

RESOLUTION NUMBER R- 308572DATE OF FINAL PASSAGE NOV 05 2013

A RESOLUTION CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 274240, INCLUDING A WATER SUPPLY ASSESSMENT, AND ADOPTING FINDINGS, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION, MONITORING AND REPORTING PROGRAM FOR THE KAISER SAN DIEGO CENTRAL MEDICAL CENTER PROJECT – PROJECT NO. 274240.

WHEREAS, on July 13, 2012, County of San Diego, Owner, and Kaiser Foundation Hospital and Health Plan, a California nonprofit public benefit corporation, Permittee, submitted an application to the Development Services Department for a Conditional Use Permit, Site Development Permit, and Planned Development Permit for the Kaiser Permanente San Diego Central Medical Center (Project); and

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

WHEREAS, the issue was heard by the City Council on NOV 05 2013; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the City Council considered the issues discussed in Environmental Impact Report No. 274240 / SCH No. 201271092 (Report) prepared for this Project; NOW,
THEREFORE,

BE IT RESOLVED, by the City Council that it is certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, the City Council hereby adopts the Findings made with respect to the Project, which are attached hereto as Exhibit A.

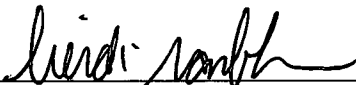
BE IT FURTHER RESOLVED, that pursuant to State CEQA Guidelines Section 15093, the City Council hereby adopts the Statement of Overriding Considerations with respect to the Project, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit B.

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the Office of the City Clerk, 202 C Street, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:nja

10/17/13

Attachments: Exhibit A, Findings and Statement of Overriding Considerations
Exhibit B, Mitigation Monitoring and Reporting Program

Or.Dept:DSD

Doc. No. 655697

EXHIBIT A

FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE ENVIRONMENTAL IMPACT REPORT FOR THE KAISER PERMANENTE SAN DIEGO CENTRAL MEDICAL CENTER PROJECT

Project No. 274240
SCH No. 2012071092
September 2013

SECTION 1: THE PROJECT

I. PROJECT DESCRIPTION

Kaiser Foundation Hospitals, a California nonprofit public benefit corporation (Kaiser) proposes to develop the Kaiser Permanente San Diego Central Medical Center Project (the proposed project). The proposed project site is approximately 20 acres and is located at 5201 Ruffin Road, at the southeast corner of Ruffin Road and Clairemont Mesa Boulevard in the Kearney Mesa Community of the City of San Diego. The site is currently developed with a 337,564-square foot building that was formerly used as County of San Diego office space and is proposed for demolition as part of the project. The project, which proposes a 7-story, 450-bed hospital and a 180,000-square-foot hospital support building, would require a Conditional Use Permit (CUP), a Planned Development Permit (PDP), and a Site Development Permit (SDP).

The project is proposed in two phases. Phase I would include a 565,000-square foot, 7-story general acute and tertiary care hospital building (Hospital), a 75,000-square-foot outpatient hospital support building (HSB), and a 38,981-square-foot central utility plant (Energy Center). The Hospital would include 321 beds, an outdoor service yard, and a 1,359-stall parking structure in addition to 100 surface parking spaces.

Phase II (buildout) would include expansion of the Hospital by an additional 7-story, 155,000-square foot building to accommodate 129 beds (for a total of 450 beds), an additional 105,000-square foot HSB, and a 1,134-stall parking structure (for a total of 2,593 parking spaces).

The CUP would allow for hospital use within the zone, and a PDP would enable the project to exceed the maximum .50 Floor Area Ratio (FAR) allowed within the Kearny Mesa Community Plan (up to 1.00 FAR) and to exceed the allowable retaining wall height (along Clairemont Mesa Boulevard). An SDP is also required because the site contains environmentally sensitive lands along the slopes, on- and off-site, adjacent to Clairemont Mesa Boulevard. In addition, the SDP is required for encroachment of proposed retaining walls along Clairemont Mesa Boulevard within the public right-of-way.

II. PROJECT OBJECTIVES

The objectives of the proposed Kaiser Permanente San Diego Central Medical Center Project are described below:

1. Create a comprehensively planned, integrated medical center campus that includes a modern 450-bed Kaiser Permanente hospital (in two phases, 321 beds in Phase I, 129 beds in Phase II), community amenities, and new employment opportunities in San Diego.
2. Provide high-quality health care in new, state-of-the-art inpatient and outpatient facilities for Kaiser Permanente members and central San Diego County by the phased replacement of outmoded existing structures, technology, and equipment in a practical and cost-effective manner.
3. Provide development capacity at the Kaiser Medical Center that would accommodate growth of Kaiser Permanente members requiring inpatient and outpatient health care services within the Central County service area.
4. Provide a variety of services, such as cancer care, imaging, cardiology, obstetrics, pharmacy, labs, and emergency services and medical office space in a central campus-like setting.

SECTION 2: ENVIRONMENTAL REVIEW PROCESS

The lead agency approving the project and conducting environmental review under the California Environmental Quality Act (California Public Resources Code Sections 21000, *et seq.*, and the Guidelines promulgated thereunder in California Code of Regulations, Title 14, Sections 15000 *et seq.* (CEQA Guidelines), hereinafter collectively, CEQA) shall be the City of San Diego (the City). The City as lead agency shall be primarily responsible for carrying out the Project. In compliance with Section 15082 of the CEQA Guidelines, the City published a Notice of Preparation on July 27, 2012, which began a 30-day period for comments on the appropriate scope of the project Environmental Impact Report (EIR). Consistent with Public Resources Code section 21083.9, the City held a public agency scoping meeting on August 15, 2012 at the County Annex located at 5201 Ruffin Road (the project site), Suite B – Hearing Room, San Diego, California 92123. The purpose of this meeting was to seek input and concerns from public agencies regarding the environmental issues that may potentially result from the project.

The City published a draft Environmental Impact Report in July 2013 in compliance with CEQA. Pursuant to CEQA Guidelines section 15085, upon publication of the draft EIR, the City filed a Notice of Completion with the Governor's Office of Planning and Research, State Clearinghouse, indicating that the draft EIR had been completed and was available for review and comment by the public. The City also posted a Notice of Availability of the draft EIR at this time pursuant to CEQA Guidelines section 15087. The draft EIR was circulated for 45 days for public review and comment from July 17,

2013 to September 3, 2013. After the close of public review period, the City provided responses in writing to all comments received on the draft EIR.

The final EIR for the project was published on September 30, 2013. The final EIR has been prepared in accordance with CEQA and the State CEQA Guidelines. Pursuant to CEQA Guidelines section 15084(d)(3), the applicant retained a consultant, Dudek, to assist with the preparation of the environmental documents. The City, acting as the Lead Agency, has reviewed and edited as necessary the submitted drafts and certified that the final EIR reflects its own independent judgment and analysis under Guideline Section 15090(a)(3) and CEQA Section 21082.1(a)-(c).

The EIR addresses the environmental effects associated with implementation of the project. The EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the project. The EIR addressed the potential significant adverse environmental impacts associated with the project, and identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts. The EIR is incorporated by reference into this CEQA findings document.

The EIR is the primary reference document for the formulation and implementation of a mitigation monitoring program for the project. Environmental impacts cannot always be mitigated to a level that is considered less than significant. In accordance with CEQA, if a lead agency approves a project that has significant unavoidable impacts that cannot be mitigated to a level below significance, the agency must state in writing the specific reasons and overriding considerations for approving the project based on the final CEQA documents and any other information in the public record for the project. (CEQA Guidelines, § 15093). This is called a “statement of overriding considerations.” (CEQA Guidelines, § 15093).

The documents and other materials that constitute the record of proceedings on which the City’s CEQA findings are based are located at the Office of the City Clerk, 201 C Street, 2nd Floor, San Diego, California 921001. This information is provided in compliance with Public Resources Code section 21081(a)(2).

SECTION 3: FINDINGS

I. INTRODUCTION

The CEQA the CEQA Guidelines require that no public agency shall approve or carry out a project which identifies one or more significant environmental impacts of a project unless the public agency makes one or more written findings for each of those significant effects, accompanied by an overriding justification and rationale for each finding in the form of a statement of overriding considerations. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can or should be adopted by that other agency and not the agency making the findings. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

[CEQA, Section 21081 *et seq*; Guidelines, Section 15091 *et seq*.]

CEQA requires that the lead agency adopt mitigation measures or alternatives where feasible to avoid or mitigate significant environmental impacts that would otherwise occur with the implementation of the project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the proposed project lies with another agency. [Guidelines Section 15091(a)(b)] For those significant impacts that cannot be mitigated to a less than significant level, the lead agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the proposed project outweigh the significant effects on the environment. [CEQA Section 21081(b) and Guidelines Section 15093] If such findings can be made, the Guidelines state in Section 15093 “the adverse environmental effects may be considered acceptable.” CEQA also requires that the findings made pursuant to Section 15091 be supported by substantial evidence in the record (State CEQA Guidelines, Section 15091(b)). Under CEQA, substantial evidence means enough relevant information has been provided (reasonable inferences from this information may be made) to support a conclusion, even though other conclusions might also be reached. Substantial evidence includes facts, reasonable assumptions predicated on facts, and expert opinion supported by facts (State CEQA Guidelines, Section 15384).

The findings reported in the following pages incorporate the facts and discussions of in the EIR for the Project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such effects identified in the EIR. For each of the significant impacts associated with the project, the following sections are provided:

Description of Significant Effects: A specific description of the environmental effects identified in the EIR, including a conclusion regarding the significance of the impact.

Finding: One or more of the three specific findings set forth in CEQA Guidelines Section 15091.

Mitigation Measures: Identified feasible mitigation measures or actions, that are required as part of the project, and if mitigation is infeasible, the reasons supporting the finding that the rejected mitigation is infeasible.

Rationale: A summary of the reasons for the finding(s).

Reference: A notation on the specific section in the EIR which includes the evidence and discussion of the identified impact.

For environmental impacts that are identified in the EIR to be less than significant and do not require mitigation, a statement explaining why the impacts are less than significant is provided.

II. ENVIRONMENTAL IMPACTS THAT ARE LESS THAN SIGNIFICANT AND DO NOT REQUIRE MITIGATION

The City Council of the City of San Diego hereby finds that the following potentially significant environmental impacts will be less than significant. These findings are based on the discussion of impacts in Chapters 5 and 6 of the EIR.

A. Land Use

1. **General Plan Consistency:** The project includes a CUP, PDP and SDP. The project was found to be consistent with the City's adopted General Plan and Kearny Mesa Community Plan, as analyzed in EIR Tables 5.1-1, Project's Consistency with City of San Diego's 2008 General Plan, and 5.1-2, Project's Consistency with the City of San Diego Kearny Mesa Community Plan. The analysis has demonstrated that the project would not result in a significant impact due to an inconsistency or conflict with the General Plan or Kearny Mesa Community Plan.
2. **Consistency with the City of San Diego Multiple Species Conservation Program (MSCP):** As described in Section 5.7, Biological Resources, the project study area is within the boundaries of the City's MSCP Subarea Plan; however, it is not located within or adjacent to the Multi Habitat Planning Area (MHPA). Additionally, the project study area has not been identified as a strategic preserve. Therefore, the loss of habitat resulting from the project identified in Table 5.3-1 of the draft EIR would not conflict with the provisions of the MSCP or associated MHPA. Additionally, implementation of Mitigation Measures BIO-1 and BIO-2 would mitigate impacts to sensitive biological resources to a less than significant level. Therefore, the project would not result in a significant impact due to an

inconsistency or conflict with the City's MSCP Subarea Plan or conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

3. Consistency with an Adopted Airport Land Use Compatibility Plan (ALUCP): The MCAS Miramar ALUCP defines the project site as being located outside the noise contours (60 dB CNEL) and outside of Review Area 1, which consists of the ALUCP's accident potential zones or safety zones. Additionally, the project site is located within Montgomery Field Review Area 1 on southwestern corner of property, and Montgomery Field Review Area 2 for remainder of property. Properties located within Review Area 1 are required to comply with the noise, safety, and airspace protection compatibility requirements. Properties located within Review Area 2 are required comply with the airspace protection compatibility requirements.

