

RESOLUTION NUMBER R- 294056

ADOPTED ON OCT 24 2000

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THE FINAL MITIGATED NEGATIVE DECLARATION FOR THE THIRD 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 THIRD AMENDMENT TO THE REDEVELOPMENT PROJECT, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM.

WHEREAS, the Redevelopment Agency of the City of San Diego (the "Agency") is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Central Imperial Redevelopment Project (the "Project"); and

WHEREAS, the Agency has prepared a proposed Third Amendment to the Redevelopment Plan for the Project; and

WHEREAS, the Agency, as lead Agency, is responsible for preparing a Mitigated Negative Declaration ("MND") to assess the environmental impacts which may result from the Project; and

WHEREAS, a Draft MND 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 MND, at which all interested persons and organizations were given an opportunity to be heard; and

WHEREAS, a Final MND (Attachment A), relating to the proposed Third 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 for the approval of the proposed Third Amendment to the Redevelopment Plan for the Project, has reviewed and considered the information contained in the Final MND, NOW, THEREFORE

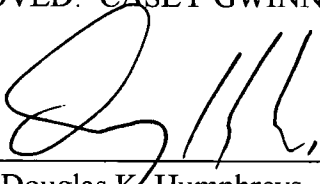
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Council certifies the Final MND for the Third 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 further certifies that the information contained in the Final MND which is on file has been reviewed and considered by the members of the Council.
3. That the Council finds and determines that the environmental impacts of adding the Langley Site to the Project area would not be significant with implementation of the mitigation measures identified in the Final MND.

4. That the Mitigation Monitoring and Reporting Program for the Third Amendment to the Redevelopment Plan for the Project, contained in the Final MND is approved and adopted to monitor and ensure that the mitigation measures identified will be instituted.

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

APPROVED: CASEY GWINN, City Attorney

By   
\_\_\_\_\_  
Douglas K. Humphreys  
Deputy City Attorney

DKH:lc  
10/11/00  
Or.Dept:SEDC  
R-2001-632  
Form=r&t.frm



Southeastern  
Economic  
Development  
Corporation

**Final**

**Mitigated Negative Declaration**

Southeastern Economic Development Corporation  
995 Gateway Center Drive, Suite 300  
San Diego, CA 92102  
(619) 527-7345

T 619.527.7345  
F 619.263.6912

**SUBJECT: Third Amendment to the Central Imperial Redevelopment Plan. REDEVELOPMENT PLAN AMENDMENT** to add an approximately 18-acre site to the Central Imperial Redevelopment Project to facilitate commercial development consistent with the existing Southeast San Diego Community Plan. The environmental impacts of adding the subject site to the Central Imperial Redevelopment Project are no different from the impacts identified for the anticipated development of the site described in the Final Mitigated Negative Declaration for Market Creek Plaza, which is hereby incorporated by reference (LDR No. 99-0156, SCH No. 99071026). The subject site, also known as the Langley Site, is located south of the MTDB San Diego Trolley right-of-way between Euclid Avenue and 49th Street in the Lincoln Park neighborhood of the Southeast Community Planning Area of the City of San Diego. Applicant: Southeastern Economic Development Corporation.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The Southeastern Economic Development Corporation (SEDC) conducted an Initial Study which determined that the proposed plan amendment could have a significant environmental effect in the following areas: **Archaeological Resources, Biological Resources, Noise, Transportation/Circulation and Public Health/Public Safety.** Future development at the Langley site shall be required to implement the mitigation identified in Section V of this Mitigated Negative Declaration. Implementation of the prescribed mitigation would avoid or mitigate the potentially significant environmental effects identified by this analysis, and the preparation of an Environmental Impact Report is not required for the proposed action to add the Langley site to the Central Imperial Redevelopment Project.

*R* - 294056

IV. DOCUMENTATION:

The attached Initial Study documents the reasons that support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

As conditions of the Resource Protection Ordinance (RPO) Permit and Southeast San Diego Development Permit (SEDPD) that will be required for future development on the subject site, the following mitigation measures are required to reduce potentially significant impacts associated with Archaeological Resources, Biological Resources, Noise, Traffic Circulation, Human Health/Public Safety, and potential Paleontological Resources to below a level of significance. These mitigation measures are documented in the Mitigated Negative Declaration for the Market Creek Plaza (LDR No. 99-0156, SCH No. 99071026) and are hereby incorporated by this reference.

Archaeological Resources

The following mitigation measures are required to reduce potential adverse project impacts to cultural resources to below a level of significance:

Prior to the issuance of grading permits or recordation of final map, the developer shall provide verification that a qualified archaeologist and/or archaeological monitor have been retained to implement the archaeological construction monitoring program. This verification shall be in the form of a letter from the developer to the Environmental Review Manager of the Land Development Review. ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL CONSTRUCTION MONITORING OF THIS PROJECT SHALL BE APPROVED BY THE CITY OF SAN DIEGO LAND DEVELOPMENT REVIEW DEPARTMENT (LDR) PRIOR TO THE START OF MONITORING.

The qualified archaeologist shall attend preconstruction meetings to make comments and/or suggestions concerning the archaeological construction monitoring program and discuss plans with the engineer. The requirement for archaeological monitoring shall be noted on the grading plan.

~~The qualified archaeologist or archaeological monitor shall be present on site full-time during grading.~~

In the event that unanticipated cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. THE ARCHAEOLOGIST SHALL CONTACT LDR AT THE TIME OF DISCOVERY. The significance of the discovered resources shall be determined by the archaeologist, in consultation with LDR. LDR must concur with the evaluation before grading activities shall

be allowed to resume. For significant cultural resources, a Research Design and Data Recovery Program shall be prepared and carried out to mitigate impacts before grading activities in the area of discovery shall be allowed to resume. Any human bones of Native American origin shall be turned over to the appropriate Native American group for reburial.

All cultural materials collected shall be cleaned, catalogued, and permanently curated with an appropriate institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area.

Faunal material shall be identified as to species and specialty studies shall be completed, as appropriate.

### **Biological Resources.**

The following mitigation measures are required to reduce potential adverse project impacts to biological resources to below a level of significance:

Direct impacts to Biological Resources shall be mitigated through a combination of on-site preservation and restoration and off-site mitigation. Mitigation measures described below shall be conditions of the RPO and SESDPD permits.

Development of the Langley site would significantly affect 3.28 acres of maritime succulent scrub, 3.42 acres of disturbed coastal sage scrub, 0.25 acres of riparian scrub, and 3.31 acres of non-native grassland. In addition, the development would temporarily impact 1.69 acres of creek bed and riparian scrub which shall be restored after construction. These significant impacts require mitigation under CEQA and the mitigation shall be in conformance with the City of San Diego's MSCP Subarea Plan and Biological Guidelines. The following mitigation measures are discussed separately for wetland mitigation measures and upland mitigation measures.

