor as an alternative to the proposed North Creek Redevelopment Activity (Southeast San Diego Development Committee, 1996). This alternative is referred to in this ER, as the "43rd Street Alternative". For purposes of this analysis, this alternative assumes that the Agency would develop commercial uses at the southwest corner of the intersection of 43rd Street/National Avenue and along the National Avenue corridor with no commercial development at the North Creek Redevelopment Activity Site. Under this alternative, the provision of site access points along Imperial Avenue and Oceanview Boulevard, would not be required, nor would the flood control improvement activities. The remaining characteristics of the 43rd Street Alternative (i.e., size and type of proposed uses) are assumed to be similar to those identified for the proposed North Creek Redevelopment Activity.

The Final EIR focuses on land use, traffic, biology, hydrology, and human health and public safety. These are the areas for which impacts associated with the 43rd Street Alternative and the North Creek Redevelopment Activity vary substantially. The 43rd Street Alternative's impacts to the remainder of environmental resources evaluated in this ER would be similar to those identified for the proposed redevelopment activity.

In summation, the 43rd Street Alternative would not be a feasible alternative to the proposed project. It would not achieve the objectives of the proposed Second Amendment, in that existing blighting conditions at the North Creek Redevelopment Activity Site would continue. In addition, this alternative would result in additional significant impacts that would not occur with the proposed project.

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**V. The following discussion describes the benefits of the Redevelopment Plan which outweigh the significant environmental effects of the Plan which cannot be avoided or substantially lessened.**

- A. The Redevelopment Plan would be implemented by the Redevelopment Agency of the City of San Diego pursuant to the Community Redevelopment Law of the State of California Health and Safety Code, Section 33000 et seq.

The Redevelopment Plan is to be used as a tool to implement programs in the Project Area to eliminate the spread of existing blight and deterioration. Without the Redevelopment Plan, blight cannot be reasonably expected to be reversed or alleviated by private enterprise acting alone. The Redevelopment Plan provides the Redevelopment Agency with powers, duties and obligations to implement a program generally formulated for the redevelopment, rehabilitation and revitalization of the Project Area. It presents a process and basic framework within which future, specific redevelopment projects can be presented and prioritized.

- B. The Redevelopment Plan will improve or alleviate the conditions in the Project Area by providing a living environment which attracts business investments, commercial retail improvements, private/public recreational facilities, and residential enhancements that promote affordable housing and home ownership and by fostering an environment which reflects a high level of concern for architecture, landscape, urban design, and land use principles appropriate to the neighborhood character and objectives of the Southeast San Diego Community Plan.
- C. The redevelopment and rehabilitation of the Project Area will provide for a more effective use of the land by replacing obsolete and underutilized commercial structures with structures that meet current design standards.
- D. The Redevelopment Plan provides for public improvement activities, including, increased lighting for safety; improved transportation facilities; increased parking; as well as expanded park, recreation and school facilities address the needs of a growing population. Enhancing the old infrastructure system will improve the community and contribute to the effort to attract private investment.
- E. Agency assistance with site assemblage, site preparation and relocation benefits can encourage the private sector to remedy problems, such as incompatible land uses. The Redevelopment Plan will also remedy factors that prevent or substantially hinder the economic viability of businesses or the capacity of buildings/lots in the Project Area. The renovation and revitalization activities included in the Redevelopment Plan should contribute to correcting the physical conditions of blight that prevent or hinder the economic viability of properties in the area such as old and obsolete structures; structures with substandard design and inadequate size; and lack of sufficient parking, access or loading facilities.

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- F. The economic environment in and around the Redevelopment Project Area will be revitalized through new development, including continued increases to the property tax base and resultant increases to the tax increment funds available to assist redevelopment. The Agency's program of activities would alleviate the current constraints to rehabilitation and development in the Project Area.
  
- G. The funds to be derived from the Project, that will be used to increase and improve the supply of low and moderate income housing in the community, will help to alleviate the shortage of quality affordable housing in the Project Area. A variety of housing alternative are included in the Plan, such as focusing on the creation and reintroduction of affordable housing along major transportation or mixed-use corridors.



MITIGATION MONITORING AND REPORTING PROGRAM FOR THE  
SECOND AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE  
CENTRAL IMPERIAL REDEVELOPMENT PROJECT

This mitigation monitoring and reporting program was prepared for the Second Amendment to the Redevelopment Plan for the Central Imperial Redevelopment Project to comply with the mitigation monitoring statute (Public Resources Code Section 21081.6), which required public agencies to adopt such programs to ensure effective implementation of mitigation measures. This program shall be a requirement of the Redevelopment Plan approval. Certain changes or alterations (mitigation measures) are required by the Second Amendment to the Redevelopment Plan for the Central Imperial Redevelopment Project (Project) in connection with the Final Supplemental Environmental Impact Report (SCH # 96021045). For each mitigation measure required by the Final Supplemental Environmental Impact Report, a monitoring and/or reporting element is identified below.