The applicant has obtained the required determinations from the FAA, which state that the project would not constitute a hazard to air navigation (FAA 2013, included as *Appendix B* of the DEIR).

The project would not require a change to air station flight operations, approach minimums, or departure routes. The project would not interfere with aircraft communications systems, navigation systems, or other electrical systems. The project does not propose reflective lighting that would interfere with aircrew vision. Finally, the project does not include development uses that would attract birds or waterfowl, such as, but not limited to landfills, feed stations, or certain types of vegetation. For the above stated reasons, the project would not conflict with the ALUCPs for MCAS Miramar or Montgomery Field.

Overall, the project would not result in land uses which are not compatible with an adopted Airport Land Use Compatibility Plan; impacts would be less than significant.

B. Transportation/Circulation and Parking

1. Consistency with Community Plan Traffic Generation Allocation: The Kearny Mesa Community Plan Transportation Element does not specify specific traffic generation allocations; however, the plan does include a policy stating that "development intensities should correlate with the capacity of the circulation system." Detailed analyses of impacts to the local street system are provided in Sections 5.2.10 and 5.2.13 of the DEIR.

2. **Transportation System Impacts:** Impacts on existing or planned transportation systems (i.e., non-vehicular modes of transportation) would be less than significant. The proposed project would be consistent with adopted policies and actions in support of alternative transportation, including those of the City's General Plan encouraging large employers to employ Transportation Demand Management plans. The project also includes a new bus stop and substantial bicycle parking. Consistent with the City's Bicycle Master Plan, the project preserves existing bicycle lanes along Ruffin Road and provides for the addition of a new bicycle lane on Clairemont Mesa Boulevard. These elements promote walkability, alternative modes of transportation, and bicycling as a mode of transportation thereby reducing impacts on existing roadways. The project also consolidates medical office space/uses and hospital care space/uses into a single campus thereby potentially reducing impacts on existing roadways.
3. **Motor Vehicle, Bicycle or Pedestrian Hazards:** The project would be designed consistent with the City's Street Design Manual and would not create a hazard for vehicles, bicycles, or pedestrians entering or existing the site. No significant impacts regarding traffic hazards would occur; therefore, impacts would be less than significant.

C. Air Quality

1. **Exposure of Sensitive Receptors to Pollutant Concentrations:** Two sensitive receptors were identified in the vicinity of the project, the Polinsky Children Center at 9400 Ruffin Court and the Chinese Bilingual Preschool at 5075 Ruffin Road. The project would result in less-than-significant impacts to sensitive receptors.
2. **Odors:** Odors would be generated from vehicles and/or equipment exhaust emissions during construction of the project. Such odors are temporary and generally occur at magnitudes that would not affect substantial numbers of people. Therefore, impacts associated with odors during construction would be considered less than significant. Land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project entails a hospital construction and would not result in the creation of a land use that is commonly associated with odors. Therefore, project operations would result in an odor impact that is less than significant.
3. **Alteration of Air Movement:** The addition of two hospital towers and associated facilities and a parking garage would replace the large, bulk structure of the

existing County Administration building, and would introduce a physically dominant development to the area in terms of height and mass when compared to structures and development patterns in the immediate vicinity. Although the use and scale of the project would differ from that of existing nearby land uses, the open, low-density urban character of the surrounding street grid and built environment would be maintained following project implementation. Because the overall existing physical layout and urban character of the area would not be significantly altered following project implementation, the project would not create substantial changes in air movement in and around the project site and impacts would be less than significant.

D. Greenhouse Gas Emissions

1. Conflict with Greenhouse Gas Emissions (GHG) Reducing Plan, Policy or Regulation: The City has taken steps to address climate change impacts at a local level through the City's sustainable community program, Climate Protection Action Plan, and General Plan. The project would achieve a 17.5% reduction from business as usual and would implement a number of design features aimed at reducing GHG emissions, which are consistent with the City's goals. Additionally, the project would achieve Leadership in Energy and Environmental Design (LEED) Gold certification, further reducing GHG emissions particularly through energy and water conservation features. Furthermore, the project consolidates medical office space/uses and hospital care space/uses into a single campus in order to cut down on vehicular trips to and from multiple locations. The proposed project also seeks to promote walkability, alternative modes of transportation and bicycling as a mode of transportation in order to reduce vehicular trips to and from the project. As such, project impacts associated with conflicts with any of these plans would be less than significant.

E. Noise (Operations)

1. Mechanical Equipment Impacts to Off-Site Sensitive Receptors: The City's noise ordinance requires that the mechanical equipment generated by the project not exceed a 1-hour average sound level of 65 dBA between 7 a.m. and 7 p.m., and 60 dBA between 7 p.m. and 7 a.m., on or beyond the boundaries of the property. All equipment would be shielded from the various property boundaries by intervening parapets or screen walls located on the Energy Center building and hospital building, and a sound wall located around the generator yard. With all the equipment operating, and the noise attenuation due to distance and shielding provided by rooftop parapets, screen walls, and generator sound walls, the resulting 1-hour average noise level would be 59

dBA or less at the north, south and east project site boundaries. This noise level would comply with the City's noise ordinance criteria and result in a less-than-significant noise impact.

2. Interior Noise Level within the Hospital Building: The majority of the mechanical equipment, including the larger and louder rooftop mechanical equipment, would be mounted on 6-inch-thick concrete pads. In addition, the roof assemblies would include minimum 6-inch-thick concrete, and below these roofs would be suspended ceilings with either acoustical tile or gypsum board. These assembly combinations would attenuate the exterior airborne noise by more than 50 dBA. The rooftop equipment would have sound levels ranging from approximately 60 to 81 dBA at a distance of 3 feet, depending on the type and capacity size of the equipment. With the sound attenuation provided by the mechanical equipment pads, roof, and ceiling assemblies, the interior noise level would be less than 40 dBA CNEL within both the hospital rooms and staff offices. Thus, the interior noise level would be below the 45 dBA interior noise criteria, and the noise impact would be less than significant.
3. Traffic Noise/Exterior Noise Impacts: The primary hospital building would include the Mesa Gardens and outdoor use for the patients and visitors in addition to the Canyon Slope open space area to the northeast of the project site. Mesa Gardens would be located at the interior of the project site and would be effectively shielded from traffic noise by the main Acute Care Hospital building providing adequate noise attenuation. The future traffic noise level at the Canyon Slope outdoor use space associated with the hospital building would be approximately 64 dB CNEL. Noise levels at this location would be below 65 dB CNEL, and therefore, impacts would be less than significant.
4. Off-Site Traffic Noise: The existing plus project traffic noise would generate a noise level increase of up to 3 dB CNEL along Ruffin Court where the greatest increase in traffic volumes would occur. Similarly, with the project, the Year 2035 traffic noise would generate a noise level increase of up to 3 dB CNEL along Ruffin Court. Traffic noise level increases along Clairemont Mesa Boulevard and Ruffin Road would be 1 dB CNEL or less. The additional traffic volume along the adjacent roads would not substantially increase the existing noise level in the project vicinity and would not exceed a 3 dB CNEL noise level increase; therefore, the traffic noise level increase is considered less than significant.

F. Energy

1. Excessive Amounts of Electrical Power: With full buildout of the project, anticipated electricity use at the site is expected to be approximately 7,781,760 kWh of electricity per year, resulting in a net change of 3,814,380 kWh of electricity per year. This is equivalent to a 96% increase in electricity use resulting from the project. Statewide emission reduction measures proposed in California Air Resources Board's (CARB) Scoping Plan (CARB 2008) include several measures aimed at reducing GHG emissions associated with electricity use (refer to Section 5.4, Greenhouse Gas Emissions, and Appendix E). These measures would reduce overall energy use by approximately 11% by 2020. Hospitals are not generally subject to energy efficiency requirements such as those specified in Title 24 and are required to meet other state laws related to ventilation and air exchanges, resulting in increased energy needs. In order to partially offset these increased energy needs, the project has incorporated sustainable features into the project design to reduce its electricity use, including achieving LEED Gold certification. Water conservation measures identified in the project description would also serve to reduce the amount of electricity needed to supply water to the project site. These project features would be consistent or exceed many of the City's Conservation Element policies, especially Policy CE-A.5 related to sustainable building and operational techniques. Therefore, with the sustainable features included in the project to reduce energy consumption the project would not result in the use of excessive amounts of electrical power and impacts would be less than significant.
2. Excessive Amounts of Fuel: Full buildout of the project is expected to use approximately 23,071 million British thermal units (MMBTU) of natural gas per year, resulting in a net increase from current use at the site of approximately 14,692 MMBTU per year at the project site. Statewide emission reduction measures proposed in CARB's Scoping Plan (CARB 2008) include measures aimed at reducing GHG emissions associated with natural gas use that would reduce overall natural gas use by approximately 10% by 2020. The project would result in a total of 12,600 trips at the project, and a net increase that can be attributed to the project of 9,073 trips. Vehicle trips associated with the project are expected to use less petroleum due to advances in fuel economy over time, as well as regional land use improvements that would reduce petroleum use by reducing vehicle miles traveled. Furthermore, the project consolidates medical office space/uses and hospital care space/uses into a single campus in order to cut down on vehicular trips to and from multiple projects. The proposed project also seeks

to promote walkability within the campus, alternative modes of transportation and bicycling as a mode of transportation in order to reduce vehicular trips to and from the project. The project's access to public transit would further reduce the use of petroleum by encouraging the use of alternative forms of transportation. The project would not result in the use of excessive amounts of natural gas or petroleum, and impacts would be less than significant.

G. Health and Safety

1. Interfere with Adopted Emergency Response Plan: The project has been designed to meet the emergency, safety, and evacuation policies of the hospital and surrounding community. The project site has been carefully planned to increase access to and from the site and ensure safety for emergency vehicles. During construction of the proposed project, as a project design feature, as listed in Table 3-3, Summary of Project Design Features and Construction Measures, Kaiser would prepare a traffic control plan to specifically address construction traffic within the City's public rights-of-way. The traffic control plan would include provisions for construction times, control plans for allowance of bicyclists, pedestrians, and bus access throughout construction. The traffic control plan would also include provisions to ensure emergency vehicle passage at all times, and include signage and flagmen when necessary to allow the heavy equipment to utilize surrounding streets. With the implementation of a project specific traffic control plan during construction, impacts would be less than significant.
2. Wildfire Hazard: The project site is located in a highly developed urban area and is surrounded by development. The property is not within or adjacent to an area designated as within City's "Very High Fire Hazards Severity Zone." Additionally, open space on the site will be maintained and landscaped with a sprinkler system. The risk of wildland fire occurring on the site is anticipated to be very low. Impacts related to wildland fires at the site would be less than significant.

H. Visual Quality and Neighborhood Character

1. Adverse Effect on Scenic Vista/Resources: The proposed project site is not identified in the community plan, general plan, or local coastal program as being located within a designated public view corridor. There are no significant visual landmarks or scenic vistas in the area that would be potentially blocked by the project. There are no identified community symbols or landmarks as identified in the Kearny Mesa Community Plan or City of San Diego General Plan in the

vicinity of the project area. The site is not designated as a historical landmark and does not include a large stand of natural trees, vegetation, or rock outcroppings. There are no designated scenic resources, scenic vistas, or view corridors within this area. The project site is located in a visible area; the 0.3-mile distance from I-15 would not substantially block existing views of the site from travelers along I-15.