### **Wetland Mitigation Measures**

Development of the Langley site would impact the entire creek bed during construction. Permanent impacts of building and parking lot construction would also occur to the small side drainage on the site that runs east-west, whereas Chollas Creek would only be temporarily impacted during construction and shall be restored once construction is completed. Based on the City's Biological Guidelines, impacts to both riparian scrub habitat and natural flood channel shall be mitigated at a 2:1 ratio.

The project would impact a total of 1.69 acres of wetland habitat (0.25 acre of riparian scrub and 1.44 acres of creek bed) onsite (the Chollas Creek north of the trolley bridge equaling 0.18 acres shall not be graded or directly impacted). The City requires 2:1 mitigation for streambed impacts. The proposed new channel shall create a restoration area of 3.2 acres

of riparian habitat with an additional 0.44 acre of planted rock rip rap, pursuant to the wetlands restoration plan described in the Market Creek Plaza MND. Future development may include an outdoor amphitheater. The mitigation acreage excludes the area proposed for an amphitheater, as described in the Market Creek Plaza MND.

The proposed wetland restoration includes the establishment of riparian woodland within the newly established creek. Plants included within the planting plan include California sycamore, coast live oak, Mexican elderberry, cottonwood, black shallow, and sandbar shallow. The under story of the shrubs in the area includes both more riparian-typical species along the tower banks and transitional zone species on the upper banks. These species include along the lower slope bank mulefat, fuschia and California rose. The upper bank shall also include some species more readily adapted to drier conditions such as California sage brush, scrub oak, redberry and encelia. Irrigation is proposed to be a temporary below ground system. Hydroseed in these areas and within the channel shall include mugwort, Palmer's sagewort, Mulefat, coyote brush, golden bush and fleabane. A detailed planting, and irrigation plan shall be submitted. The final configurations and approval of such a plan shall be required from the City of San Diego, the ACOE and the CDFG before channel improvements could occur. As part of the final restoration plan, a five-year mitigation monitoring, and maintenance program shall be established. This program shall include, data collection, success criteria, reporting schedules, and horticultural monitoring techniques.

The enhancement/creation of the habitat within Chollas Creek shall provide a higher quality habitat than currently exists in the creek area. This restoration effort shall not only replace the acreage lost during construction but shall also provide a higher quality habitat overall, thereby, reducing the level of impact to wetland resources onsite to below a level of significance.

#### Protection and Notice Element

The newly created Chollas Creek and restoration area, except the amphitheater, shall be either offered for dedication in fee title to the City or shall be placed in a conservation easement. The entire area shall be protected by either of these measures to ensure that future impacts do not occur to the restored habitat and the creek bed.

---

#### Management Element

The wetland restoration plan shall include having a management and monitoring plan. The management and monitoring plan shall include weed and trash maintenance of the site and temporary irrigation, as necessary, for a minimum of five years or until the site becomes self-sustaining. A detailed management and monitoring plan shall be required to be prepared by the developer and approved by the City, ACOE and the CDFG prior to construction.

The plan shall include details regarding protection measures, trash maintenance, and other considerations for long term success.

When the site is deeded to the City or the conservation easement is granted, at the end of the five years or when the site is deemed successful, the City may assume any management needs of the area.

### **Upland Mitigation Measures**

Upland habitats are proposed to be mitigated in accordance with the City's Biological Guidelines. The project would significantly affect 3.28 acres of maritime succulent scrub, 3.42 acres of disturbed coastal sage scrub, 3.3 1 acres of nonnative grassland for a total of 8.35 acres. The proposed impacts are outside the MHPA and it is anticipated that mitigation would occur within the MHPA boundary. The maritime succulent scrub (Tier 1 habitat) and the disturbed coastal sage scrub (Tier 11 habitat) habitats shall be mitigated at a 1:1 ratio. The non-native grassland (Tier III habitat) shall be mitigated at the rate of 0.5 to 1.

Prior to the issuance of grading permits and/or recordation of final maps, the developer shall either contribute \$68,887.00 (8.35 acres x \$7,500.00 + 10% administrative fee) to the City's Habitat Acquisition Fund, or in lieu of a cash contribution, the developer may acquire and assure the long term preservation of land or equivalent mitigation credits. The contribution shall be sufficient to acquire a total of 8.35 acres of land, or the equivalent mitigation credits, within the City's Multi-Habitat Preserve Area (MHPA). The amount and habitat type of the compensation shall be consistent with the City's MSCP and is subject to approval of the Environmental Review Manager. (The above mitigation ratios are applicable only if the off-site mitigation occurs within the MHPA.)

All habitats shall be mitigated in kind or better quality habitat. Purchase of mitigation based on the above ratios and agreed to by the City of San Diego, shall mitigate the significant impacts associated with these habitats to below a level of significance.

### Alternative Upland Mitigation

All or part of the required 8.35-acres of upland mitigation can be accomplished through the ~~enhancement/creation of off-site areas of Chollas Creek to riparian vegetation/habitat.~~ If chosen, this mitigation would be required to meet all parameters stated in the previous "Wetland Mitigation Measures" Section of this MMRP. In addition, off-site mitigation in Chollas Creek would require City, CDFG, ACOE, and FWS approval and City, CDFG and ACOE permits.

In addition, as a requirement of the RPO and SEDPD permits grading of any area occupied by the California gnatcatchers shall occur outside of the breeding season (February 15 - August 15) to the maximum extent practicable. If clearing and/or grading must occur during



the breeding season, measures approved by the Planning and Development Review Department, the USF&WS and the CDFG must be implemented.

#### Protection and Notice Element

The proposed offsite mitigation for the upland impacts shall be conducted within a mitigation bank, a pre-approved environmental subdivision, or other land acceptable to the City of San Diego. If the land is not protected at the time of purchase, a conservation easement shall be placed over the proposed mitigation area to protect it against future development impacts.

#### Management Element

Upland mitigation purchased by the developer, shall be conducted at a pre-approved location within the MHPA and granted to the City. Therefore, management of these areas shall be conducted by the City, or any appropriate entity, in accordance with the City's MSCP Habitat Management Plan.

#### Noise

The following mitigation measures are required to reduce potential adverse project impacts to noise to below a level of significance:

An acoustical analysis was prepared for the Market Creek Plaza by Giroux & Associates, dated May 11, 1999. The report addressed the noise issues potentially affecting the site as well as posed by the proposal. As a condition of approval, the project shall ensure that music amplification is limited to 80 dBa (1-Hour average) at 20 feet from the on-stage speakers of the proposed outdoor amphitheater.

As a condition of approval of development at the subject site, the project shall at all times comply with the City standards for noise-sensitive uses as stated in article 9.6 of the Municipal Code. Furthermore, as a condition of approval, during all musical events on the site, the volume control shall be fixed not to exceed 80 dBa at any time.