A. TRANSPORTATION/CIRCULATION

A.1 North Creek Redevelopment Activity would have a significant near term impact on Imperial Avenue between 32nd Street and I-15; and, on Imperial Avenue between 40th Street and I-805

A.2 Future + North Creek scenario would have a significant effect on one street segment, Euclid Avenue, north of SR-94; and, on the following four intersections:

- Imperial Avenue/I-805 southbound ramps;
- Imperial Avenue/Western Project Access driveway;
- Imperial Avenue/Eastern Project Access driveway; and,
- Imperial Avenue/40th Street

Mitigation: The following improvements would mitigate the traffic impacts associated with the proposed Second Amendment to below a level of significance.

Imperial Ave./I-805 Southbound Ramps. In order to accommodate future traffic volumes associated with the proposed North Creek Redevelopment Activity, the southbound approach should be widened and restriped to provide one right turn lane, one shared through/left turn lane, and one exclusive left turn lane. This improvement would restore PM peak-hour LOS to acceptable levels of service. Because this redevelopment activity is

not solely responsible for the ultimate failure of this intersection, the applicant shall contribute to this improvement in proportion to its traffic impact.

Imperial Avenue/Eastern and Western Project Access. The northbound approach lane shall be channelized to restrict the northbound volumes to right-turns only.

Imperial Ave./40th Street. Daily traffic signal warrants will be met at this location under the Future + North Creek conditions. The applicant shall fund the construction of a signal at this location and may seek reimbursement from other area developments. Should the City Engineer place this intersection on the list of future City-funded traffic signal locations, the cost of signalization may be borne by the City.

Monitoring/Reporting: The Agency shall document the status of the above referenced intersection improvements in its annual "Mitigation Monitoring Report." Where street improvements are to be implemented, off-site improvement plans and street design adjacent to specific development proposals shall be reviewed for consistency with the mitigation measures stated above. Where street improvements are not consistent with the referenced recommendations, the plans shall be referred to the Transportation Planning Division of the City of San Diego Engineering and Development Department, prior to issuance of a building permit, for a determination of the appropriate level of improvement. For any given Redevelopment Activity, this mitigation monitoring and reporting element shall be deemed complete once written approval of any necessary street improvement plans has been received by the Agency and the improvements are constructed and noted in the annual "Mitigation Monitoring Report".

**A.3 Euclid Avenue as a four-lane major arterial will not provide sufficient capacity for future traffic volumes, with or without the proposed Hilltop Redevelopment Activity**

Mitigation: Additional analysis, to the approval of the redevelopment activity, shall be required to determine whether peak-hour operations will be severely congested in the long term. Should this evaluation determine that peak hour congestion occurs, the Hilltop Redevelopment Activity shall contribute its fair share toward the improvement of Euclid Avenue from Federal Boulevard to Hilltop Drive to six-lane primary arterial standards. The applicant for the Proposed Redevelopment Activity will be responsible for funding this improvement, but should seek reimbursement from other development proposals in the area that affect this facility.

Between Hilltop Drive and Market Street, Euclid Avenue should be improved to a six-lane major street.

Monitoring/Reporting: The Agency shall document the status of the above referenced intersection improvements in its annual "Mitigation Monitoring Report." Where street improvements are to be implemented, off-site improvement plans and street design adjacent to specific development proposals shall be reviewed for consistency with the mitigation measures stated above. Where street improvements are not consistent with the referenced recommendations, the plans shall be referred to the Transportation Planning Division of the City of San Diego Engineering and Development Department, prior to issuance of a building permit, for a determination of the appropriate level of improvement. For any given Redevelopment Activity, this mitigation monitoring and reporting element shall be deemed complete once written approval of any necessary street improvement plans has been received by the Agency and the improvements are constructed and noted in the annual "Mitigation Monitoring Report".

**B. NOISE**

**B.1 Future on-site noise levels at the proposed Hilltop Redevelopment Activity Site exceed the City's 65 CNEL standard for residential uses, as well as the City's 75 CNEL criteria for commercial uses**

Mitigation: Prior to the issuance of a Southeast San Diego Planned District Permit, a site-specific acoustical engineering study, conducted by a recognized Acoustical Engineer, shall be prepared by the applicant and submitted to the Agency, for the proposed Hilltop Redevelopment Activity. The acoustical engineering study shall include the following:

1. Demonstration of the Hilltop Redevelopment Activity's compliance with the City's exterior noise standards.
  - a. If this site is developed with residential uses, the Proposed Redevelopment Activity would be required to reduce exterior noise levels to 65 dBA within 50 feet of the centerline of Euclid Avenue, in order to meet City standards.
  - b. The State Housing Code requires that all attached residential projects in areas exceeding 60 CNEL must comply with Title 25 of the California Administrative Code (CAC). This mandates that interior noise levels not exceed 45 CNEL. Prior to the issuance of a building permit (s) for the multi-family DUs, the acoustical study shall demonstrate Title 25 compliance.
  - c. The required noise reduction could be accomplished by the installation of noise attenuation barriers along Euclid Avenue or by setting the structures a minimum of 250 feet back from the centerline of Euclid Avenue.

Implementation of such measures would reduce on-site noise impacts to below a level of significance.

2. Identification of specific noise control measures that have been or shall be incorporated into the project design such that City standards would be met.