2. Visual Character: Though the project would result in increases in height and bulk at the site which would be visible from certain vantage points, with a cohesive architecture and landscape plan the project would not degrade the existing visual character or quality of the site or its surroundings. Considering the distance to the newly visible structures, with consistent landscaping and architecture the views of the campus from adjacent properties would blend with views of the sky and existing buildings in the area. Additionally, due to the developed nature of the site and surrounding area, and the limited amount of undisturbed topography in the proposed project vicinity, the development would not strongly contrast with the surrounding development or the natural topography of the area. The off-site retaining walls along Clairemont Mesa Boulevard would be screened by landscaping to match the current conditions with mostly large shrubs and Sycamore trees. Therefore, the project would not substantially degrade the existing visual character or quality of the site or surroundings, and impacts would be less than significant.
3. The project does not include excessive signage, only emergency signage required for efficient hospital operations. New landscaping of the site would create a uniformity and cohesion with surrounding land uses. The character of the landscape design is based on a natural San Diego mesa, both in materials and organization, as reinforced by sandstone surfaces and elements and the use of native plants and trees. Proposed plants and trees in north, south, east, or west sectors of the campus correspond to naturally occurring conditions in the region. With tiered landscaping and uniform architectural design throughout the project site, visual impacts to surrounding developments and the natural topography would be less than significant.
4. Source of Light/Glare: No significant light or glare impacts would result from the proposed project. Outdoor lighting would be in keeping with the urbanized area that surrounds the site. The light reflectivity of the glass materials would be less than the threshold of 30%. Additionally, the project would be designed in accordance with the State of California Building Code and Municipal Code requirements. Therefore, impacts to the community related to lighting and glare from the proposed project would be less than significant.

I. Geology

1. Exposure to Geologic Substantial Effects: A design-level geotechnical investigation will be conducted that will specifically document the geologic conditions on the site in relation to the proposed buildings, as well as appropriate engineering design and construction measures to meet California Building Code (CBC) standards (see EIR Section 3.2.4). Design and construction in accordance with the CBC would reduce the potential for structural collapse due to earthquake ground shaking to an acceptable level. Therefore, impacts to people or structures, including the risk of life, injury, or death due to faulting on the site, local seismic events, and undocumented fill on the site, would be less than significant.
2. Potential for Soil Erosion: Adherence to erosion control standards in the City's grading ordinance as well as Best Management Practices (BMPs) required by the project Storm Water Pollution Prevention Program (SWPPP) as described in Sections 3.2 4 and 5.12 of the EIR would ensure that impacts would be less than significant.
3. Site Stability: The proposed project would be located on a relatively level site that does not have groundwater. The risk of on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse is low. Implementation of the recommendations in the geotechnical investigation and appropriate building design measures will reduce the risk of potential effects that unstable soils on the site would result in an on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Therefore, with implementation of the geotechnical investigation and the appropriate design measures impacts from unstable soils on the site would be less than significant.

J. Hydrology/Water Quality

1. Runoff: The project would increase the amount of pervious area, as compared to pre-development conditions, and thus reduce the project site runoff coefficient. Additionally, the proposed landscaped areas (medians and bioretention areas) would effectively reduce the project site runoff coefficient, as compared to pre-development conditions. Approximately 17 acres of the 20-acre project site (85%) would be composed of impervious surfaces after construction of the project, a reduction of 10-% as compared to existing conditions. Additionally, with storm drain infrastructure installed on the site, including a storm drain pump, perforated sub-drains for bioretention, and curb inlets, the project would control and beneficially impact drainage conditions

on the site. Overall, the project would reduce the rate or volume of surface runoff, and impacts would be less than significant.

2. **Pollutant Discharge and Ponded Water:** To address pollutant discharge and during construction complete program of construction BMPs would be developed for the project site, and would be described in a SWPPP for construction activities as part of the approval of the final grading plans, as indicated in Table 3-3 in Section 3.2.4. The SWPPP will ensure proper stormwater control, minimizing or eliminating stormwater contact with potential pollutants and the discharge of polluted stormwater from the site and will thereby ensure that construction impacts will be less than significant. After construction, activities on the project site would not involve the discharge of municipal or sanitary waste to surface waters, and the project does not propose non-stormwater discharges that might require authorization by the Regional Water Quality Control Board (RWQCB). As described above, post-construction the proposed project would result in an approximately 10% reduction in total site discharge from the site to the local storm drain system. As such, the site is not anticipated to result in a significant increase in impacts to receiving waters during operation and is not anticipated to violate any water quality standards. Impacts to water quality during operation of the proposed hospital campus would be less than significant.

K. Public Utilities

1. **Water:** Per the Final Water Supply Assessment (WSA) Report prepared for the proposed project the estimated water use at the proposed hospital campus with full buildout (Phases I and II) is approximately 205,391 gallons per day (gpd) or 230 acre-feet annually. This estimate reflect a 15% total water use reduction from the baseline based on the project achieving the LEED Gold water efficiency credit through use of water reducing fixtures, food handling and disposal equipment, medical equipment, and cooling systems. The WSA concluded that there will be adequate water supplies to serve the proposed Project along with existing and other future planned projects during normal, dry, and projected multiple dry years scenarios. Impacts to potable water supplies in the project area would therefore be less than significant.
2. **Wastewater:** With full buildout, the project is anticipated to generate a peak flow of approximately 192,000 gpd of sewage during wet weather, which represents the worst-case scenario. The project includes the installation of new private on-site sewage lines in conjunction with the proposed buildings. The Kaiser Permanente San Diego Central Hospital Medical Center Sewer Study indicated that sewage pipe segments that would serve the project would have adequate capacity to serve

the needs of the proposed project and surrounding properties. Impacts to the local sewer system are considered less than significant. Within the larger Metropolitan Sewerage System, the addition of the approximately 192,000 gpd of sewage from the proposed hospital represents an increase of approximately 0.106% over the approximately 180 million gpd of wastewater processed by the Metropolitan Sewerage System. With the Point Loma Wastewater Treatment Facility having excess capacities of 240 million gpd, there is adequate capacity within the system to treat the sewage from the proposed hospital. Impacts to the larger sewage treatment system are considered less than significant.

3. Stormwater Drainage: As discussed previously, the project includes landscaped areas that would effectively reduce the total off-site runoff compared to the existing conditions by 10%. With the addition of the storm drain infrastructure, including the bioretention areas and porous pavement areas, the project would result in increased percolation and a further reduction in runoff to the storm drain system. With the reduction in runoff from the site, impacts to the stormwater system would be less than significant.
4. Solid Waste: The project would generate solid waste during both the construction and operations phase. The waste management plan estimates that demolition on site will generate approximately 26,195 tons of building demolition debris and 11,266 tons of parking lot demolition debris, and that during construction of the proposed new facilities, approximately 1,066 tons of construction materials waste and approximately 34,632 tons of excavated earth would be generated and require disposal. The project would be required to pay a Construction and Demolition Debris Diversion Deposit along with submittal of the waste management plan at the time of building permit or demolition permit issuance. The waste management plan estimates that demolition on site would generate approximately 26,195 tons of building demolition debris and 11,266 tons of parking lot demolition debris. Approximately 19,699 tons (or 53%) of demolition materials, including wood, drywall, concrete, brick, and metals, would be separated and diverted for 100% reuse, either on the site or through designated recycling facilities that have been certified by the City as having a 100% diversion rate. The remaining waste would be disposed of at a mixed construction and demolition debris facility with an anticipated 72% diversion rate. With the initial 19,699 tons of materials recycled and a minimum 72% diversion rate for the remaining demolition waste, approximately 87% of the total waste generated during the demolition phase of the project would be recycled.
5. With implementation of the waste management plan impacts to solid waste facilities during construction and demolition of the project would be less than

significant. Once construction is complete, the project would generate solid wastes associated with the hospital and office uses on the site. Wastes would include paper, cardboard, food, bio/hazardous wastes, and green waste. With full buildout, the project is anticipated to generate approximately 5,148 tons of solid waste annually, and per the site specific waste management plan, the hospital would comply with the City's Recycling Ordinance and would recycle to the maximum extent possible. With implementation of the waste management plan impacts to solid waste facilities resulting from operation of the hospital on the site would be less than significant.

6. Electricity and Natural Gas: The project would increase the use of electricity and natural gas, resulting in a net change of 3,814,380 kilowatt-hours of electricity per year and a net change of approximately 14,692 MMBTU of natural gas per year. Per the City's Significance Thresholds, San Diego Gas & Electric (SDG&E) continuously forecasts future energy demands to ensure that infrastructure capacity can meet demand. Where projects with large power loads are planned, these new large power loads are considered by SDG&E together with other existing or anticipated future loads in the project vicinity, and electrical substations are upgraded or new substations are built if the capacities of existing substations are exceeded. The City's Significance Thresholds state that "direct impacts to electrical and natural gas facilities are addressed and mitigated by SDG&E at the time incoming development projects occur and are not typically evaluated by City staff". To accommodate the increase in energy use at the site the project includes an SDG&E yard that would be constructed in the southeastern corner of the site south of the Energy Center and loading dock. Since the project would be constructed over several years through two phases, SDG&E would have ample notice to appropriately plan for the increases in energy demand at the site and manage the infrastructure, including the on-site yard. Overall, impacts to SDG&E's ability to service the project are expected to be less than significant.
7. Also, LEED Gold water conservation measures identified in the project description would also serve to reduce the amount of electricity needed to supply water to the project site. These project features would be consistent with the City's Conservation Element policies, especially Policy CE-A.5 related to sustainable building and operational techniques. Therefore, with the sustainable features included in the project to reduce energy consumption the project would not result in the use of excessive amounts of electrical power and impacts would be less than significant.

L. Public Services & Facilities

1. **Schools:** Since no housing is proposed, local school districts would not be affected by implementation of the project. No impacts to schools are expected as a result of the proposed project.
2. **Libraries:** The proposed project does not propose new housing, but would increase the number of employees in the area, some of whom may use the local library. However, any increased use of the library by employees at the new hospital is expected to be minimal. Therefore, the project would not result in the need for new or modified library services, and impacts would be less than significant.
3. **Parks:** The project does not involve a housing component or use that would result in the need for additional public park services or increased use of public parks. The project includes on-site recreational amenities for employees, patients and visitors such as walking and jogging areas, overlooks with seating, and a pedestrian oriented garden that is expected to serve the needs of hospital staff, patients and visitors at the site. Hospital staff may use outdoor amenities to host monthly activities including, but not limited to, employee recognition events, health and wellness fairs, and certified farmers' markets. Impacts to public parks and recreational facilities would be less than significant.
4. **Police Services:** The project would not build any housing, and therefore would not increase the population of the project area that would need police protection. Though the project would result in additional employees in the project area, the project is not expected to substantially increase emergency calls to the San Diego Police Department. Therefore, the project would not result in the need for new or modified police services, and impacts would be less than significant.
5. **Fire-Rescue Services:** The hospital campus is not anticipated to generate a large volume of calls. Though the anticipated response time to the hospital site would be between 6.1 and 6.5 minutes, with few additional calls attributable to the new hospital campus, the project is not anticipated to result in a substantial change in the response times for the nearby fire stations. The project would increase the number of direct access driveways to the site from three to five, with one of the five access driveways dedicated for emergency department access only, and includes a private roadway along the eastern site boundary that would provide for emergency access to the easterly adjacent Polinsky Children's Center and parking structure. Overall, the proposed hospital would

be adequately served by the existing area fire-rescue department facilities and would not generate the need for a new or expanded fire station in the project area. Thus, fire protection impacts would be less than significant.

III. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

The City, having reviewed and considered the information contained in the EIR, finds pursuant to Public Resources Code Section 210819(a)(1) and Guidelines Section 150919(a)(1) that the following potentially significant impacts will be less than significant after implementation of the specified mitigation measures. These findings are based on the discussion of impacts in Chapters 5 and 6 of the EIR.