~~Normal construction hours of 7:00 am to 7:00 p.m. Mon.-Sat. shall be followed.~~

#### Transportation/Circulation

The following transportation mitigation measures are required to reduce traffic related impacts to below a level of significance:

Prior to issuance of any building permits, the developer shall either 1) assure by permit and bond, the installation of a traffic signal at the intersection of Euclid Avenue and SR-94

westbound-ramps, satisfactory to the City Engineer, or 2) provide full funding for design and construction of a traffic signal at the intersection of Euclid Avenue and SR-94 westbound-ramps, satisfactory to the City Engineer.

Prior to issuance of any building permits, the developer shall assure by permit and bond, the installation of a traffic signal at the intersection of Euclid Avenue and Naranja Road, satisfactory to the City Engineer.

Prior to issuance of any building permit the developer shall assure the construction of the following improvement: Due to reduced sight distance either the project's access to Market Street shall be limited to right-turn in/out or a traffic signal with advanced flashing beacon shall be installed at this location. The improvements shall be constructed to the satisfaction of the City Engineer.

### **Human Health/Public Safety**

The following mitigation measures are required to reduce potential adverse project impacts to Human Health/Public Safety to below a level of significance:

A Phase I Environmental Site Assessment was completed for the Market Creek Plaza by Dames & Moore, (Environmental Site Assessment, former Langley Aerospace Facility, LDR No. 99-0156, City of San Diego, dated April 30, 1999, on file in the office of Planning and Development Review). The environmental site assessment found that the project would not create any additional health hazards or increase the exposure of people to additional health hazards.

Before the issuance of a grading permit at the Langley site, the developer must show proof that any required remediation for Hazardous Materials has been started or that the project is currently in compliance according to the County of San Diego's Environmental Health Department (CEHD). Documentation shall be in the form of a letter from CEHD stating that the proposed project shall not have a significant effect on the environment as it relates to Human Health/Public Safety concerns, and that the above requirements have been fulfilled. CEHD at its discretion, may break down the remediation requirements into that portion which is currently feasible and/or required to ensure that the new land use shall not create a significant health impact to employees or patrons of the development, and another portion which is not immediately feasible and/or deferrable.

### **Geology/Soils**

The geotechnical consultant must evaluate the stability of the existing slopes and their potential impact to the project as a condition of the grading permit.

Where retaining walls are proposed at the toe or encroaching on ascending slopes, recommended provisions for drainage, slough debris catchment and clean out of accumulated debris behind the walls must be shown on the grading plans.

### Potential Paleontological Resources

While the majority of the 18-acre project site has been filled or contains recent alluvium of Chollas Creek, the underlying bedrock is the fossiliferous San Diego Formation. This geologic formation with high potential for marine fossils lies 2 feet to 31 feet below the existing ground surface based on 20 borings conducted on site. For the majority of the proposed grading, fill or alluvium would be graded or filled. However on the southeastern corner (approximately 2 acres), a knoll where a previous building was removed, the proposal would grade seven feet down from existing grade and may reach unweathered portion of the San Diego Formation. The boring tests indicate that this fossiliferous formation lies 1.5 to 6.5 feet down in this corner of the site. There is a possibility that the proposed excavation could encounter unweathered portions of this fossiliferous rock formation. The developer has agreed to monitoring of the excavation for potential, significant fossil resources in this area and to avoid any potentially significant adverse effects. The following preventative measures would be implemented:

Prior to issuance of a grading permit, the developer shall provide a letter of verification to the Environmental Review Manager of LDR stating that a qualified paleontologist and/or paleontological monitor have been retained to implement the monitoring program. The requirement for paleontological monitoring shall be noted on the grading plans. ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL MONITORING OF THE PROJECT SHALL BE APPROVED BY LDR.

The qualified paleontologist shall attend any preconstruction meetings to discuss grading plans with the grading and excavation contractor.

The paleontologist or paleontological monitor shall be on site full time during the initial cutting of previously undisturbed and unweathered areas within the San Diego Formation. Monitoring may be increased or decreased at the discretion of the qualified paleontologist, in consultation with LDR, and will depend on the rate of excavation, the materials excavated and the abundance of fossils.

The paleontologist shall have the authority to divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains. THE PALEONTOLOGIST SHALL IMMEDIATELY NOTIFY LDR STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY. LDR shall approve salvaging procedures to be performed before construction activities are allowed to resume.

If significant fossils are detected, the paleontologist shall be responsible for preparation of fossils to a point of identification as defined in the City of San Diego Paleontological Guidelines and submitting a letter of acceptance from a local qualified curation facility. Any discovered fossil sites shall be recovered by the paleontologist at the San Diego Natural History Museum.

Prior to the issuance of a certificate of occupancy, a paleontological monitoring results report, with appropriate graphics, summarizing the results, analysis, and conclusions of the paleontological monitoring program shall be submitted to LDR for approval. Where appropriate, a brief negative result letter report would satisfy this requirement.

#### VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of availability of this Mitigated Negative Declaration were distributed to:

City of San Diego

- \*Mayor's Office
- \*Council Member Stevens, District 4
- \*Stephen Haase, Planning and Development Review

U.S. Army Corps of Engineers  
REBECCA TUDEN  
U.S. Dept. of the Interior/ USFWS  
CALTRANS  
BILL TIPPETS/ Cal Fish and Game  
CAL EPA  
Regional Water Quality Control Bd  
\*Delicia Wynn/ State Clearinghouse  
California Dept. of Transportation  
The SW Ctr. for Biological Diversity  
Richard Haas, County Env. Health  
\*Wetland Advisory Board  
Paul Blackburn Sierra Club  
S.D. Natural History Museum  
San Diego Audubon Society

---

Environmental Health Coalition  
Calif. Native Plant Society  
Endangered Habitats League  
Citizens Coordinate for Century 111

\*Central Imperial Redevelopment Project Area Committee  
Urban League  
Dr. Lynne Christenson  
San Diego Museum of Man  
Ron Christman  
Louie Guassac  
San Diego County Archaeological Society  
Kumeyaay Cultural Repatriation Comm.  
Southeast S.D. Organizing Project  
\*Southeastern Economic Dev. Corp.  
\*Southeasts San Diego Dev. Comm.  
Educational/Cultural Complex  
Emerald Hills Neighborhood Town Council  
Voice News & Viewpoint  
\*Mt. Hope Residents Assn.

---

Jacobs Center, Jim Hammeft,  
Fehlman Labarre Architecture and Planning,  
Hector Reyes

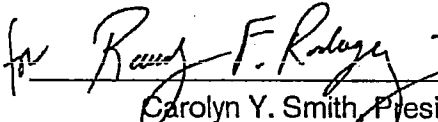
NOTE: \*Denotes those who received a full copy of this Draft Mitigated Negative Declaration.

- ~~( ) No comments were received during the public input period.~~
- ( ) Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (X) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.
- ( ) Copies of the draft Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program and any Initial Study material are for review, or for purchase at the cost of reproduction, available in the office of SEDC during regular business hours.