Monitoring/Reporting: The Agency shall note the date the site-specific acoustical engineering study is approved by the city in its annual "Mitigation Monitoring Report." The Agency shall confirm that the proposed development meets city noise control standards and CAC Title 25, or a Statement of Overriding Considerations adopted with certification of the appropriate CEQA document shall be included with the annual "Mitigation Monitoring Report." For each specific Redevelopment Activity, receipt of the acoustic engineering study and project design plans that incorporate recommendations of the acoustic engineering study and subsequent confirmation of these activities in the Mitigation Monitoring Report constitutes completion of this mitigation monitoring and reporting element.

- B.2 Commercial uses at the North Creek Redevelopment Activity Site could subject adjacent residential uses to noise levels that exceed 50 dBA Leq at the property line**

Mitigation: Evidence from the Agency and/or applicant that noise emanating from the proposed North Creek Redevelopment Activity would not exceed 50 dBA Leq at the property line of adjacent residentially zoned properties in compliance with the City of San Diego Noise Ordinance. Measures to reduce noise levels at the property line of residentially zoned properties include, but would not be limited to, the installation of sound walls, shielding of mechanical equipment, limits on the hours of operation, equipment noise limits, and operations management.

Monitoring/Reporting: See Item B.1.

- B.3 Construction Noise**

Mitigation: An acoustical study shall demonstrate compliance with the Construction Noise Ordinance. If compliance with the ordinance cannot be obtained, the project applicant shall be required to obtain a variance from the Noise Abatement Officer prior to the commencement of construction. A copy of the variance shall be submitted to the Southeastern Economic Development Corporation.

The acoustical engineering studies shall be submitted to and approved by the City's Noise Abatement Control Officer. Approval of the acoustical study shall be evidence that specific noise control measures have been incorporated into the

project design such that the City of San Diego exterior and noise criteria would be met.

Monitoring/Reporting: See Item B.1.

## C. AIR QUALITY

C.1 Implementation of the proposed Second Amendment could generate more than 100 pounds of dust per day and therefore would result in potentially significant fugitive dust impacts

Mitigation: The following techniques should be used by the applicant, to the extent possible, to reduce vehicular and fugitive dust emissions from construction activities:

1. limit the disturbance area to less than 10 acres at any given time;
2. terminate disturbance when winds exceed 25 mph;
3. stabilize disturbed areas if construction is delayed by more than 90 days after initial grading;
4. require 90-day low NOx tune-ups for off-road equipment;
5. limit allowable idling time of construction vehicles to 10 minutes;
6. encourage car pooling for construction workers;
7. limit lane closures to off-peak travel periods;
8. park construction vehicles off traveled roads;
9. wet down or cover dirt hauled off-site;
10. wash or sweep access points daily;
11. encourage the transport of material during non-peak traffic hours; and,
12. sandbag construction sites for erosion control.

Monitoring/Reporting: Prior to the commencement of construction, the Agency shall require that all developers and/or contractors submit a construction management program to the Agency, which outlines how the above mitigation techniques will be implemented, to the extent feasible, for their projects. The Agency shall then review the program to ensure that it meets the intent of the above mitigation before approval of each project. The Agency shall document the above monitoring activities in its annual "Mitigation Monitoring Report." For each Redevelopment Activity documentation of the above monitoring activities in the annual "Mitigation Monitoring Report" constitutes completion of this monitoring and reporting element.

**C.2 Project-related traffic volumes contribute significantly to the regional and sub-regional air pollution burden**

Mitigation: The cumulative regional air quality impacts associated with the implementation of the Second Amendment to the Central Imperial Redevelopment Plan would be significant and cannot be mitigated to below a level of significance. All available Transportation Control Measures (TCMs ) shall be implemented by the Agency and/or project applicant where possible. The adoption of TCMs may not eliminate dependence on the single passenger automobile as a primary means of transportation, but their adoption recognizes the continuing need for both responsible agencies and project proponents to minimize transportation emission impacts as much as possible.

The following TCMs should be considered:

1. Trip Reduction Programs (Employment and Personal)
2. College Travel Trip Reduction
3. Goods Movement/Trucking Restrictions
4. Transit Improvement Program
5. Van pool Programs (2,500 new vanpools countywide)

Monitoring/Reporting: In accordance with the Transportation Demand Management Ordinance, developers of commercial, scientific research, mixed-used, or industrial buildings applying for a discretionary permit after January 1, 1990, shall submit a Developer Transportation Demand Management Plan. This Plan shall be submitted to the Transportation Demand Management administrator prior to approval of a discretionary permit. Issuance/Approval of the discretionary permit will be evidence that the reports were received. The Agency shall prepare a memo noting the dates the Developer Transportation Demand Management Plan and discretionary permit was approved and a discussion of the TDM measures that were implemented by the discretionary permit approval. This memo shall be included in its annual "Mitigation Monitoring Report." Issuing the annual "Mitigation Monitoring Report" with the above-referenced memo constitutes completion of this monitoring and reporting element.