A. Noise (Operation)

Description of Significant Effects: Operation of the hospital would result in noise generated from project generated traffic, and new mechanical equipment located on the rooftop of the Energy Center. The noise from the mechanical equipment would exceed the City's noise ordinance requirements at the western property boundary and therefore would result in a significant impact. Noise from anticipated traffic along roadways would result in interior noise levels at on-site buildings that would exceed the City interior noise standard of 45 dB CNEL, and thus would be significant.

Finding: The City finds that with implementation of Mitigation Measures NOI-2 and NOI-3 operational noise impacts would be reduced to less than significant.

Mitigation Measures: Implementation of Mitigation Measure NOI-2 would ensure that sound-rated windows having a minimum sound transmission class (STC) 38 sound-rating, and acoustical tile ceilings for the hospital rooms and staff offices along the western hospital building façade, would reduce this noise impact to a level that is less than significant. Mitigation measure NOI-3 would ensure that the proposed buildings will be designed to achieve the necessary sound rating to reduce traffic noise from resulting in interior noise levels exceeding City standards.

Rationale: With implementation of Mitigation Measures NOI-2 and NOI-3 noise impacts during operation of the proposed project would be less than significant.

Reference: EIR, p. 5.6-11 to 5.6-8.

B. Paleontological Resources

Description of Significant Effects: Implementation of the proposed project could have a potentially significant impact on possible paleontological resources on the site during construction.

Finding: Mitigation Measure PALEO-1 would reduce identified impacts to paleontological resources to less than significant.

Mitigation Measures: Mitigation Measure PALEO-1 would be implemented for construction phases that would exceed the thresholds presented in *Section 5.6.3*. See p. 5.6-2 to 5.6-8 for specific procedure.

Rationale: With this mitigation measure in place, impacts to paleontological resources would be reduced to a level below significant.

Reference: EIR, p. 5.6-2 to 5.6-8.

C. Biological Resources

Description of Significant Effects: Development of the project and off-site traffic improvements would result in direct impacts to sensitive upland habitats (i.e., MSCP Subarea Plan Tier I through Tier III), which are considered significant and require mitigation. The project would directly permanently impact approximately 0.4 acre of coastal sage scrub habitat (Tier II). Also, potential construction impacts to nesting birds and raptors would be significant.

Finding: The City finds that Mitigation Measures BIO-1 and BIO-2 would reduce identified impacts to biological resources to less than significant. Additionally, with implementation of Mitigation Measure BIO-1 the City finds that the project would be consistent with the City's Multiple Species Conservation Program.

Mitigation Measures: Mitigation Measure BIO-1 would ensure that the owner/permittee contribute to the City of San Diego Habitat Acquisition Fund (HAF) to mitigate for the loss of 0.4 acres of coastal sage scrub habitat, as described in *Section 5.7.5*. Mitigation Measure BIO-2 would reduce potential impacts to nesting bird species, including raptors, to below a level of significance. See p. 5.7-10 and 5.7-11 for specific procedures.

Rationale: With implementation of this mitigation measure, impacts to biological resources would be less than significant.

Reference: EIR, p. 5.6-2 to 5.6-8.

D. Health and Safety

Description of Significant Effects: During demolition of the existing structure hazardous materials may be exposed, such as lead-based paint and asbestos, and during site excavation and grading, potential petroleum-contaminated soils or materials such as piping may be exposed and cause a release of hazardous materials, which would result in a significant impact to people on the site and potentially to people in the vicinity. During construction a variety of hazardous substances and wastes would be stored, used, and

generated on the project site, and would include fuels for machinery and vehicles, new and used motor oils, cleaning solvents, paints, and storage containers and applicators containing such materials. Accidental spills, leaks, fires, explosions, or pressure releases involving hazardous materials represent a potentially significant threat to human health and the environment if not properly treated. Additionally, operation of the proposed hospital at the site would require the necessary use and storage of a variety of hazardous materials, such as combustible gas, flammable liquid, and corrosive materials. With the use and storage of these materials on site, the risk of potential health and environmental hazards from accidental release of these materials would result in a significant impact.

Finding: The following mitigation measures would reduce identified impacts to health and safety to less than significant.

Mitigation Measures: Mitigation Measure HS-1: Prior to receiving a demolition permit Kaiser would provide proof to the City of San Diego that all hazardous materials existing on the site are identified and properly handled and disposed of.

Mitigation Measure HS-2: Kaiser shall prepare and implement during all construction activities a hazardous substance management, handling, storage, disposal, and emergency response plan that will reduce the risk of accidental release of hazardous materials during construction activities at the site.

Mitigation Measure HS-3: Prior to receiving a grading permit, Kaiser shall prepare a Hazardous Materials Contingency Plan (HMCP) and ensure that grading and excavation staff has received training about how to identify suspected contaminated soil and USTs and has been made aware of the hazardous materials contingency plan.

Mitigation Measure HS-4: Prior to receiving a certificate of occupancy for the first component of the proposed project, as described in Section 3.2 of this EIR, Kaiser shall prepare a site-specific Medical Waste Management Plan (MWMP) and the Hazardous Materials Business Plan (HMBP) for the Kaiser Permanente San Diego Central Medical Center to reflect the inventory of hazardous materials and wastes being used at each facility.

Rationale: With these mitigation measures in place, impact to health and safety would be reduced to a level that is below significant by ensuring that any potential contamination encountered or accidental hazardous materials release is properly identified and remediated to an appropriate level in accordance with Department of Environmental Health (DEH) requirements.

Reference: EIR, p. 5.9-10 to 5.9-12.

E. Transportation/Traffic Circulation

Description of Significant Effects: As described in Section 5.2.11 of the EIR, under the Near-Term Plus Full Project Buildout condition, two intersections would operate at a deficient LOS and would be significantly impacted by the project: Clairemont Mesa Boulevard/Ruffin Road, and Balboa Avenue/Ruffin Road. The Balboa Avenue/Ruffin Road intersection would be improved through Mitigation Measure TRA-2 which states the applicant would modify the traffic signal and provide southbound to westbound right turn overlap phasing prior to the first occupancy permit for Phase I of the project. Under the Year 2035 Plus Full Project Buildout condition the project would also result in cumulative impacts to the intersections of Clairemont Mesa Boulevard/Ruffin Road, and Balboa Avenue/Ruffin Road, as well as the intersections of Clairemont Mesa Boulevard/Murphy Canyon Road and Viewridge Avenue/Balboa Avenue.

Finding: The City finds that Mitigation Measure TRA-2 would sufficiently improve the intersection of Balboa Avenue/Ruffin Road to address the project's increase in traffic and associated Near-Term and full Buildout impacts. With implementation of mitigation Measure TRA-2 impacts to the intersection of Balboa Avenue/Ruffin Road would be less than significant. The City also finds that implementation of Mitigation Measures TRA-3 and TRA-4 would reduce cumulative Year 2035 impacts at the intersections of Clairemont Mesa Boulevard/Murphy Canyon Road and Viewridge Avenue/Balboa Avenue to less than significant. *(For a discussion of the conclusion for the impact to the intersection of Clairemont Mesa Boulevard/Ruffin Road see Section IV below.)*

Mitigation Measures: The intersection of Balboa Avenue/Ruffin Road would be improved through implementation of Mitigation Measure TRA-2. The intersections of Clairemont Mesa Boulevard/Murphy Canyon Road and Viewridge Avenue/Balboa Avenue would be improved through implementation of Mitigation Measures TRA-3 and TRA-4.

Rationale: With implementation of Mitigation Measure TRA-2 the delay at the intersection of Balboa Avenue/Ruffin Road would be better than conditions without the project, and therefore impacts would be less than significant. With implementation of Mitigation Measure TRA-3 the delay at the intersection of Clairemont Mesa Boulevard/Murphy Canyon Road would be better than conditions without the project and the LOS would be improved from unacceptable (E) to acceptable (C), and therefore impacts would be less than significant. With implementation of Mitigation Measure TRA-4 the delay at the intersection of Viewridge Avenue/Balboa Avenue would be better than conditions without the project, and therefore impacts would be less than significant.

Reference: EIR, p. 5.2-58 through 5.2-61.

IV. FINDINGS REGARDING IMPACTS THAT ARE FOUND TO BE SIGNIFICANT AND UNAVOIDABLE

The City hereby finds that the following environmental impacts are significant and unavoidable and that there is no feasible mitigation. “Feasible” is defined in Section 15364 of the CEQA Guidelines to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” The City may reject a mitigation measure if it finds that it would be infeasible to implement the measure because of specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers. These findings are based on the discussion of impacts in Chapter 5 of the EIR.

A. Land Use (Secondary Indirect Effects)

Description of Significant Effect: The proposed project would result in a development intensity due to a deviation in the maximum permitted floor area ratio (FAR) for the site that would cause indirect or secondary environmental impacts relative to traffic, noise, greenhouse gas emissions (GHGs), and air quality.

Finding: The City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers and high quality health care, make infeasible the mitigation measures or alternatives identified in the EIR. Refer to the Findings below in Sections B, C, D, and E for additional information.

Mitigation Measures: The mitigation measures identified in EIR sections 5.2, 5.3, 5.4, and 5.5 and will address transportation/traffic circulation, GHGs, air quality, and noise impacts. However, as described below, some impacts would remain significant and unavoidable.

Rationale: Refer to the rational discussions for traffic impacts, noise, GHGs, and air quality.

Reference: EIR, Sections 5.2, 5.3, 5.4, and 5.5.

B. Transportation/Traffic Circulation

Description of Significant Effect - Intersections: As described in Section 5.2.11 of the EIR, under the Near-Term Plus Full Project Buildout condition, two intersections would operate at a deficient LOS and would be significantly impacted by the project: Clairemont Mesa Boulevard/Ruffin Road, and Balboa Avenue/Ruffin Road. These two intersections would be improved through Mitigation Measures TRA-1 and TRA-2. Since implementation of Mitigation Measure TRA-1 for impacts to the Clairemont Mesa Boulevard/Ruffin Road intersection is contingent upon acquisition of ROW to widen the roadway, without confirmation that the ROW can be acquired, this impact is considered

significant and unavoidable. (See Section III above for a discussion on the impact conclusion for the intersection of Balboa Avenue/Ruffin Road.)

Finding: Although mitigation measures are identified in the EIR that could reduce significant impacts, implementation of the mitigation measures cannot be assured in a timely manner. The City finds that specific economic, legal, social, technological, or other considerations, including considerations for the availability of a segment of property along Clairemont Mesa Boulevard for acquisition, make infeasible the mitigation measure identified in the EIR.

Mitigation Measures: The intersection of Clairemont Mesa Boulevard/Ruffin Road would be improved through construction of TRA-1 which consists of the applicant providing an eastbound right turn lane prior to first occupancy of Phase II of the project.

Rationale: Since implementation of Mitigation Measure TRA-1 for impacts to the Clairemont Mesa Boulevard/Ruffin Road intersection is contingent upon acquisition of ROW to widen the roadway, without confirmation that the ROW can be acquired, this impact is considered significant and unavoidable. The applicant communicated with the property owner, and discussions are ongoing, however, there is no assurance that this property would be available for sale. Potential involuntary taking of private property requires certain further actions by the City and at this time, there is no assurance that the City Council would take steps necessary in an eminent domain action.