VIII. CERTIFICATION

This initial study was prepared by the Southeastern Economic Development Corporation on this 6<sup>th</sup> day of June, 2000.

Initial Study prepared by:

*for*   
\_\_\_\_\_  
Carolyn Y. Smith, President  
Southeastern Economic  
Development Corporation

June 6, 2000  
Date of Draft Report

July 19, 2000  
Date of Final Report



Gray Davis  
GOVERNOR

July 7, 2000

Carolyn Y. Smith, Patricia A. Butler  
Southeastern Economic Development Corporation  
995 Gateway Center Way  
#300  
San Diego, CA 92102

Subject: Third Amendment to the Central Imperial Redevelopment Plan  
SCH#: 2000061029

Dear Carolyn Y. Smith, Patricia A. Butler:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on July 6, 2000, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

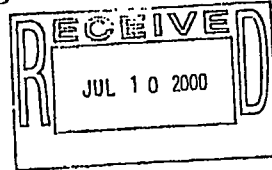
Terry Roberts  
Senior Planner, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044  
916-445-0613 FAX 916-323-3018 WWW.OPR.CA.GOV/CLEARINGHOUSE.HTML

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse



Steve Nissen  
ACTING DIRECTOR



Response No. 1

This letter acknowledges that the proposed project has complied with the State Clearinghouse review requirements under CEQA and that no state agencies submitted comment letters during the public review period. This comment does not address the adequacy or accuracy of information presented in the Draft MND; therefore, no further response is necessary.

1

294056

**Document Details Report  
State Clearinghouse Data Base**

<b>SCH#</b>	2000061029		
<b>Project Title</b>	Third Amendment to the Central Imperial Redevelopment Plan		
<b>Lead Agency</b>	Southeastern Economic Development Corporation		
<b>Type</b>	Neg Negative Declaration		
<b>Description</b>	Redevelopment Plan Amendment to add 18-acre parcel to the Central Imperial Redevelopment Project to facilitate commercial development consistent with the existing Southeast San Diego Community Plan.		
<b>Lead Agency Contact</b>			
<b>Name</b>	Carolyn Y. Smith, Patricia A. Butler		
<b>Agency</b>	Southeastern Economic Development Corporation		
<b>Phone</b>	619-527-7345 / 619-298-7127	<b>Fax</b>	
<b>Address</b>	885 Galaway Center Way #300		
<b>City</b>	San Diego	<b>State</b>	CA <b>Zip</b> 92102
<b>Project Location</b>			
<b>County</b>	San Diego		
<b>City</b>	San Diego		
<b>Region</b>			
<b>Cross Streets</b>	49th Street and Euclid Avenue		
<b>Parcel No.</b>	548-020-12 and -13		
<b>Township</b>	155	<b>Range</b>	2W <b>Section</b> unscr <b>Base</b>
<b>Proximity to:</b>			
<b>Highways</b>	94 & 805		
<b>Airports</b>			
<b>Railways</b>	San Diego & AZ RR / MTDB		
<b>Waterways</b>	Chollas Creek		
<b>Schools</b>			
<b>Land Use</b>	Commercial, CT-2		
<b>Project Issues</b>	Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Forest Land/Fire Hazard; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Public Services; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects; Other Issues		
<b>Reviewing Agencies</b>	Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; California Highway Patrol; Caltrans, District 11; Regional Water Quality Control Board, Region 9; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission; State Lands Commission		
<b>Date Received</b>	08/07/2000	<b>Start of Review</b>	08/07/2000 <b>End of Review</b> 07/08/2000

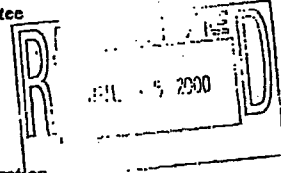
Note: Blanks in data fields result from insufficient information provided by lead agency.

294056



**San Diego County Archaeological Society**  
Environmental Review Committee

2 July 2000



To: Ms. Carolyn Y. Smith, President  
Southeastern Economic Development Corporation  
995 Gateway Center Drive, Suite 300  
San Diego, California 92102

Subject: Proposed Mitigated Negative Declaration  
Third Amendment to the Central Imperial Redevelopment Plan

Dear Ms. Smith:

I have reviewed the subject PMND on behalf of this committee of the San Diego County Archaeological Society.

The PMND calls only for archaeological monitoring of grading on the project parcel. Unfortunately, this defers identification of any cultural resources until the project is actually underway. Doing so holds great potential for disruption of construction activities, should any resources be encountered. It would also tend to cause rushed treatment of the resources.

We believe that the project should not be approved without completion of a proper cultural resources report. That report, to be completed by a qualified archaeologist, should include records searches for the parcel, a field survey of the property, archaeological testing if the survey is positive, and presentation of site significance, potential impacts and mitigation recommendations. The mitigation measures, very likely, will include the monitoring program in the current PMND, possibly along with others. SDCAS would be pleased to review that report.

Thank you for including SDCAS in the environmental review process for this project.

Sincerely,

James W. Royle, Jr., Chairperson  
Environmental Review Committee

**Response No. 2**

A cultural resource evaluation was conducted by ASM Affiliates as part of previous environmental documentation at the site (LDR No. 99-1051, adopted August 25, 1999). ASM found that no significant cultural resources are present at the site; however, because the project is in a sensitive archaeological area and resources may be masked or buried under dense brush, an archaeological monitor would be required to monitor during brush removal and during grading. The impact analysis and mitigation from the previous cultural resource evaluation have been incorporated in the proposed project by reference; therefore, the project includes archaeological monitoring to address any potential impacts to cultural resources.



## DEPARTMENT OF FISH AND GAME

South Coast Region (Region 5)  
4949 Viewridge Avenue  
San Diego, California 92123  
Tel. No. (858) 467-4201  
FAX No. (858) 467-4235



July 10, 2000

Carolyn Y. Smith, President  
Southeastern Economic Development Corporation  
995 Gateway Center Drive, Suite 300  
San Diego, CA 92102

**Draft Mitigated Negative Declaration for the  
Third Amendment to the Central Imperial Redevelopment Plan  
(SCH# 2000061029)**

Dear Ms. Smith:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the above-referenced project, relative to impacts to biological resources.

The project proposes to add approximately 18-acres to the Central Imperial Redevelopment Project to facilitate commercial development consistent with the existing Southeast San Diego Community Plan. The 18 acres are anticipated to be improved as a mixed-use development, totaling 332,088 SF of floor-space, with uses consisting of office space, retail space, shops/food buildings, supermarket, child care center/youth mall, and seven kiosks. Proposed parking would total 1231 spaces, and include a four-level parking garage. The project includes a community open-air amphitheater (400 seating capacity) along the eastern bank of Chollas Creek, together with an outdoor movie screen located within the creek streambed. The project is located outside of the Multiple Habitat Planning Area (MHPA), as identified in the City of San Diego's Multiple Species Conservation Program (MSCP).