**D. UTILITIES**

**D.1 The proposed Second Amendment would result in significant and cumulative landfill capacity impacts**

Mitigation: The project applicants shall prepare a waste management plan. The City's Environmental Services Department (ESD) shall assist in the preparation

of, and shall also approve the waste management plan, which shall include the following elements:

1. The type and quantity of solid waste expected to enter the waste stream;
2. Source separation techniques to be used and the location of on-site storage for separated materials;
3. The method of transport and destination of separated waste and/or construction debris not re-used on-site;
4. A "buy-recycled" program for the project ; and
5. An impact analysis spreadsheet completed by an ESD analyst.

A copy of the waste management plan shall be submitted to ESD and the Agency.

Monitoring/Reporting: The Agency shall prepare a memo noting the date that the waste management plan is approved by ESD. The waste management plan and memo shall be included in the Agency's annual "Mitigation Monitoring Report." This mitigation measure shall be deemed complete upon issuance of the "Mitigation Monitoring Report" with the above-referenced memo.

**D.2 The deposition of construction/ demolition debris could have a significant impact on landfill capacity**

Mitigation: The amount of this material being deposited in the landfill could be reduced by the implementation of any or all of the following mitigation techniques:

6. On-site re-use of demolition material in the construction of the redevelopment activities.
7. Separating construction debris for recycling/re-use by others.
8. Using recycled materials in the construction of the redevelopment activities.

Monitoring/Reporting: See Item D.1.

**E. BIOLOGICAL RESOURCES**

- E.1 The loss of 1.4 acres of disturbed Coastal Sage Scrub (CSS) would be a direct significant impact of the proposed North Creek Redevelopment Activity Site. In addition, it would also result in a significant cumulative biological impact.**

Mitigation: The Biological Resources Report (Appendix E) identified two mitigation options that will reduce CSS impacts to below a level of significance. Prior to the approval of the North Creek Redevelopment Activity, the Agency will select the mitigation option to be implemented.

### Option 1

Because the North Creek Redevelopment Activity Site contains CSS habitat of low value as defined in the Conservation Guidelines, and is less than 10 acres in size, significant impacts to CSS may be mitigated through the payment of a fee into the City of San Diego's Habitat Acquisition Fund. The City of San Diego shall obtain mitigation lands within one year of project approval, resulting in equivalent habitat value to that which was lost. The City of San Diego is responsible for prioritizing the acquisition areas within their subregion/subarea preserve planning area.

With Option 1, mitigation monies shall be deposited in the City of San Diego's Habitat Acquisition Fund. The amount of mitigation monies to be deposited shall be determined by the City of San Diego, and agreed upon by the applicant prior to the approval of the North Creek Redevelopment Activity. For all funds deposited as mitigation for impacts to biological resources the following must also be provided:

- The amount of the contribution designated for administrative costs (10 percent of the total);
- The amount of the contribution designated for the development of long-term management (10 percent of the total).

### Option 2

A second mitigation option would involve habitat acquisition, restoration and management of degraded habitat at a 1:1 replacement ratio. An approved off-site location containing degraded CSS would have to be purchased, restored, maintained throughout the required monitoring period, and managed as a biological open space. At a 1:1 replacement ratio, 1.4 acres of disturbed CSS habitat would have to be acquired, restored, maintained, and preserved. The acquisition of an Interim Habitat Loss Permit from the City of San Diego will be required for the loss of the 1.4 acres of on-site CSS habitat. In addition, a Resource Protection Ordinance (RPO) Permit (also issued by the City of San Diego) will be required for the project.

Monitoring/Reporting: Prior to Agency approval of the North Creek Redevelopment Activity, the Agency shall prepare a memo describing the mitigation option chosen to mitigate impacts to 1.4 acres of coastal sage scrub habitat on-site. The Agency shall prepare subsequent memos documenting the completion of specific milestones related to the adopted mitigation measure, which may include some or all of the following: the amount of money paid to the City of San Diego Habitat Acquisition Fund and the date paid, the date the City obtained the mitigation lands funded by the project applicant, the location and size of the off-site mitigation parcel and the date acquired, the date the restoration plan is approved, the date restoration activities begin, the date restoration monitoring activities commence, the date it is determined that



restoration has been successfully completed, the date the Interim Habitat Loss Permit is issued, and the date the RPO Permit is issued. These memos shall be included in the Agency's annual "Mitigation Monitoring Report." Receipt of notice that habitat land has been successfully acquired by the City or that the restoration success criteria have been met documents completion of mitigation monitoring and reporting for this measure.

**E.2** If the channel is flowing during construction, direct impacts to water quality may result in indirect impacts to biological resources occurring downstream. The entire creek channel would be altered by the project.

Mitigation: The DFG regulates impacts to lakes, streams, and rivers through the Streambed Alteration Agreement Regulation (Code 1600-1606). The Clean Water Act is regulated by the U.S. Army Corps of Engineers (COE) with technical oversight from the FWS. The following permits will be required for the construction of the proposed creek crossings and any proposed channel improvements: an Individual or Nationwide Permit from the COE; a 401 Water Quality Certification/Waiver from the San Diego Regional Water Quality Control Board; and a 1601 Streambed Alteration Agreement from the DFG. A formal wetlands delineation will also be required prior to submittal to the COE for an Individual or Nationwide 404 Permit.