Reference: EIR, p. 5.2-60

Description of Significant Effect – Freeway Segments and Ramp Meter: As described in Section 5.2.14 of the EIR, under the Year 2035 Plus Full Project Buildout condition, the following two freeway segments and one ramp meter would have significant cumulative project impacts:

Freeway Segments

Impact C-6: I-15—Clairemont Mesa Boulevard to Balboa Avenue

Impact C-7: I-15—Balboa Avenue to Aero Drive

Ramp Meter

Impact C-8: Clairemont Mesa Boulevard to SB I-15

Finding: Mitigation in the form of fair share payment toward improvements along I-15 would be required to mitigate identified impacts; however, since there is no currently programmed improvement project for the impacted segments of I-15, the two identified freeway segment impacts are considered not mitigated and the impact would be significant and unavoidable. Additionally, the Clairemont Mesa Boulevard to SB I-15 on-Ramp currently has one HOV lane and 2 SOV lanes and is built to its ultimate

configuration; therefore, no feasible mitigation is available. Impacts to the ramp meter would also remain significant and unavoidable.

Mitigation Measures: There are no feasible mitigation measures for impacts to the above listed freeway segments and ramp meter.

Rationale: Since there is no currently programmed improvement project for the impacted segments of I-15, impacts along these segments remain significant and unavoidable. Also, since the Clairemont Mesa Boulevard to SB I-15 on-ramp currently has one HOV lane and 2 SOV lanes and is built to its ultimate configuration, there is no feasible mitigation available. Impacts to the ramp meter would also remain significant and unavoidable.

Reference: EIR, p. 5.2-68

C. **Air Quality**

1. Description of Significant Impact – Obstruction of an Applicable Air Quality Plan: The project would be consistent with the existing General Plan designation, but would be considered a more intense land use than that of the existing County of San Diego government building. Therefore, because the increase in land use intensity and associated increase in vehicle trips has not been anticipated in local air quality plans, impacts would be significant.

Finding: The City finds that no mitigation is available to reduce air quality plan conflicts due to the nature of the proposed land use; therefore, impacts would remain significant and unavoidable.

Mitigation Measures: Due to the nature of the proposed land use, no feasible mitigation measures have been identified to reduce air quality plan conflicts.

Rationale: If a project proposes development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the County Regional Air Quality Strategy (RAQS) and may contribute to a potentially significant cumulative impact on air quality. The project area is zoned Light-Industrial (IL-2-1), which allows for the construction and operation of a hospital with a Conditional Use Permit (CUP). The existing County of San Diego government office building currently occupies the site as a commercial facility; however, because the project site is not zoned for hospital uses, and a medical facility use would be considered a more intense land use than the existing County of San Diego government office building, it is reasonable to assume vehicle trip generation and planned development for the site has not been anticipated in the RAQS. Because the increase in land use intensity and associated increase in vehicle trips has not been anticipated in local air quality plans, the project would be considered inconsistent at a regional level with the underlying growth forecasts in the RAQS, and impacts would be significant.

Reference: EIR, pp. 5.3-13 through 5.3-14

2. Description of Significant Impact – Violation of Air Quality Standards During Construction: Construction of the project would result in a temporary addition of pollutants to the local airshed caused by soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment, as well as from off-site trucks hauling construction materials. As indicated in Table 5.3-5, Estimated Maximum Daily Construction Emissions of the EIR, the NO_x emissions associated with project construction would exceed the City's emission thresholds. Although PM₁₀ emissions would be below the City's significance thresholds, mitigation measure AQ-1 would further reduce construction-related PM₁₀. Additionally, mitigation measure AQ-2 would reduce construction-related NO_x emissions; however, even with incorporation of these mitigation measures, NO_x emissions are anticipated to be above the threshold. This impact is therefore considered significant.

Finding: The City finds that with implementation of Mitigation Measures AQ-2 during construction, NO_x emissions would remain above the City's emission threshold and impacts would be significant and unavoidable.

Mitigation Measures: The City will require the project to implement Mitigation Measures AQ-1 (to reduce fugitive dust or PM₁₀ emissions) and AQ-2 (to reduce NO_x emissions).

Rationale: With mitigation implemented, NO_x emissions are expected to remain above the City's threshold for significance.

Reference: EIR, pp. 5.3-22 through 5.3-23

3. Description of Significant Impact – Violation of Air Quality Standards During Operations (including particulate matter standard): As shown in Table 5.3-7 *Estimated Daily Maximum Operational Emissions*, the project's resulting the net change in daily operational emissions would not exceed the City's significance threshold for VOC, SO_x or PM_{2.5}. However, operational emissions would exceed the City's significance thresholds for NO_x, CO, and PM₁₀ primarily due to motor vehicle and stationary source emissions, specifically operation of the emergency generators during testing. Due to the anticipated increase in average daily traffic (ADT) as a result of project implementation, no mitigation is available to reduce CO and PM₁₀ impacts from motor vehicles.

Finding: The City finds that with implementation of Mitigation Measure AQ-3, ozone emissions during operations of the proposed hospital would be above the City's emission threshold, and that no feasible mitigation is available to reduce impacts associated with PM₁₀ emissions. Therefore, impacts would remain significant and unavoidable.

Mitigation Measures: To reduce potential ozone impacts during triennial emergency generator testing periods, Mitigation Measure AQ-3 is provided. Due to the anticipated

increase in ADT as a result of project implementation, no mitigation is available to reduce PM₁₀ impacts from motor vehicles.

Rationale: Following implementation of Mitigation Measure AQ-3, impacts would remain significant and unavoidable because NO_x emissions would remain above the City's threshold of significance. No additional feasible mitigation is available to reduce anticipated vehicle trips and stationary source emissions during project operations; therefore, impacts would be significant and unavoidable.

Reference: EIR, pp. 5.3-22 through 5.3-23, and 5.3-30

D. Greenhouse Gas Emissions

Description of Significant Impact: The proposed project, after accounting for statewide GHG reduction measures and project features, would result in a net change of 35,460 metric tons CO₂E per year relative to the baseline scenario. To assess the impact of the proposed project's GHG emissions, the emissions under a "business as usual" scenario are compared with the proposed project's gross emissions. With implementation of GHG reduction measures listed in Table 3-3 of the EIR, the proposed project would reduce GHG emissions by 17.5%. The proposed project would therefore not achieve the target of 28.3% below the business as usual scenario that has been established for the purposes of assessing the GHG emissions of projects in the City, and the GHG impact would be significant.

Finding: The City finds that with implementation of GHG reduction measures listed in Table 3-3 of the EIR the hospital cannot meet the City's significance threshold for reducing GHGs and impacts would remain significant and unavoidable.

Mitigation Measure: No feasible mitigation measures have been identified.

Rationale: While incorporation of the project design features listed in Table 3-3 of the Project Description would reduce impacts, residual impacts would remain significant. No feasible mitigation has been identified beyond what is listed in Table 3-3. This is due to the uniqueness of hospital facilities, especially with respect to Title 24, the need for the project to meet other state laws related to ventilation and air exchanges in hospital facilities, the difficulty in accurately assessing emissions on a hospital campus that has been developed in various phases over several decades, and the project's relatively high energy needs. These issues are particularly acute for energy-intensive health care facilities, such as hospitals. Hospitals have a number of circumstances that complicate establishment of a business-as-usual baseline including:

- Exemption from Title 24 Energy Code
- Mission-oriented operations
- Dynamic, multi-phase design and construction processes

- Complex and sometimes unique systems
- Utility interruption limitations
- Changes in patient requirements and expectations
- Increasingly sophisticated and energy intensive medical equipment

These circumstances are accompanied by a number of factors specifically associated with the primary sources of hospital energy use, heating, ventilation, air conditioning, and electrical system. These include:

- Stringent requirements for minimum ventilation rates for patient care areas
- Operation of ventilation systems for infection control
- Provisions for redundant systems
- Provisions for emergency power for critical HVAC systems, medical equipment and lighting
- Provisions for positive pressure areas such as operating rooms
- Provisions for smoke control

The hospital offers a range of clinical and surgical services, including 24-hour emergency services, intensive care, cancer/oncology, nuclear medicine, radiology, orthopedics, neurology, urology, ophthalmology, and an ambulatory care surgery center. It also provides a number of specialty services and programs, including an outpatient clinic, medical office uses, research laboratories, and a co-generation plant. These unique circumstances make it infeasible to implement mitigation measures while still meeting its requirements to provide a range of 24-hour per day, cost-effective, quality medical services and opportunities for patient care. It is also noted that the project would meet LEED Gold standards including credits for reductions in GHG emissions.

Reference: EIR, p.5.4-14 to 5.4-23.

E. Noise (Construction)

Description of Significant Effect: Noise from project-related construction activities would be temporary and would be in compliance with applicable noise ordinance during both day and nighttime construction activities. However, noise generated from construction activities would exceed City thresholds at on-site sensitive receptors, and therefore, significant impacts would result.

Finding: The City finds that temporary construction activities would result in noise levels that exceed the City's threshold for on-site sensitive receptors. Mitigation Measure NOI-1

would reduce the on-site noise impacts. However, since this is a phased project and it is uncertain exactly where construction activities may occur relative to on-site sensitive receptors, the degree to which proposed mitigation actually reduces on-site exterior and interior noise levels cannot be accurately determined. Therefore, the on-site construction noise impacts (both exterior and interior) are considered significant and unavoidable.

Mitigation Measure: Mitigation Measure NOI-1 would reduce the temporary construction on-site noise impacts by incorporating features such as the use of noise barriers, requiring shut down of equipment rather than idling, and maximizing the distance between construction equipment and sensitive receptors.

Rationale: Since this is a phased project and it is uncertain exactly where construction activities may occur relative to on-site sensitive receptors, the degree to which proposed mitigation actually reduces on-site exterior and interior noise levels cannot be accurately determined. Therefore, the on-site construction noise impacts (both exterior and interior) are considered significant and unavoidable.

Reference: EIR, pp. 5.5-5 through 5.5-7, and 5.5-16.

V. FINDINGS REGARDING PROJECT ALTERNATIVES

A. Project Objectives

An important consideration in the analysis of alternatives to the project is the degree to which such alternatives will achieve the objectives of the project. To facilitate this comparison, the objectives of the Project contained in Section 3.1.2 are re-stated here:

1. Create a comprehensively planned, integrated medical center campus that includes a modern 450-bed Kaiser Permanente hospital (in two phases, 321 beds in Phase I, 129 beds in Phase II), community amenities, and new employment opportunities in San Diego.
2. Provide high-quality health care in new, state-of-the-art inpatient and outpatient facilities for Kaiser Permanente members and central San Diego County by the phased replacement of outmoded existing structures, technology, and equipment in a practical and cost-effective manner.
3. Provide development capacity at the Kaiser Medical Center that would accommodate growth of Kaiser Permanente members requiring inpatient and outpatient health care services within the Central County service area.
4. Provide a variety of services, such as cancer care, imaging, cardiology, obstetrics, pharmacy, labs, and emergency services and medical office space in a central campus-like setting.

B. Project Alternatives

In addition to the proposed project, the EIR fully evaluated a range of six alternatives to the Master Plan project; of these, the following four alternatives were analyzed:

- Reduced Bed Alternative
- Alternative Layout No. 1
- Alternative Layout No. 2
- No Project Alternative

1. Reduced Bed Alternative (EIR, section 9.3.1)

Alternative Description: This alternative assumes a reduced number of beds, with the goal of avoiding or substantially lessening one or more of the proposed project's identified significant impacts, particularly air quality. Reducing the number of proposed beds would reduce the number of vehicle trips generated by this alternative, which would in turn reduce particulate matter (PM10) and carbon monoxide emissions. To reduce PM10 and carbon monoxide emissions to below a level of significance, it was calculated that a 35.4% reduction in daily vehicle trips to and from the project would be required. This equates to 223 fewer beds than the 450 beds proposed under the project, for a total of 227 beds. Other project components on the site for this alternative would not change from the project, although it is uncertain if the design and equipment components that promote or enhance the LEED Gold standards goals would still be feasible under the reduced project alternative.

Compared to the project, this alternative would avoid impacts to land use, and would result in reduced impacts to transportation/traffic circulation, air quality and GHG's. However, impacts to transportation/traffic circulation, air quality and GHG's would remain significant and unavoidable. Other project components on the site would be unchanged when compared to the proposed project.