Approximately 3.28 acres of maritime succulent scrub, 3.42 acres of disturbed coastal sage scrub, 0.25 acres of riparian scrub, and 3.31 acres of non-native grassland would be impacted by the project. In addition, 1.69 acres of streambed (0.25 acres riparian scrub and 1.44 acres streambed) would be realigned as part of the development of the property. The habitat type/land-use on the remaining 6.8 acres of the project site was not identified in the MND.

The project proposes to mitigate for impacts to maritime succulent scrub (Tier I, ratio 1:1), disturbed coastal sage scrub (Tier II, ratio 1:1), and non-native grassland (Tier III, ratio, 0.5:1) by either contributing \$68,887.00 (8.35 acres x \$7,500.00 + 10%) to the City of San Diego's Habitat Acquisition Fund, or in lieu of a cash contribution the applicant/developer shall acquire and assure the long term preservation of land or equivalent mitigation credits. The contribution shall be sufficient to acquire a total of 8.35 acres of land, or equivalent mitigation credits, within the City of

**Response No. 3**

This comment letter was not received during the 30-day public comment period. This MND identifies mitigation measures to reduce wetland impacts in accordance with the City's Resource Protection Ordinance. The owner will be required to comply with any additional wetland mitigation as required by the following permits, which have been issued for development of the site: Army Corps of Engineers 404 Standard Individual Permit No. 9820-29300-MAT (issued on September 13, 1999) and Department of Fish and Game Streambed Alteration Agreement No. 5-292-99 (issued on February 25, 2000).

Carolyn Y. Smith, President

Page 2

July 10, 2000

San Diego's MHPA. An alternative proposal for mitigating the upland habitat impacts is that the developer mitigate with the creation and/or restoration of a minimum of 8.35 acres of riparian vegetation/habitat within off-site areas of Chollas Creek. The MND states that City of San Diego's Biological Guidelines require impacts to riparian scrub habitat and natural flood channels to be mitigated at a 2:1 ratio (totaling 3.38 acres). The project proposes to mitigate on-site for riparian scrub and streambed impacts by the planting 3.2 acres of Southern Willow Scrub vegetation community within the relocated stream channel, and an additional 0.44 acres of planting will occur within the rock "rip rap" portion of the relocated stream (totaling 3.68 acres).

The Department recommends that the upland habitat impacts be mitigated by purchasing or creating native upland vegetation community habitat of equal or greater tier-value, not by creating wetland/riparian habitat.

3 The MND states that the mitigation for riparian/streambed impacts will create a riparian habitat with greater ecological value than is currently found on the property. However, the MND fails to discuss how the proposed wetland/riparian habitat will be impacted by the out-door amphitheater on the east bank of Chollas Creek, and a out-door movie screen located within the stream channel. The construction and operation of an amphitheater and out-door movie screen within the riparian area of the creek would not be compatible with the riparian habitat proposed as mitigation for the project's impacts. If the out-door amphitheater and out-door movie screen are retained as part of the project as they are currently described, additional mitigation would appear to be required to adequately compensate for the direct and indirect effects of these operations. The Department has responsibility to address impacts to wetland and riparian habitats and opposes any alteration of a natural watercourse that would result in a reduction of wetland acreage or wetland habitat values. Alterations include, but are not limited to: conversion to subsurface drains, placement of fill or building of structures within the wetland and channelization or removal of materials from the streambed. All wetlands and watercourses, whether intermittent or perennial, should be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations. Where avoidance is not possible, the impacts must be minimized and mitigated. A formal wetland delineation following U.S. Army Corps of Engineers (ACE) protocol may also be necessary prior to any construction in wetland or riparian habitats. Results should be included in the final MND. Please note, however, that wetland and riparian habitats subject to the Department's authority may extend beyond the areas identified in the ACE delineation.

The Department shall require a Lake or Streambed Alteration Agreement, pursuant to Section 1600 *et seq.* of the Fish and Game Code, with the applicant prior to the applicant's commencement of any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or use material from a streambed. The Department's issuance of a Lake or Streambed Alteration Agreement for a project that is subject to CEQA will require CEQA compliance actions by the

294056

Carolyn Y. Smith, President

Page 3

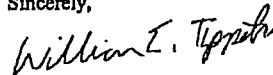
July 10, 2000

3 Department as a responsible agency. The Department as a responsible agency under CEQA, may consider the local jurisdiction's (lead agency) Negative Declaration or EIR for the project. To minimize additional requirements by the Department pursuant to Section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the stream and riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. A Streambed Alteration Agreement form may be obtained by writing to The Department of Fish and Game, 4949 Viewridge Avenue, San Diego, California 92123 or by calling (858) 636-3160.

The Department holds regularly scheduled pre-project planning/early consultation meetings. To make an appointment, please call our office at (858) 636-3160.

Thank you for this opportunity to comment. Questions regarding this letter and further coordination on these issues should be directed to Don Chadwick at (858) 467-4276.