The following mitigation measures, all of which are typically requirements of a Stream Alteration Agreement, shall be applied, as appropriate, during streambed alteration activities:

1. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. The disturbed portions of any stream channel or lake margin within the high water mark of the stream or lake shall be restored to as near their original condition as possible.
2. Restoration shall include the revegetation of stripped or exposed areas.
3. Rock, rip rap, or other erosion protection shall be placed in areas where vegetation cannot reasonably be expected to become reestablished.
4. Installation of bridges, culverts, or other structures shall be such that water flow is not impaired and upstream or downstream passage of fish is assured at all times. Bottoms of temporary culverts shall be placed at or below stream channel grade. Bottoms of permanent culverts shall be placed below stream channel grade.
5. Plans for design of concrete skills and other features that could potentially impede fish migrations must be approved by Department engineers.
6. When any dam (any artificial obstruction) is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream to maintain fish life below the dam.

7. An adequate fish passage facility must be incorporated into any barrier that obstructs fish passage.
8. Any temporary dam (any artificial obstruction) constructed shall only be built from material such as clean gravel which will cause little or no siltation.
9. No equipment will be operated in live stream channel.
10. Equipment shall not be operated in the stream channels of flowing live streams except as may be necessary to construct crossings or barriers and fills at channel changes.
11. When work in a flowing stream is unavoidable, the entire streamflow shall be diverted around the work area by a barrier, temporary culvert, and/or a new channel capable of permitting upstream and downstream fish movement. Construction of the barrier and/or the new channel shall normally begin in the downstream area and continue in an upstream direction, and the flow shall be diverted only when construction of the diversion is completed. Channel bank or barriers shall not be made of earth or other substances subject to erosion unless first enclosed by sheet piling, rock rip rap, or other protective material. The enclosure and the supportive material shall be removed when the work is completed and the removal shall normally proceed from downstream in an upstream direction.
12. Temporary fills shall be constructed of nonerodible materials and shall be removed immediately upon work completion.
13. Equipment shall not be operated in the lake or its margin except during excavation and as may be necessary to construct barriers or fills. If work in the lake is unavoidable, a curtain enclosure to prevent siltation of the lake beyond the immediate working area shall be installed. The enclosure and any supportive material shall be removed when the work is completed.
14. Silt settling basins shall be located away from the stream or lake to prevent discolored, silt-bearing water from reaching the stream or lake.
15. Preparation shall be made so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.
16. Wash water containing mud or silt from aggregate washing or other operations shall not be allowed to enter a lake or flowing streams.
- 17a. A silt catchment basin shall be constructed across the stream immediately below the project site. This catchment basin shall be constructed of gravel which is free from mud or silt.

- 17b. Upon completion of the project and after all flowing water in the area is clear of turbidity, the gravel along with the trapped sediment shall be removed from the stream.
18. If operations require moving of equipment across a flowing stream, such operations shall be conducted without substantially increasing stream turbidity. For repeated crossings, the operator shall install a bridge, culvert, or rock-fill crossing as specified in comments below.
19. If a stream channel has been altered during the operations, its low flow channel shall be returned as nearly as possible to its natural state without creating a possible future bank erosion problem, or a flat wide channel or sluice-like area. If a lake margin has been altered, it shall be returned as nearly as possible to its natural state without creating a future bank erosion problem. The gradient of the Streambed or lake margin shall be as nearly as possible the same gradients as existed prior to disturbance.
20. Structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the high water mark before such flows occur.
21. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or washings thereof, oil or petroleum products or other organic or earthen material from any logging, construction, or associated activity of whatever nature shall be allowed to enter into or placed where it may be washed by rainfall or runoff into, waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream or lake.
22. The operator will notify the Department of Fish and Game of the date of commencement of operations and the date of completion of operations at least five days prior to such completion.

Monitoring/Reporting: The Agency shall require that copies of any permits issued for the North Creek Redevelopment Activity site are provided to the Agency. The Agency shall prepare a memo or other report noting the date each permit is approved, and copies of the memo or report are to be included in the Agency's annual "Mitigation Monitoring Report." Issuance of the annual "Mitigation Monitoring Report" with the above-referenced memo constitutes completion of this monitoring reporting element.

## F. GEOLOGY/SOILS

F.1 Redevelopment activities within the North Creek and Hilltop Redevelopment Activity Sites would be subject to potentially significant geotechnical constraints including seismic shaking, liquefaction, differential settlement, and erosion.

### Mitigation:

#### Geotechnical Constraints

Site specific geotechnical investigations (including subsurface exploration, laboratory testing of representative soil samples, and geotechnical analysis) shall be performed prior to the construction of the North Creek and Hilltop Redevelopment Activities. The investigations shall determine soil characteristics, thickness, distribution, and seismic design criteria for structures. The investigations shall also be used to develop appropriate soil engineering parameters and structural design for the redevelopment activities.

Structural plans of all redevelopment activities shall be submitted to and approved by the City of San Diego Development Services Department and a copy of the approved plans shall be provided to the Agency prior to issuance of a building permit.