Finding: The City finds that this alternative would not meet the Project Objective 1, which states that the applicant desires to create a comprehensively planned, integrated medical center campus that includes a modern 450-bed Kaiser Permanente hospital (in two phases, 321 beds in Phase I, 129 beds in Phase II), community amenities, and new employment opportunities in San Diego. The City finds that specific economic, legal, social, technological, or other considerations, including those identified in the accompanying Statement of Overriding Considerations, make the this alternative infeasible, and rejects this alternative on such grounds.

Rationale: This alternative would not provide the same variety of services in a centralized campus location necessary for the delivery of inpatient care. The applicant would be unable to provide the health care services needed for its membership.

In summary, this alternative would not meet most of the basic project objectives.

2. Alternative Layout 1

Alternative Description: Alternate Layout Alternative No. 1 would shift patient beds away from Clairemont Mesa Boulevard, further south on the site to avoid on-site noise impacts associated with traffic noise from Clairemont Mesa Boulevard. However, this layout would result in increased land use impacts associated with incompatible buildings being located closer together (the adjacent Polinsky Children's Center requested privacy at the facility, and this layout would conflict with that request), and with incompatibility with the Kearny Mesa Community Plan design standards (associated with the parking structure abutting Clairemont Mesa Boulevard). Other project components for this alternative would not change from the project.

Compared to the project, this alternative could reduce on-site noise impacts. However, the other significant unavoidable impacts would not be reduced when compared to the proposed project, and impacts to transportation/traffic circulation, air quality and GHGs would remain significant and unavoidable.

Finding: The City rejects Alternative Layout 1 because it would result in new significant and unavoidable land use impacts, even though it could result in a reduction in noise impacts. Overall, under this alternative impacts would be greater than under the proposed project. The City finds that specific economic, legal, social, technological, or other considerations, including those identified in the accompanying Statement of Overriding Considerations, make this alternative infeasible, and rejects this alternative on such grounds.

Rationale: Alternative Layout 1 would meet most of the basic project objectives and would reduce on-site noise impacts. This alternative would also result in new significant land use impacts (associated with placing a hospital building adjacent to the Polinsky Children's Center and a parking structure in a visible location) which would be considered significant.

3. Alternative Layout 2

Alternative Description: Alternate Layout Alternative No. 2 would shift patient beds away from Clairemont Mesa Boulevard, further south on the site to avoid on-site interior noise impacts associated with traffic noise from Clairemont Mesa Boulevard.

However, this layout would result in increased land use impacts associated with incompatible buildings being located closer together (the adjacent Polinsky Children's Center requested privacy at the facility, and this layout would conflict with that request), and with incompatibility with the Kearny Mesa Community Plan design standards (associated with the parking structure abutting Clairemont Mesa Boulevard). Other project components for this alternative would not change from the project.

Compared to the proposed project, this alternative would avoid on-site noise impacts. However, all other impacts would remain unchanged when compared to the proposed project, and impacts to transportation/traffic circulation, air quality and GHG's would remain significant and unavoidable.

Finding: The City rejects Alternative Layout 2 because it would result in a reduction in noise impacts that under the proposed project are reduced to less than significant with mitigation implemented, and would result in new significant and unavoidable land use impacts. Overall, under this alternative impacts would be greater than under the proposed project. The City finds that specific economic, legal, social, technological, or other considerations, including those identified in the accompanying Statement of Overriding Considerations, make this alternative infeasible, and rejects this alternative on such grounds.

Rationale: Alternative Layout 2 would meet most of the basic project objectives and would reduce on-site noise impacts. This alternative would also result in new significant land use impacts (associated with placing a hospital building adjacent to the Polinsky Children's Center and a parking structure in a visible location) which would be significant.

4. No Project Alternative

Alternative Description: CEQA Guidelines 15126(e) requires the analysis of the No Project alternative. The No Project alternative must discuss the existing conditions and as well as what would occur in the foreseeable future if the proposed project were not to occur based on current plans, site zoning, consistency with available infrastructure and community services. Under the No Project Alternative the proposed project features would not be implemented at the site. The existing on-site County Administration building (330,000 square feet) would not be demolished and would be left vacant.

Compared to the proposed project, this alternative would create none of the environmental impacts associated with the construction and operation of the proposed

project. Significant and unavoidable impacts relating to land use, transportation/traffic circulation, noise, greenhouse gas emissions, and air quality would not occur.

Finding: The City finds that although this alternative will reduce the proposed project's impacts to a less than significant level, specific economic, legal, social, technological, or other considerations, including those identified in the accompanying Statement of Overriding Considerations, make the No Project Alternative infeasible, and rejects the No Project Alternative on such grounds.

Rationale: This alternative does not meet any of the project objectives. Under this alternative, the proposed project would still need to be built elsewhere in order to meet the project objectives.

VI. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS

A. Significant Irreversible Environmental Changes that will be Caused by the Project (EIR section 8.2):

Section 15126(c) of the CEQA Guidelines requires an EIR to address any significant irreversible environmental changes that may occur as a result of project implementation. Approval of the project would cause irreversible environmental changes consisting of the following:

- Alteration of the human environment is a consequence of the hospital campus development process. The use of the existing developed 20-acre site for these purposes is consistent with current and planned uses for the site, as analyzed in *Section 5.1, Land Use*, of the EIR.
- Increased requirements of public services and utilities by the project, representing a permanent commitment of these resources. Service providers have adequate supply of resources to supply the project (see *Sections 5.13, Public Utilities, and 5.14, Public Services and Facilities* of the EIR).
- Use of various new raw materials, such as lumber, metals (such as iron and steel), sand, and gravel, for construction. Some of these resources are already being depleted worldwide. The energy consumed in developing and maintaining the site may be considered a permanent investment. The proposed project is a relatively minor consumer of these supplies compared to other local and regional users.

B. Growth Inducing Impacts of the Project (EIR section 8.3)

The City finds that the project would result in a greater availability of hospital services, which would serve projected increases in demand in the area. Meeting projected demands for hospital and medical services would not be growth inducing.

The City finds that project promotes infill development rather than encouraging new development within a currently undeveloped area. As this is an infill project, all major public services and utilities currently service the area; therefore, growth inducement as a result of the extension of these facilities into a new area would not occur. In conclusion, approval of the proposed project would not result in significant growth-inducing impacts.

VII. FINDINGS REGARDING SB 610 WATER SUPPLY ANALYSIS

Per Senate Bill 610, any project that would include water demand for 500 residential units or the equivalent water consumption of 500 residential units is required to prepare a Water Supply Assessment (WSA). The City prepared the Final Water Supply Assessment (WSA) Report for the Kaiser Permanente San Diego Central Hospital, dated April 25, 2013. The proposed project will result in estimated water use at the proposed hospital campus with full buildout (Phases I and II) of approximately 205,391 gpd or 230 acre-feet annually. The projected water demand is based on water demands for hospital domestic use, hospital support building use, cooling tower and steam boiler use, and irrigation on the site. These estimates reflect a 15% total water use reduction from the baseline (i.e., non-LEED Gold building features) based on the project achieving the LEED water efficiency credit through use of water reducing fixtures, food handling and disposal equipment, medical equipment, and cooling systems. The WSA included the Public Utilities Department's existing and projected water supplies, including recycled water supplies and planned capital improvement projects. The WSA noted that, per the City of San Diego 2010 Urban Water Management Plan (UWMP), the planned water demands of the project site are 24,000 gallons per day, or 2.7 acre-feet per year, which results in a deficit of an estimated 202,991 gallons per day, or 227.3 acre-feet per year from the hospital's projected water use. However, the Water Authority accounts for such increases in water demand through the Accelerated Forecasted Growth demand increment in its 2010 UWMP. Through accounting for Accelerated Forecasted Growth, the Water Authority is planning to meet future and existing growth, and will include the hospital in all future planning and water supply modeling analysis, including analysis in the 2015 UWMP. Ultimately, the WSA concluded that there will be adequate water supplies to serve the proposed Project along with existing and other future planned projects during normal, dry, and projected multiple dry years scenarios.

VIII. FINDINGS REGARDING RESPONSES TO COMMENTS AND REVISIONS IN THE FINAL EIR

The final EIR includes the comments received on the Draft EIR and responses to those comments. The focus of the responses to comments is on the disposition of significant environmental issues raised in the comments, as specified by CEQA Guidelines § 15088(b).

Finding/Rationale: Responses to comments made on the Draft EIR and revisions to the final EIR merely clarify and amplify the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines § 15088.5(b).

IX. STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the preceding sections, the City's approval of the Kaiser Permanente San Diego Central Medical Center project will result in significant environmental impacts that cannot be avoided even with the adoption of all feasible mitigation measures. Whenever a lead agency adopts a project which will result in a significant and unavoidable impact, the agency must, pursuant to Public Resources Code sections 21002 and 21081(b) and State CEQA Guidelines section 15093, state in writing the specific reasons to support its action based on the final EIR and/or other information in the administrative record.

The City Council, (i) having independently reviewed the information in the final EIR and the record of proceedings; (ii) having made a reasonable and good faith effort to eliminate or substantially lessen the significant impacts resulting from the project to the extent feasible by adopting the mitigation measures identified in the EIR; and (iii) having balanced the benefits of the Kaiser Permanente San Diego Central Medical Center project against the significant environmental impacts, chooses to approve the Kaiser Permanente San Diego Central Medical Center project, despite its significant environmental impacts, because, in its view, specific economic, legal, social, and other benefits of the proposed project render the significant environmental impacts acceptable.

The following statement identifies why, in the City Council's judgment, the benefits of the Kaiser Permanente San Diego Central Medical Center project as approved outweigh the unavoidable significant impacts. Each of these public benefits serves as an independent basis for overriding all significant and unavoidable impacts. Any one of the reasons set forth below is sufficient to justify approval of the Kaiser Permanente San Diego Central Medical Center project. Substantial evidence supports the various benefits. Such evidence can be found either in the preceding sections, which are incorporated by reference into this section, the final EIR, or in documents that comprise the Record of Proceedings in this matter.