Sincerely,



William E. Tippetts  
Habitat Conservation Supervisor

cc: Department of Fish and Game  
C.F. Raysbrook  
San Diego

U.S. Fish and Wildlife Service  
Nancy Gilbert  
Carlsbad

File: Chron  
file: NCCP/LincolnPrk.wpd

2-294056

## INITIAL STUDY

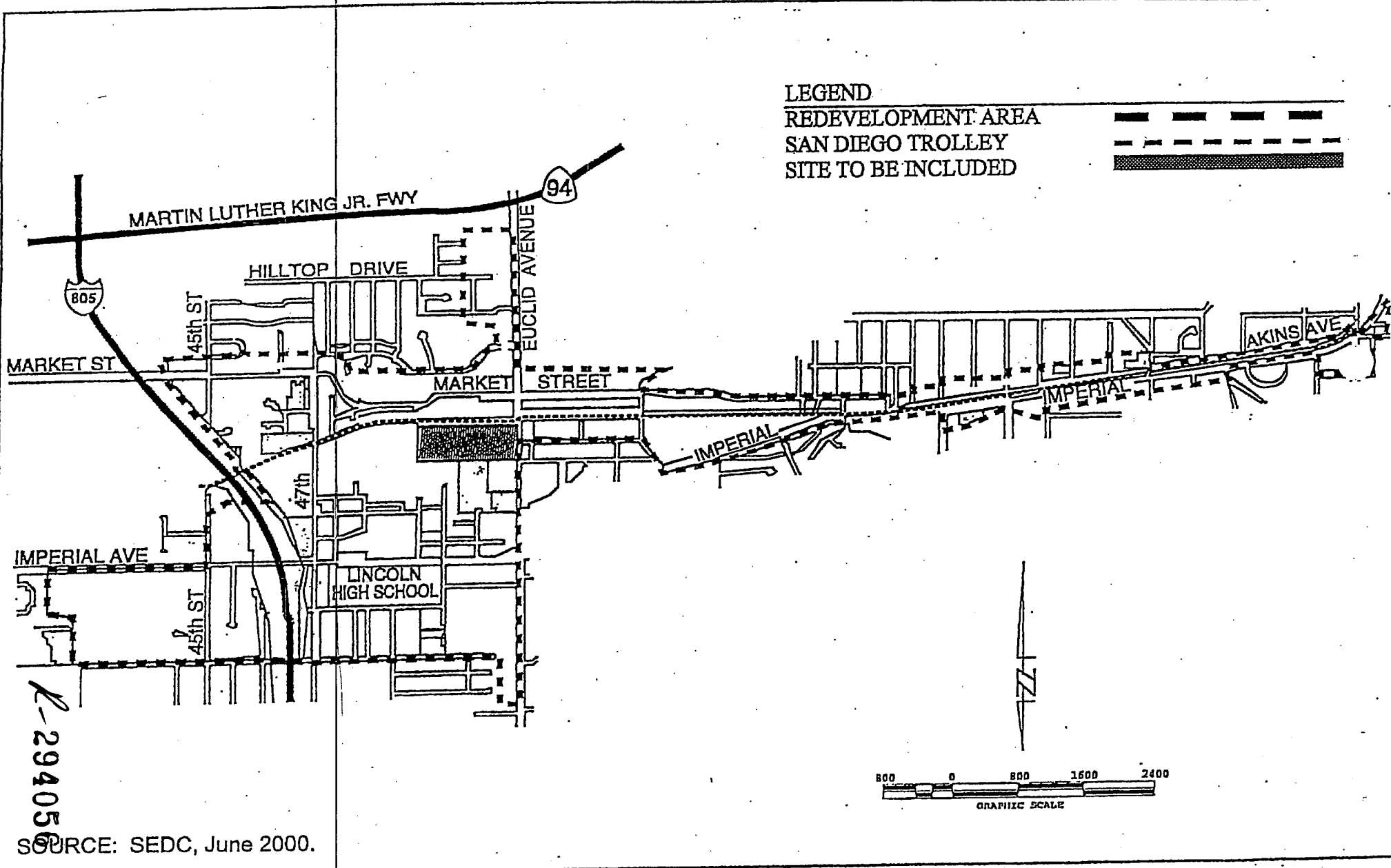
**SUBJECT: Third Amendment to the Central Imperial Redevelopment Plan.** REDEVELOPMENT PLAN AMENDMENT to add an approximately 18-acre site to the Central Imperial Redevelopment Project to facilitate commercial development consistent with the existing Southeast San Diego Community Plan. The anticipated development on the subject site would consist of a mixed use development project including: 1) a neighborhood shopping center (95,171 square feet (SF)), anchored by a super market, and retail shops, 2) Jacobs Foundation headquarters and office building complex with conference center (204,511 SF), 3) a parking garage containing 528 parking spaces and surface parking totaling 1,231 spaces, and 4) community support buildings (12,406 SF) including a child care center, recreation center/multipurpose room, youth mail plaza and a 400 person amphitheater with an outdoor movie screen. The environmental impacts of adding the subject site to the Central Imperial Redevelopment Project are no different from the impacts identified for the anticipated development described in the Final Mitigated Negative Declaration for Market Creek Plaza, which is hereby incorporated by reference (LDR No. 99-0156, SCH No. 99071026). The subject site, also known as the Langley Site, is located south of the MTDB San Diego Trolley right-of-way between Euclid Avenue and 49th Street in the Lincoln Park neighborhood of the Southeast Community Planning Area of the City of San Diego. Applicant: Southeastern Economic Development Corporation.

### 1. PURPOSE AND MAIN FEATURES:

The proposed Third Amendment to the Central Imperial Redevelopment Project (Project) would facilitate commercial and office development of the Langley Site consistent with the adopted Southeast San Diego Community Plan. In order to assess the potential environmental impacts of adding the subject site to the Project, the anticipated development described in the Market Creek Plaza MND is hereby referenced to characterize the potential development, its significant impacts and the mitigation measures that would be required for the future development.

---

The subject site is situated on approximately 18 acres in the Lincoln Park neighborhood of the Southeast Community Planning Area (Figure 1). The proposed improvements would consist of a mixed use development including retail and office buildings, community building areas, and graded building lots. The site is located on lands encumbered by the Resource Protection Ordinance (RPO) and portions of the site contain sensitive vegetation.



**Proposed Third Amendment to  
 Central Imperial Redevelopment Plan**

**Figure 1**

Future development at the Langley Site would require a Southeast San Diego Development Permit (SEDPD) and implementation of associated public improvements. The entire site would be developed and impacts to sensitive vegetation would be mitigated through on-site restoration and a financial contribution to the City of San Diego Habitat Acquisitions Fund. To gain access to the site from Market Street, an underpass bridge would be constructed beneath the current Metropolitan Transit Development Board (MTDB) trolley tracks. To gain access to the site from Euclid Avenue, two driveways would be constructed, between Groveland Street and Market Street. Utilities would be extended underground onto the site.

The retail area would total 95,171 SF of space in nine separate structures consisting of three building pads graded for future development (11,921 SF), two shops/food buildings (17,460 SF), seven kiosks (1,372 SF), one supermarket (57,590 SF), a youth mall (1,800 SF), and a child care center (5,028 SF). The office building area would total 224,511 SF of space in three structures consisting of a new headquarters building for the Jacobs Family Foundation (100,000 SF), a 3-story office building (80,000 SF) and a 6-story office building (44,411 SF). The community building areas would total 12,406 SF of space in two structures consisting of a multipurpose/recreation center and a youth mall. The total proposed building area for the project is 332,088 SF. The proposed landscape concept plan provides for parking lot and perimeter trees, interior planting, screening shrubs.

A five-year mitigation and monitoring reporting program has been designed and shall be implemented to mitigate impacts to sensitive vegetation. Future development would widen, deepen, and restore Chollas Creek Channel within the project site. The banks of the reconstructed channel would be planted with native riparian vegetation to restore the creek to a natural condition. The anticipated development also includes two bridges, an auto bridge and a pedestrian bridge which would span the creek. One of the bridges would be located next to the existing San Diego Trolley bridge to allow cars to cross the creek. The other bridge would be devoted to pedestrian traffic and would link gathering areas on either side of the creek. The creation of the riparian habitat within Chollas Creek would provide a higher quality habitat than currently exists in the creek area. The restoration effort would not only replace the acreage lost during construction (1.69 acres), but also provide a higher quality habitat and better habitat value for wildlife at a 2:1 ratio for a total of 3.64 acres.

Proposed parking would total 1,231 spaces, including a four-level garage. The project would also construct a community open-air amphitheater along the eastern bank of Chollas Creek with a movie screen within the creek streambed.