#### Filling In Floodplain

The North Creek Redevelopment Activity shall require a City of San Diego Resource Protection Ordinance (REPO) permit and an Army Corps of Engineers 404 permit for adding fill to the floodplain. These permits shall be obtained prior to the issuance of grading permits for the site.

In order to receive a REPO permit, the Agency shall prepare and submit the following to the City of San Diego Development Services Department for review and approval:

- A drainage plan;
- A hydrology study of the North Creek Redevelopment Activity site and the affected water shed;

In accordance with the development regulations of the Resource Protection Ordinance, the relevant findings of the hydrology study shall be incorporated into the design of the North Creek Redevelopment Activity to ensure that there will be no increase in the peak run-off rate from the site once developed, compared to the discharge that would be expected from the existing undeveloped site, as a result of the most intensive rainfall expected once every ten (10) years in a six (6) hour period. Such findings shall include,

but shall not be limited to erosional characteristics, flow velocities and sediment transport.

The measures required by the REPO and the 404 permits shall be documented on the grading plan(s) submitted for a grading permit. The grading plans shall be approved by the City of San Diego Development Services Department and a copy of the approved plan(s) shall be provided to the Agency prior to issuance of a grading permit.

### Erosion

Implementation of erosion control measures would reduce the expected erosion impacts to below a level of significance.

Final design and grading plans for the proposed redevelopment activities shall incorporate measures which would limit and control runoff and erosion of the soils in the Project area. These measures could include the following:

- No grading shall take place during the rainy season (as determined by a case by case basis).
- Depending on the extent of the proposed project; limit the extent of the area to be graded at one time.
- Apply perimeter control measures such as water bars or sediment traps to protect any undisturbed areas downslope.
- Complete erosion and runoff control measures before beginning major grading.
- Keep runoff velocities low and retain runoff from the site through structural measures such as waterbars, and by minimizing impervious surfaces.
- Stabilize disturbed areas immediately after final grade has been attained. This could be accomplished by revegetating cleared areas and applying seed, straw, or hydromulch.

The erosional control measures shall be documented on the grading plan(s) submitted for a grading permit. The grading plans shall be approved by the City of San Diego Development Services Department and a copy of the approved plan(s) shall be provided to the Agency prior to issuance of a grading permit.

### Off-site Grading

No significant impacts have been identified for the off-site grading required for the North Creek Redevelopment Activity. However, the Agency shall be

required to obtain letters of permission from the off-site property owners prior to the issuance of grading permits.

Monitoring/Reporting:

Geotechnical Constraints:

Structural plans of all redevelopment activities shall be submitted to and approved by the City of San Diego Development Services Department and a copy of the approved plans shall be provided to the Agency prior to issuance of a building permit. Upon completion of the North Creek and Hilltop Redevelopment Activities, the Agency shall prepare a "Mitigation Monitoring Report." The Report shall include the date the individual grading permits were issued for the respective activities, the permit number and a discussion of the mitigation measures that were monitored/implemented by the permit issuance.

Filling In Floodplain:

The measures required by the REPO and the 404 permits shall be documented on the grading plan(s) submitted for a grading permit. The grading plans shall be approved by the City of San Diego Development Services Department and a copy of the approved plan(s) shall be provided to the Agency prior to issuance of a grading permit. Upon completion of the North Creek and Hilltop Redevelopment Activities, the Agency shall prepare a "Mitigation Monitoring Report." The Report shall include the date the grading permit was issued, the permit number and a discussion of the mitigation measures that were monitored/implemented by the permit issuance.

Erosion:

The erosion control measures shall be documented on the grading plan(s) submitted for a grading permit. The grading plans shall be approved by the City of San Diego Development Services Department and a copy of the approved plan(s) shall be provided to the Agency prior to issuance of a grading permit. Upon completion of the North Creek and Hilltop Redevelopment Activities, the Agency shall prepare a "Mitigation Monitoring Report." The Report shall include the date the individual grading permits were issued for the respective activities, the permit number and a discussion of the mitigation measures that were monitored/implemented by the permit issuance.

Off-site Grading:

A copy of the off-site grading permission letters shall be provided to the Agency and included in the Mitigation, Monitoring and Reporting Program. Implementation of these measures is expected to reduce impacts to below a level of significance.

Issuance of the annual "Mitigation Monitoring Report" with the following information:

- Date the grading permit was issued, permit number, and the mitigation measures that were monitored/implemented, and,
- Letters of permission from affected property owners for any offsite grading activities,

shall constitute completion of this monitoring and reporting element.

## G. HYDROLOGY/WATER QUALITY

G.1 The North Creek Redevelopment Activity and/or the Hilltop Redevelopment Activity could result in potentially significant hydrology and water quality impacts associated with erosion and sedimentation during construction; causing potential off-site flooding impacts; increasing stormwater runoff; and, altering the South Las Chollas Creek by installing the creek crossing.

Mitigation: Prior to the issuance of a REPO permit for the North Creek Redevelopment Activity, a hydrologic study shall be conducted, reviewed, and approved by the City Floodplain Engineer at the Development Department. Specific flood control measures required by the floodplain engineer shall be incorporated into the final project design. The Agency shall be responsible for ensuring that adequate flood protection is provided to all affected properties.