FINDINGS FOR STATEMENT OF OVERRIDING CONSIDERATIONS

1. Implementation of the proposed project would result in a new hospital with 450 new inpatient beds to accommodate existing and growing community needs for inpatient medical care.
2. According to SANDAG's growth projections, the San Diego region is forecasted to grow from approximately 3.1 million in 2008 to 3.9 million by 2030, an increase of 25%. The San Diego service area for Kaiser Permanente represents approximately 15% of Southern California's region membership. As of June 2013, there are 519,000 members in the San Diego service area, with membership projected to reach as high as 690,000 members by 2020. Today, only one Kaiser Foundation Hospital supports the San Diego service area: San Diego Medical Center (SDMC) (Zion Medical Center). SDMC is densely developed campus with very limited expansion opportunity. 16% of San Diego membership (or 83,000) is 15 miles away or greater from SDMC. The 20.01-acre project site provides land for a central hospital solution with adequate acreage, favorable Zoning and General Plan designation, and would provide appropriate geographic access for a large contingent of Kaiser Permanente members. Further, the project would provide new facilities that allow for the provision of quality care and superior service, address capacity issues including availability to inpatient beds, operating rooms; and, decreased emergency department visit wait times.
3. It is projected that the proposed project would create 600 temporary construction/trades jobs, in addition to 1,000 new skilled professional health care and administrative employment opportunities.
4. Implementation of the proposed project would preserve and protect the physical confines of the adjacent Polinsky Children's Center campus, an important asset of the County of San Diego and overseen by the County's Health and Human Services division. The proposed project design has taken into consideration the safety, security, privacy and long-term preservation of the Polinsky Children's Center campus through the specific placement and design of the parking structures (height, wall treatments, screening, and orientation) as well as the proposed project's access points. The retaining wall component of the proposed project is also necessary to further protect and preserve the northerly portion of the Polinsky Children's Center campus and has been designed as not to encroach into the existing recreation open space area.
5. Implementation of the proposed project would further the City of San Diego General Plan's Conservation Element as well as several climate change related policies aimed at reducing GHG emissions from future development. These policies also promote energy and water conservation in new development. The proposed project is seeking to achieve a Certified Leadership in Energy and Environmental Design (LEED) Gold rating and

would be the first Gold LEED-rated health care project in California. LEED consists of rating systems for the design, construction and operation of high performance green buildings, homes, and neighborhoods. Developed by the U.S. Green Building Council (USGBC), LEED is intended to provide building owners and operators a concise framework for identifying and implementing practical and measurable green building design, construction, operations and maintenance solutions. In order to achieve a high level of sustainability and a Gold rating, the proposed project has established the following goals and strategies:

- Building/parking structure integrated photovoltaic and solar panels
 - Recycled use of demolition and construction waste
 - Incorporate nature and LED lighting to maintain Circadian rhythm
 - Natural ventilation strategies
 - Chilled beams in office and lab spaces
 - Roof mounted photovoltaic system
 - Transportation Management Plan including bicycle storage, showers, and changing stations, preferred parking for carpools, vanpools, and electric vehicles
 - Landscaped with Southern California native, drought-tolerant species
 - Overall water use reduction by a minimum of 15% with a goal of a 32% reduction within the first year of occupancy, based on the comparison to the EPA established baseline (EPA Act 1992 and 2005, UPC/IPC 2006)).
 - Reclaimed water for landscape irrigation
 - Water efficient sterilizers
6. Implementation of the proposed project would be consistent with adopted policies and actions in support of alternative transportation. The Project incorporates a Transportation Demand Management (TDM) plan that would encourage staff and visitors to use alternate forms of transportation other than single-occupancy vehicles and to shift vehicle trips out of the peak hour. The following TDM plan will be provided:
1. Kaiser Permanente will coordinate with MTS and NCTD to offer partially subsidized monthly passes for employees.
 2. Provide preferentially located carpool/vanpool parking spaces in the employee parking area for use by qualified employees in an area closest to the entrance to the building, and these spaces will have designated signs for “Car/Vanpool Parking Only”. Information about the availability of and the means of accessing the car/vanpool parking spaces will be posted on transportation information displays and communication regarding parking privileges.

3. Display transportation information in common areas accessible to employees and patients in each building. Transportation information displays will include, at a minimum, the following materials:
 - Maps, routes, and schedules for public transit serving the site
 - Ridesharing promotional material
 - Bicycle route and parking including maps and bicycle safety information
 - Materials publicizing internet and telephone numbers for referrals on transportation information
 - Promotional materials supplied by NCTD, MTS, and/or other publicly supported transportation organizations
 - A listing of facilities at the site for carpoolers/vanpoolers, transit riders, bicyclist and pedestrians, including information on the availability of preferential carpool/vanpool parking spaces and the methods for obtaining these spaces
4. Offer office employees the opportunity to register for commuter ridematching provided through publicly sponsored services (e.g., SANDAG sponsored “iCommute Ridetracker”).
5. Stage two events annually to promote use of alternative transportation.
6. Provide bicycle racks, lockers and showers inside for employee use.
7. Ensure that employees that share rides to work are provided with a ride to their home or location near their residence in the event that an emergency occurs during the work day that requires transportation. SANDAG’s iCommute Guaranteed Ride Home service will be engaged to provide this service.
8. Provide flexible work schedules to stagger arrivals and departures. Operating practices of the Medical Center that have employees working schedules that start and stop throughout the day will reduce peak trip generation. The work schedules are yet to be determined however, based on the existing Kaiser Permanente Zion Medical Center, approximately 54% of all staff have rotating shift (i.e. day, evening, or night shift). Kaiser will examine all opportunities to rotate shift outside peak travel times as part of the TDM Plan.
9. Conduct an employee commute travel survey within six months of occupancy of the Kaiser San Diego Central Medical Center and annually thereafter.
10. Submit a TDM Status Report annually to the City of San Diego.
11. Kaiser will participate in the Kearny Mesa Traffic Management Association.

7. The proposed project also includes a new bus rapid transit stop in conjunction with the Metropolitan Transit System. Consistent with the City's current Bicycle Master Plan, the project also preserves existing bicycle lanes along Ruffin Road and provides for the addition of a new bicycle lane on Clairemont Mesa Boulevard along the project frontage and extending east to Murphy Canyon Road. These elements promote walkability, alternative modes of transportation, and bicycling as a mode of transportation thereby potentially reducing impacts on existing roadways. The project also consolidates medical office space/uses and hospital care space/uses into a single campus thereby potentially reducing impacts on existing roadways. Furthermore, the project consolidates medical office space/uses and hospital care space/uses into a single campus in order to cut down on vehicular trips to and from multiple health care provider sites.

CONCLUSION

For the foregoing reasons, the City finds that the project's adverse, unavoidable environmental impacts are outweighed by the above-referenced benefits, any one of which individually would be sufficient to outweigh the adverse environmental effects of the proposed project. Therefore, the City has adopted these Findings and Statement of Overriding Considerations.

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT REPORT NO. 274240, INCLUDING A WATER SUPPLY ASSESSMENT, FOR THE KAISER SAN DIEGO CENTRAL MEDICAL CENTERPROJECT – PROJECT NO. 274240

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report No. 274240 / SCH NO. 201271092 shall be made conditions of Conditional Use Permit No. 963644, Site Development Permit No. 1069754, and Development Permit No. 963645 as may be further described below.

GENERAL

GENERAL REQUIREMENTS – PART I OF II

Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS.**"
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:
<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

GENERAL REQUIREMENTS – PART II OF II

Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants: **Paleontological Monitor, Biologist, and Lead and Asbestos Abatement Monitor.**

NOTE: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – (858) 627-3200**
 - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at (858) 627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) No. 274240 and /or Environmental Document No./State Clearing House No. 2012071092, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.

NOTE: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency: The San Diego RWQCB would use the EIR and supporting documentation in its decision to issue a NPDES General Construction Activity Stormwater Permit; the San Diego Air Pollution Control District would use the EIR and supporting documentation when issuing Authorities to Construct and Permits to Operate boilers, thermal fluid heaters, and emergency generators in the Energy Center at the site.

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline’s work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner’s representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
Paleontology	Paleontology Reports	Paleontology Site Observation
Noise	Acoustical Reports	Noise Mitigation Features Inspection
Traffic	Traffic Reports	Traffic Features Site Observation

Document Submittal/Inspection Checklist

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
Waste Management	Waste Management Reports	Waste Management Inspections
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

TRANSPORTATION/TRAFFIC CIRCULATION

Mitigation Measures TRA-1 and TRA-2 are required for the Near-Term Plus Full Project Buildout Scenario:

- TRA-1 Clairemont Mesa Boulevard/Ruffin Road (Impact D-1) (100% contribution)**
 – The improvement required to mitigate this impact is an eastbound right-turn lane on Clairemont Mesa Boulevard, which the applicant shall provide prior to issuance of the first occupancy permit for Phase II to the satisfaction of the City Engineer. Figure M-1 in Appendix M graphically depicts the improvement. (Refer to Appendix M of the Traffic Impact Analysis for conceptual plans. The Traffic Impact Analysis is attached as Appendix C of this EIR.) The median shall be relocated 3 feet to the north and the eastbound lanes shall be reconfigured to provide a bike lane and an eastbound right-turn lane. This requires the acquisition of approximately 10 feet x 190 feet of additional right-of-way (ROW) from the existing retail center at the southwest corner of the intersection. Acquisition of 10 foot of ROW would result in reducing the existing building 28-foot setback from the curb line to 18 feet, and may be difficult to achieve in a timely manner.
- TRA-2 Balboa Avenue/Ruffin Road (Impact D-2) (100% contribution)** – Prior to issuance of the first occupancy permit for Phase II, the applicant shall modify the traffic signal and provide SB to WB right-turn overlap phasing at the Balboa Avenue / Ruffin Road intersection, to the satisfaction of the City Engineer. (U-turns are not currently permitted and therefore, providing SB right-turn overlap phasing will not impact any U-turning traffic).

The following mitigation measures are required for the impacted locations with cumulative impacts at the full project buildout scenario (Year 2035):

- TRA-1 Clairemont Mesa Boulevard/Ruffin Road (Impact C-1) (100% contribution)**
 – Mitigation Measure TRA-1 described above would also mitigate this cumulative impact. Since implementation of TRA-1 is contingent upon acquisition of a ROW to widen the roadway, this impact is considered significant and unavoidable.
- TRA-2 Balboa Avenue/Ruffin Road (Impact C-3) (100% contribution)** – Mitigation Measure TRA-2 described above will also mitigate this cumulative impact.

TRA-3 Clairemont Mesa Boulevard/Murphy Canyon Road (Impact C-2) 100% contribution) – Prior to issuance of the first occupancy permit for Phase I, the applicant shall widen Clairemont Mesa Boulevard to provide a third through lane on Clairemont Mesa Boulevard between Ruffin road and Murphy Canyon Road, satisfactory to the City Engineer. This lane will become a shared through / right-turn lane at Murphy Canyon Road, therefore providing additional capacity at the intersection. (See conceptual drawing M-2 in Appendix M of the Traffic Impact Analysis for a conceptual plan. The Traffic Impact Analysis is attached as Appendix C of this EIR.)

TRA-4 Viewridge Avenue/Balboa Avenue (Impact C-4) (100% contribution) – Prior to issuance of the first occupancy permit for Phase II, the applicant shall restripe the southbound approach of the Balboa Avenue / Viewridge Avenue intersection to provide a second southbound left-turn lane and provide appropriate signal modifications to accommodate the second southbound left turn lane, satisfactory to the City Engineer (see conceptual drawing M-3 in Appendix M of the Traffic Impact Analysis for a conceptual plan. The Traffic Impact Analysis is attached as Appendix C of this EIR).

The above improvements will result in the elimination of parking for a distance of 160 feet along the east curb of View Ridge Avenue, north of Balboa Avenue. This is a reduction of approximately 7 parking spaces. Field observations during various times indicated a maximum of 4 and minimum of 1 occupied spaces.

TRA-5 Two segments of I-15: Clairemont Mesa Boulevard to Balboa Avenue, and Balboa Avenue to Aero Drive (Impacts C-5 and C-6) —Mitigation for these impacts is an 8% contribution toward an improvement plan for the impacted segment of I-15 between Clairemont Mesa Boulevard and Balboa Avenue, and a 10% contribution for the segment of I-15 between Balboa Avenue and Aero Drive, to the satisfaction of the City Engineer.

NOISE

The following mitigation measure shall be incorporated to reduce the on-site exterior and interior noise impacts associated with daytime construction activities:

NOI-1: To mitigate the on-site exterior and interior noise impacts associated with daytime construction activities, the following features shall be incorporated into the project during construction, to the satisfaction of the City:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.
- Construction noise reduction methods such as shutting off idling equipment, maximizing the distance between construction equipment staging areas and occupied sensitive receptor areas, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.
- Implement noise attenuation measures, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction

noise sources.

- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.
- During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners and residents to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.

Mitigation measure NOI-1 would reduce on-site noise impacts from daytime construction activities. However, since this is a phased project and it is uncertain exactly where construction activities may occur relative to on-site sensitive receptors, the degree to which proposed mitigation actually reduces on-site exterior and interior noise levels cannot be accurately determined. Therefore, the on-site construction noise impacts (both exterior and interior) are considered significant and unavoidable.

The following mitigation measures shall be incorporated to reduce the on-site interior noise impacts resulting from the Energy Center's cooling towers.