Development of the project would require 120,00 cubic yards of cut and 60,000 cubic yards of fill. The maximum fill slope would be 14-feet: the maximum cut

slope would be 14-feet in depth. Six retaining/crib walls 20-feet high, 1 000-foot long retaining walls along Chollas Creek, at the southeast corner of the site, and at the west property line. Landscaping would be installed near the top of the natural color wall to grow down the face and soften views. Visibility of this retaining wall would be blocked by the proposed structures.

II. ENVIRONMENTAL SETTING:

The Langley site is bounded by the existing San Diego Trolley line and San Diego-Arizona Railroad to the north, Euclid Avenue on the east, and existing medical center and residential area to the south and residential area to the west.

The surrounding area is designated for industrial use to the south, multi-family to the east and west, and commercial to the north. The surrounding area is zoned industrial to the south, mutli-family to east and west and commercial to the north. Primarily a mix of commercial and mutli-family development currently exist immediately to the south and east, while a mix of commercial, industrial and residential uses exist to the north and west.

III. ENVIRONMENTAL ANALYSIS

This Initial Study Checklist is designed to identify the potential for significant environmental impacts which could be associated with the proposed project. All answers of "Potentially Significant Impact" and "Less than Significant with Mitigation Incorporation" indicate that there is a potential for significant environmental impacts and these determinations are explained following each issue area.

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
---------	--------------------------------------	---	------------------------------------	--------------

I. AESTHETICS — Would the project:

a) Have a substantial adverse effect on a scenic vista?                       

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in no impact to scenic vistas. Please see checklist item Q1 of City of San Diego MND No. LDR 99-0156.*

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would potentially impact trees and vegetation associated with the existing on-site creek. Mitigation measures were included in the previous environmental documentation to reduce this impact to below a level of significance. Please see checklist items Q5-Q7 of City of San Diego MND No. LDR 99-0156.*

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not significantly impact the existing visual character or quality of the site and its surroundings. Please see items Q2-Q4 of City of San Diego MND No. LDR 99-0156.*

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not result in a significant lighting impact. Please see checklist item F of City of San Diego MND No. LDR 99-0156.*

**II. AGRICULTURE RESOURCES** — In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in no impact to farmland. Please see checklist item H2 of City of San Diego MND No. LDR 99-0156.*



b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

*Please see item II a)*

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

*Please see item II a)*

III. AIR QUALITY — Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not conflict with or obstruct implementation of the applicable air quality plan. Please see checklist items B1 and B4-B6 of City of San Diego MND No. LDR 99-0156.*

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

*Please see item III a) above.*

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

*Please see item III a) above.*

d) Expose sensitive receptors to substantial pollutant concentrations?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not expose sensitive receptors to substantial pollutant concentrations. Please see checklist item B2 and Response to Comment No. 4 of City of San Diego MND No. LDR 99-0156.*

*Q* - 294056

e) Create objectionable odors affecting a substantial number of people?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not create objectionable odors. Please see checklist item B3 of City of San Diego MND No. LDR 99-0156.*

IV. BIOLOGICAL RESOURCES — Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would significantly impact on-site upland and wetland biological resources. Mitigation measure were added to the previous environmental document to reduce biology impacts to below a level of significance. Please see checklist items D1-D6 and Response to Comments Nos. 2 and 12 of City of San Diego MND No. LDR 99-0156.*

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

*Please see items IV a) above.*

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

*Please see item IV a) above.*

d) ~~Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?~~

*Please see item IV a) above.*

*R* 294056

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would significantly impact resources protected under the City's Multiple Species Conservation Subarea Plan and implementing policies and ordinances. Mitigation measure were added to the previous environmental document to reduce biology impacts to below a level of significance, consistent with applicable City policies and ordinances. Please see checklist items D5 and G3 and Response to Comment No. 14 of City of San Diego MND No. LDR 99-0156.*

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

*Please see item IV e) above.*

**V. CULTURAL RESOURCES** — Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would potentially impact on-site archaeological resources. Mitigation measure were added to the previous environmental document to reduce potential archaeological impacts to below a level of significance. Please see checklist items R1-R4, Section IV, Archaeological Resources Discussion, and Response to Comment No. 3 of City of San Diego MND No. LDR 99-0156.*

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

*Please see item V a) above.*

~~c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?~~

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would impact potentially fossil-bearing formation underlying a portion of the site. Mitigation measures were added to the previous environmental document to reduce potential paleontological resource impacts to below a level of significance. Please see checklist item S and Response to Comment No. 3 of City of San Diego MND No. LDR 99-0156.*

d) Disturb any human remains, including those interred outside of formal ceremonies?

*Please see item V a)*

**VI. GEOLOGY AND SOILS** — Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in a potentially significant geologic/soils impact. Mitigation measures were added to the previous environmental document to reduce potential geologic impacts to below a level of significance. Please see checklist item A1 and Section IV, Geology/Soils Discussion, of City of San Diego MND No. LDR 99-0156.*

ii) Strong seismic ground shaking?

*Please see item VI a) i) above.*

iii) Seismic-related ground failure, including liquefaction?

*Please see item VI a) i) above.*

iv) Landslides?

*Please see item VI a) i) above.*

b) Result in substantial soil erosion or loss of topsoil?

*Please see item VI a) i) above.*

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

*Please see item VI a) i) above.*

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

*Please see item VI a) i)*

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

*The proposed project site is located within a fully urbanized area with available sewers to serve the site. Therefore, there would be no impact.*

**VII. HAZARDS AND HAZARDOUS MATERIALS —**  
Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in a potentially significant hazardous materials impact. Mitigation measures were added to the previous environmental document to reduce potential hazardous material impacts to below a level of significance. Please see checklist items T1-T3 and Section IV, Human Health/Public Safety Discussion, of City of San Diego MND No. LDR 99-0156.*

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

*Please see item VII a) above.*

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

*The proposed project would not be located within one-quarter mile of an existing school. Therefore, there would be no impact.*

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

*Please see item VII a)*

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

*The proposed project would not be located within an airport land use plan or within two miles of a public airport or public use airport. Also, please see checklist item G4 of certified City of San Diego MND No. LDR 99-0156. There would be no impact.*

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

*The proposed project would not be located within the vicinity of a private airstrip. Also, please see checklist item G4 of certified City of San Diego MND No. LDR 99-0156. There would be no impact.*

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

*The project would not interfere with an emergency response plan or an emergency evacuation plan. Emergency access to the area would be maintained during construction through a traffic control plan. Impacts would be less than significant.*

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

~~*The project site is located within a fully urbanized area and is not located in a designated hazardous wildland fire area. Therefore, there would be no impact.*~~

VIII. HYDROLOGY AND WATER QUALITY —

Would the project:

a) Violate any water quality standards or waste discharge requirements?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not result in a potentially significant hydrology/water quality impact. Please see checklist items C4-C5, Section IV, Biological Resources Discussion, and Response to Comment No. 4 of City of San Diego MND No. LDR 99-0156.*

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

*Please see item VIII a) above.*

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in a potentially significant impact to existing drainage patterns. Project features and mitigation measures were added to the previous environmental document to reduce potential impacts to below a level of significance. Please see checklist items C1 and C6-C8, Section IV, Biological Resources Discussion, and Response to Comment No. 4 of City of San Diego MND No. LDR 99-0156.*

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

*Please see item VIII c) above.*

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Project features and mitigation measures were added to the previous environmental document to reduce potential impacts to below a level of significance. Please see checklist items C2-C5, Section IV, Biological Resources Discussion, and Response to Comment No. 4 of City of San Diego MND No. LDR 99-0156.*

f) Otherwise substantially degrade water quality?