### Filling in the Floodplain/Stormwater Runoff

In addition, applicants for specific redevelopment activities within waters of the United States shall obtain a U.S. Army Corps of Engineers 404 permit. Issuance of the 404 permit will ensure that potential flooding impacts associated with the redevelopment activities would be maintained below a level of significance. A general construction activity storm water permit will also be required for development sites over five (5) acres in size to assure that potential water quality impacts will not be significant.

### Creek Crossing

The proposed creek crossing would also require a 1603 Streambed Alteration Agreement. Issuance of this permit will ensure that potential hydrology impacts to the South Las Chollas Stream are maintained below a level of significance.

### Erosion and Sedimentation

Final design and grading plans for the proposed redevelopment activities shall incorporate measures that limit and control runoff and erosion of the soils. These measures would be similar to those identified in F.1.

Monitoring/Reporting: The Agency shall verify that all required hydrology studies, storm water pollution prevention plans, and grading plans are prepared and approved by the appropriate agency. The Agency shall prepare a memo or other report noting the date each of the above studies/plans is approved, and copies of the memo or approved documents are to be included in the Agency's annual "Mitigation Monitoring Report." Issuance of the annual "Mitigation Monitoring Report" that includes the above-referenced memo or studies/plans shall constitute completion of this monitoring and reporting element.

## H. HUMAN HEALTH/PUBLIC SAFETY

H.1 Implementation of the proposed Second Amendment would result in potentially significant contaminated soils impacts at the Hilltop Redevelopment Activity Site.

Mitigation: The Redevelopment Agency shall implement the following mitigation measures to mitigate the potential for contamination at the Hilltop Redevelopment Activity Site prior to any ground-clearing activities:

1. Review and evaluate available site specific records related to site contamination to determine if there is a potential for migration of contaminants to the Hilltop Redevelopment Activity Site;
2. If such a potential is found to exist, or cannot be determined conduct site specific studies at the Hilltop Redevelopment Activity Site to determine the extent of contamination migration;
3. If contaminants are found to have migrated, devise and implement a remediation plan in consultation with the appropriate regulatory agencies; and
4. Prepare a report for the Redevelopment Agency that documents the steps taken to comply with the mitigation process described above, and provides substantial evidence that the Hilltop Redevelopment Activity Site is not contaminated.

Monitoring/Reporting: If contamination is found on the project site, the project applicant shall coordinate clean up and remediation activities with the San Diego County Hazardous Materials Division, the California Regional Water Quality Control Board, the Air Pollution Control District, and other appropriate agencies. The results of the site investigations and remediation activities, shall be documented in a report to be prepared by the applicant. The report shall be submitted to, and approved by, the City of San Diego Development Services Department, the Agency, and appropriate regulatory agencies, prior to the issuance of a grading permit. Monitoring efforts shall be documented in the Agency's annual "Mitigation Monitoring Report." Receipt of site clearance by the San Diego County Headquarters Materials Division and issuance of the



annual "Mitigation Monitoring Report" noting this site clearance constitutes completion of this monitoring and reporting element.

**H.2 The potential presence of asbestos-containing materials and/or lead-based paint in existing structures that would be demolished would result in potentially significant human health and public safety impacts.**

Mitigation: Asbestos and lead-based paint sampling and analysis shall be conducted by the Agency or applicant for any of the pre-1978 structures that would be demolished/removed as a result of the proposed North Creek and/or Hilltop Redevelopment Activity. The sampling, analysis, and removal of asbestos containing material and lead-based paint shall comply with all applicable laws and regulations.

Monitoring/Reporting: A report documenting the results of the testing and the implementation of any recommended remediation shall be presented to, and approved by the Agency and the City of San Diego Building Department prior to the issuance of demolition or building permit. Upon completion of the redevelopment activity, the Agency shall prepare a "Mitigation Monitoring Report" that will include the date the demolition permit(s) were issued and a discussion of the mitigation measures that were monitored/implemented by its issuance. The report documenting the results of the asbestos sampling, as well as the implementation of any recommended clean up measures shall be included in the "Mitigation Monitoring Report." For any Redevelopment Activity, this monitoring and reporting element shall be considered complete: either upon determination that no pre-1978 building would be demolished/removed or that the city has approved the report documenting the result, of the testing and implementation of any required remediation, and upon issuance of the annual "Mitigation Monitoring Report" that addresses this issue.

## **I. CULTURAL RESOURCES**

**I.1 An archaeological monitoring program shall be required by the Agency and/or applicant to ensure that potentially significant impacts are reduced to below a level of significance.**

Mitigation: Although no archaeological resources were found within the Cultural Resource Survey Area and none are expected to occur, the following monitoring program has been added to the Project to ensure that impacts are maintained at below a level of significance. An archaeological monitor shall be required to monitor initial ground disturbance activities at the redevelopment activity sites within the Cultural Resource Survey Area. Prior to the commencement of ground disturbing activities, the Agency shall retain a qualified archaeologist to carry out the resource mitigation identified below. A qualified archaeologist is defined as an individual certified by the Society of Professional Archaeologists. This monitoring program shall be conducted in compliance with Appendix K of the State CEQA Guidelines.

1. The qualified archaeologist shall attend any pre-construction meeting to make comments and/or suggestions concerning the monitoring program and discuss grading plans with the excavation contractors. The archaeologist shall be on-site to monitor initial ground disturbance activities and inspect any archeological resources uncovered at the site.
2. In the event that archaeological resources are discovered, the archaeologist shall temporarily direct, divert or halt construction activities in the area of discovery to allow recordation or recovery of potentially significant cultural resources. The degree of significance of the resource discovered shall be determined by the archaeologist. All significant cultural artifacts shall be photographed at the site and mapped before they are collected in an appropriate manner. Any human bone fragments of Native American origin shall be turned over to the appropriate Native American group for reburial. The entire salvaging effort will be handled in an expeditious manner.
3. Collect any significant cultural remains; clean, catalog, and analyze all recovered cultural materials; and curate them with an appropriate scientific institution.
4. A brief letter report summarizing the above program (with map showing site locations) shall be prepared and submitted to the Agency within three months following termination of the archaeological monitoring program. Also, any sites or features encountered shall be recorded with the South Coastal Information Center at San Diego State University and the San Diego Museum of Man.

Monitoring/Reporting: A brief letter report (with map showing site locations) shall be prepared and submitted to the Agency summarizing the above program. The results of the archaeology letter report shall be discussed in the Agency's annual "Mitigation Monitoring Report." For each Redevelopment Activity, receipt of the letter report and issuance of the annual "Mitigation Monitoring Report" discussing this letter report shall constitute completion of this monitoring and reporting element.

## J NEIGHBORHOOD CHARACTER/AESTHETICS

### J.1 Potential short-term localized aesthetic effects related to construction

Mitigation: Mitigation of the short-term localized aesthetic effects related to construction may be achieved through careful planning and conformance with existing City and County regulations. Noise and dust emissions from construction activities would be largely mitigated by contractor compliance with equipment standards and standard construction procedures, including the public right-of-way. The hours of construction would be regulated by the City of San Diego's Noise Ordinance.

Monitoring/Reporting: See Item B.1 and C.1

## J.2 Potential long-term impacts from aesthetically unpleasing development

Mitigation: The proposed redevelopment activities would be subject to the development criteria and regulations contained within the Southeast San Diego PDO. The Urban Design Element of the Southeast Community Plan and the Project First Class Urban Design Program provide similar, although more general urban design standards. Adherence to the design principles, recommendations, and objectives of these urban design guidelines will specifically mitigate potential adverse aesthetic and urban design impacts. In addition, the Redevelopment Agency shall review all discretionary development permits and make recommendations of design review for discretionary development permits within its area of responsibility.

Monitoring/Reporting: The Agency shall monitor that all Redevelopment Activities are consistent with all applicable design standards by noting the date each project is reviewed, any inconsistencies identified, and corrective actions taken by the applicant in a project-specific memo. The Agency shall include this memo in the annual "Mitigation Monitoring Report." Issuance of the annual "Mitigation Monitoring Report," including the above-referenced memo shall constitute completion of this monitoring and reporting element for each specific Redevelopment Activity.

## K PALEONTOLOGICAL RESOURCES

### K.1 Potential impacts to significant paleontological resources

Mitigation: The Project Area is underlain by the San Diego and Lindavista geologic formations. Both of these formations are known to contain potentially significant paleontological resources. Development within the Project Area may result in impacts to significant paleontological resources when earthwork operations cut into the fossil bearing layers of these formations. Prior to the issuance of a grading permit(s) for the proposed redevelopment activities, the project applicant shall present a letter to the City of San Diego Development Services Department and/or the Redevelopment Agency indicating that a qualified paleontologist has been retained to carry out the resource mitigation.

1. Grading plans and schedule shall be provided to a qualified paleontologist in advance of actual construction activities.
2. A qualified paleontologist shall be present at any pregrading meetings to discuss grading plans with the grading and excavation contractors.
3. During grading, a qualified paleontologist shall be on-site during the original cutting of previously undisturbed sediments of potential fossil bearing formations.
4. In the event that well preserved fossils are discovered, the paleontologist shall be allowed to temporarily direct, divert or halt grading operations to allow recovery of fossil remains in a timely manner. It may be necessary

to set up a screen-washing operation on the site. The City of San Diego Building Services Department must concur with the salvaging methods to be performed before construction activities are allowed to resume.

5. Fossil remains collected during the salvage program shall be cleaned, sorted and cataloged and then, with the owner's permission, deposited in a scientific institution with paleontological collections.

Monitoring/Reporting: A brief letter report (with map showing site locations) shall be prepared and submitted to the City of San Diego Development Services Department and the Agency, summarizing the above program. The results of the paleontology letter report shall be discussed in the Agency's annual "Mitigation Monitoring Report." For each Redevelopment Activity, receipt of this letter report and issuance of the annual "Mitigation Monitoring Report" discussing this letter report shall constitute completion of this monitoring and reporting element.