*Please see item VIII a)*

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

*The proposed project site does not include residential development; therefore, there would be no impact.*

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would require improvement to the existing on-site channel to remove commercial development out of the floodplain. Project features and mitigation measures were added to the previous environmental document to reduce potential flooding impacts to below a level of significance. Please see checklist item C4 of City of San Diego MND No. LDR 99-0156.*

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

*Please see checklist item VIII h) above.*

j) Inundation by seiche, tsunami, or mudflow?

*The proposed project is not located near the ocean or a lake; therefore, there would be no impact from inundation by a seiche or tsunami. Also, please see item VI a) above.*



**IX. LAND USE AND PLANNING** — Would the project:

- a) Physically divide an established community?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not physically divide an established community. Please see checklist items G1-G4 of City of San Diego MND No. LDR 99-0156.*

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would require amending the community plan designation and zoning for the site. Project features and mitigation measures were added to the previous environmental document to reduce potential land use incompatibility impacts to below a level of significance. Please see checklist items G1-G4 of City of San Diego MND No. LDR 99-0156.*

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

*Please see item IV e)*

**X. MINERAL RESOURCES** — Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in no impact to mineral resources. Please see checklist item H1 of City of San Diego MND No. LDR 99-0156.*

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

*Please see item X a) above.*

XI. NOISE — Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in potentially significant noise impacts. Mitigation measures were added to the previous environmental document to reduce potential noise impacts to below a level of significance. Please see checklist item E1, Section IV, Noise Discussion, and Response to Comment No. 13 of City of San Diego MND No. LDR 99-0156.*

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

*Please see item XI a)*

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

*Please see item XI a) above.*

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

*Please see item XI a) above.*

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

*The proposed project would not be located within an airport land use plan or within two miles of a public airport or public use airport. Also, please see checklist item G4 of certified City of San Diego MND No. LDR 99-0156. There would be no impact.*

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

*The proposed project would not be located within the vicinity of a private airstrip. Also, please see checklist item G4 of certified City of San Diego MND No. LDR 99-0156. There would be no impact.*

**XII. POPULATION AND HOUSING** — Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in no impact to population growth. Please see checklist item J of City of San Diego MND No. LDR 99-0156.*

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in no impact to housing. Please see checklist item K of City of San Diego MND No. LDR 99-0156.*

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

*Please see item XII b) above.*

**XIII. PUBLIC SERVICES**

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

~~*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not significantly impact fire protection. Please see checklist item M1 and Response to Comment No. 7 of City of San Diego MND No. LDR 99-0156.*~~

Police protection?

*Previous environmental documentation prepared by the City of San Diego found that site-specific commercial development at the proposed project site would not significantly impact police protection. Please see checklist item M2 and Response to Comment No. 7 of certified City of San Diego MND No. LDR 99-0156.*

Schools?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in no impact to schools. Please see checklist item M3 of City of San Diego MND No. LDR 99-0156.*

Parks?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in no impact to parks. Please see checklist item M4 of City of San Diego MND No. LDR 99-0156.*

Other public facilities?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not significantly impact other public facilities. Please see checklist items M5 and M6 of City of San Diego MND No. LDR 99-0156.*

**XIV. RECREATION**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

*Please see item XIII a) "parks" above.*

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

*Please see item XIII a) "parks" above.*

**XV. TRANSPORTATION/TRAFFIC** — Would the project:

- a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would result in potentially significant traffic impacts. Mitigation measures were added to the previous environmental document to reduce potential impacts to below a level of significance. Please see checklist item L1, Section IV, Transportation/Circulation Discussion, and Response to Comments Nos. 8 and 10 of City of San Diego MND No. LDR 99-0156.*

- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

*Please see item XV a) above.*

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

*Please see item XV a) above.*

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

*Please see item XV a) above.*

- e) Result in inadequate emergency access?

~~*The project would not interfere with a emergency access. Emergency access to the area would be maintained during construction through a traffic control plan. Also, please see item IV a) above.*~~

- f) Result in inadequate parking capacity?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not significantly impact parking. Please see checklist item L3 of City of San Diego MND No. LDR 99-0156.*

g) Conflict with adopted policies plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not conflict with adopted policies plans, or programs supporting alternative transportation. Please see checklist item L7 and Response to Comment No. 4 of City of San Diego MND No. LDR 99-0156.*

**XVI. UTILITIES AND SERVICE SYSTEMS — Would the project:**

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not significantly impact sewer services. Please see checklist item N5 of City of San Diego MND No. LDR 99-0156.*

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

*Please see items XVI a) above and d) below.*

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not significantly impact storm drain facilities. Please see checklist item N6 of certified City of San Diego MND No. LDR 99-0156.*

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not significantly impact water services. Please see checklist items N4 and P1-P2 of City of San Diego MND No. LDR 99-0156.*

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

*Please see item XVI a)*

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not significantly impact solid waste services. Please see checklist item N7 and Response to Comment No. 6 of City of San Diego MND No. LDR 99-0156.*

g) Comply with federal, state, and local statutes and regulations related to solid waste?

*Please see item XVI f) above.*

#### XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would significantly impact biological resources and potentially impact archaeological resources. Mitigation measures were added to reduce these impacts to below a level of significance. Please see checklist item U1, and Section IV of City of San Diego MND No. LDR 99-0156.*

b) Does the project have impacts that are individually limited, but cumulatively considerable?      
 ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not result in significant cumulative impacts. Please see checklist item U3 of City of San Diego MND No. LDR 99-0156.*

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

*Previous environmental documentation certified by the City of San Diego found that commercial development at the proposed project site would not result in environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. Please see checklist item U4 of City of San Diego MND No. LDR 99-0156.*

**References**

City of San Diego, 1999. Final Mitigated Negative Declaration for Market Creek Plaza. No. LDR 99-015, SCH No. 99071026. August 18, 1999.

**XVIII. CERTIFICATION**

This initial study was prepared by the Southeastern Economic Development Corporation on this 6<sup>th</sup> day of June 6, 2000.

Initial Study prepared by:

\_\_\_\_\_  
 Carolyn Y. Smith, President  
 Southeastern Economic  
 Development Corporation

June 6, 2000  
 Date of Draft Report

July 19, 2000  
 Date of Final Report