NOI-2: To mitigate interior noise impacts within hospital patient rooms and medical offices, the proposed project shall incorporate sound-rated windows having a minimum STC 38 sound-rating, and acoustical tile ceilings for the hospital rooms and staff offices along the western hospital building façade. An interior noise study shall be required prior to submittal of final building plans to ensure the interior CNEL would not exceed 45 dB in hospital patient rooms, and 50 dB within hospital offices.

The following mitigation measures shall be incorporated to reduce the on-site interior noise impacts associated with traffic noise along Clairemont Mesa Boulevard.

NOI-3: To mitigate the on-site interior noise impacts at the Acute Care Center North building area due to traffic along Clairemont Mesa Boulevard, an interior noise study shall be required to ensure that the interior CNEL would not exceed 45 dB. The interior acoustical analysis shall be required prior to issuance of building permits.

Mitigation measure NOI-3 would reduce on-site interior noise impacts through implementation of an interior noise study to ensure interior noise levels for portions of the Acute Care buildings facing Clairemont Mesa Boulevard would be reduced to below 45 dB CNEL.

AIR QUALITY

Mitigation measures AQ-1, AQ-2, and AQ-3 would reduce emissions associated with PM10 and NOx.

AQ-1: To ensure construction of the project would not result in a significant impact relative to fugitive dust (PM10), the following requirements shall be implemented

by the applicant's contractor during all construction phases, and incorporated in the contractor's grading plans subject to review by the City of San Diego Development Services Department:

- All active construction areas, unpaved access roads, parking areas, and staging areas shall be watered at least three times per day and/or stabilized with nontoxic soil stabilizers as needed to control fugitive dust.
- Exposed stockpiles (e.g. dirt, sand, etc.) shall be covered and/or watered or stabilized with nontoxic soil binders as needed to control emissions.
- Traffic speeds on unpaved roads shall be limited to 15 miles per hour.
-

Mitigation Measure AQ-1 would ensure impacts related to fugitive dust during construction would remain less than significant.

AQ-2: Prior to approval of any grading permits, the following requirements shall be placed on all grading plans, and shall be implemented by the applicant's contractor during grading of each phase of the project to minimize NOx emissions:

- Minimize simultaneous operation of multiple construction equipment units. During construction, vehicles in loading and unloading queues shall turn their engines off when not in use to reduce vehicle emissions.
- All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.
- All diesel-fueled on-road construction vehicles shall meet the emission standards applicable to the most current year to the greatest extent possible. To achieve this standard, new vehicles shall be used, or older vehicles shall use post-combustion controls that reduce pollutant emissions to the greatest extent feasible.
- The effectiveness of the latest diesel emission controls is highly dependent on the sulfur content of the fuel. Therefore, diesel fuel used by on- and off-road construction equipment shall be low sulfur (less than 15 ppm) or other alternative, low-polluting diesel fuel formulation.

AQ-3: To ensure contribution to ozone formation during emergency generator testing is minimized, if a triennial 4-hour emergency generator testing is conducted by the applicant or its contractors, the testing period shall occur only between November and April. This testing schedule shall be identified specifically in the application for Authority to Construct submitted to the San Diego Air Pollution Control District. A copy of the Authority to Construct issued by the San Diego Air Pollution Control District shall be submitted to the City of San Diego Development Services Department prior to construction.

Mitigation measures AQ-1, AQ-2, and AQ-3 would reduce emissions associated with PM10 and NOx. No additional feasible mitigation is available to reduce anticipated vehicle trips and stationary source emissions during project operations; therefore NOx emissions would remain significant and unavoidable. No feasible mitigation is available to reduce PM₁₀ emissions to a less than significant level during operation. Impacts would be significant and unavoidable.

BIOLOGICAL RESOURCES

The following mitigation measure shall be implemented to reduce impacts to 0.4 acres of coastal sage scrub to below a level of significance:

BIO-1: Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the applicant shall contribute to the City of San Diego Habitat Acquisition Fund (HAF) to mitigate for the loss of 0.4 acre of coastal sage scrub habitat. This fee is based on mitigation ratios, per the City of San Diego Biology Guidelines, of 1:1 for coastal sage scrub (of which impacts occurred outside the MHPA, yet mitigation would be required inside the MHPA). Therefore, the resulting total mitigation required for direct project impacts of 0.4 acres shall be equivalent contribution to the City's Habitat Acquisition Fund (HAF) plus a ten percent (10%) administrative fee.

The following mitigation measure shall be implemented to reduce potential impacts to nesting bird species, including raptors, to below a level of significance:

BIO-2 Raptor Mitigation

1. If project grading is proposed during the raptor breeding season (Feb. 1-Sept. 15), the project biologist shall conduct a pregrading survey for active raptor nests in within 300 feet of the development area and submit a letter report to the City Mitigation Monitoring Coordinator (MMC) prior to the preconstruction meeting.
 - A. If active raptor nests are detected, the report shall include mitigation in conformance with the City's Biology Guidelines (i.e. appropriate buffers, monitoring schedules, etc.) to the satisfaction of the Assistant Deputy Director (ADD) of the Entitlements Division. Mitigation requirements determined by the project biologist and the ADD of Entitlements shall be incorporated into the project's Biological Construction Monitoring Exhibit (BCME) and monitoring results incorporated in to the final biological construction monitoring report.
 - B. If no nesting raptors are detected during the pregrading survey, no mitigation is required.

General Bird Mitigation

1. If project grading/brush management is proposed in or adjacent to native habitat during the typical bird breeding season (i.e. Feb. 1-Sept. 15), or an active nest is noted, the project biologist shall conduct a pre-grading survey for active nests in the development area and within 300 feet of it, and submit a letter report to MMC prior to the preconstruction meeting.

- A. If active nests are detected, or considered likely, the report shall include mitigation in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) to the satisfaction of the Assistant Deputy Director (ADD) of the Entitlements Division. Mitigation requirements determined by the project biologist and the ADD shall be incorporated into the project's Biological Construction Monitoring Exhibit (BCME) and monitoring results incorporated in to the final biological construction monitoring report.
- B. If no nesting birds are detected per "A" above, mitigation under "A" is not required.

The implementation of mitigation measures BIO-1 and BIO-2 would mitigate impacts to sensitive biological resources to a less than significant level.

PALEONTOLOGY

PALEO-1 The following shall be implemented for construction phases that would exceed City thresholds:

- I. Prior to Permit Issuance
 - A. Entitlement Division Plan Check
 - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
 - B. Letters of Qualification have been submitted to ADD
 - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.
- II. Prior to Start of Construction
 - A. Verification of Records Search
 - 1. The PI shall provide verification to MMC that a site-specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution

or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM, or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11 inches by 17 inches) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

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

III. During Construction

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

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously

assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

3. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVRS shall be faxed by the CM to the RE on the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

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

C. Determination of Significance

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

IV. Night and/or Weekend Work

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

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8 a.m. on the next business day.

- b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III – During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III – During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8 a.m. on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
 - C. All other procedures described above shall apply, as appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
 - 2. The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 - 3. MMC shall return the Draft Monitoring Report to the PI for revision or for preparation of the Final Report.
 - 4. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 - 5. MMC shall provide written verification to the PI of the approved report.
 - 6. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
 - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 - 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution
- 10-05-2009

With implementation of Mitigation Measure PALEO-1, impacts would be less than significant.

HEALTH AND SAFETY

To reduce identified significant impacts from the release of hazardous materials to below a level of significance, the following mitigation measures are provided:

- HS-1** Prior to demolition permit issuance, the applicant shall provide proof to the satisfaction of the City of San Diego that:
- The existing 500-gallon diesel AST and associated pipes have been properly removed in compliance with all applicable laws and regulations.
 - All existing hazardous materials and chemicals including, but not limited to, photo-development fluids, water-treatment chemicals, paints, and solvents stored on site have been removed in accordance with all applicable laws and regulations.
 - A qualified environmental specialist has inspected the site buildings for the presence of polychlorinated biphenyls, mercury, and other hazardous building materials. If found, these materials shall be managed in accordance with the Metallic Discards Act of 1991 (California Public Resources Code, Sections 42160–42185) and all other applicable state and federal guidelines and regulations. Demolition plans and contract specifications shall incorporate any necessary abatement measures in compliance with the Metallic Discards Act, particularly Section 42175, which describes materials requiring special handling, for the removal of mercury switches, polychlorinated biphenyl-containing ballasts, and refrigerants.
 - Current lead-based paint and asbestos surveys have been conducted by a California Division of Occupational Safety and Health–certified asbestos assessor and San Diego County DEH Services–certified lead-based paint assessor of all facilities proposed for demolition. The surveys shall determine whether any on-site abatement of lead-based paint and/or asbestos-containing materials is necessary. In addition, the survey shall include an abatement work plan prepared in compliance with local, state, and federal regulations for any necessary removal of such materials. The work plan shall include a monitoring plan to be conducted by a qualified consultant during abatement activities to ensure compliance with the work plan requirements and abatement contractor specifications. Demolition plans and contract specifications

shall incorporate any necessary abatement measures for the removal of materials containing lead-based paint and asbestos to the satisfaction of the City Planning and Building Department. The measures shall be consistent with the abatement work plan prepared for the project and conducted by a licensed lead/asbestos abatement contractor.

With Implementation of mitigation measure HS-1, impacts from the release of hazardous materials during demolition activities would be less than significant.

HS-2 To reduce the risk of accidental release of hazardous materials during construction activities at the site, the applicant shall prepare and implement during all construction activities a hazardous substance management, handling, storage, disposal, and emergency response plan. A hazardous materials spill kit shall be maintained on site for small spills. Additionally, the applicant shall monitor all contractors for compliance with applicable regulations, including regulations regarding hazardous materials and hazardous wastes, including disposal. Hazardous materials shall not be disposed of or released on the ground, in the underlying groundwater, or any surface water. Totally enclosed containment shall be provided for all trash. All construction waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials, shall be removed to a waste facility permitted to treat, store, or dispose of such materials.

With implementation of mitigation measure HS-2, impacts from the accidental release of hazardous materials during construction activities would be less than significant.

HS-3 Prior to receiving a grading permit, the applicant shall prepare a Hazardous Materials Contingency Plan (HMCP) and ensure that grading and excavation staff has received training about how to identify suspected contaminated soil and USTs and has been made aware of the hazardous materials contingency plan. In the event that grading, construction, or operation of proposed facilities encounters evidence of contamination, USTs, or other environmental concerns, the HMCP shall be followed. The HMCP shall (1) specify measures to be taken to protect worker and public health and safety and (2) specify measures to be taken to manage and remediate wastes. Although there is potential for soil contamination elsewhere on the property, the plan should highlight the current and former UST areas as potential areas of soil contamination. The plan shall include the following:

- Identification of the known former soil contamination areas
- Information on how to identify suspected contaminated soil
- Procedures for temporary cessation of construction activity and evaluation of the level of environmental concern
- Procedures for limiting access to the contaminated area to properly trained personnel
- Procedures for notification and reporting, including internal management and local agencies (fire department, County of San Diego DEH, Air Pollution Control District, etc.), as needed
- A worker health and safety plan for excavation of contaminated soil
- Procedures for characterizing and managing excavated soils
- Procedures for certification of completion of remediation.

With implementation of mitigation measure HS-3, the potential impacts from excavation and exposure to contaminated soils on the site are anticipated to be less than significant.

HS-4 Prior to receiving a certificate of occupancy for the first component of the proposed project, as described in *Section 3.2* of this EIR, the applicant shall prepare a site-specific Medical Waste Management Plan (MWMP) and the Hazardous Materials Business Plan (HMBP) for the project to reflect the inventory of hazardous materials and wastes being used at each facility (as required by the County of San Diego Department of Environmental Health, Hazardous Materials Division (County of San Diego 2011; County of San Diego 2012)). After the first MWMP and HMBP is prepared and approved, and prior to receiving a certificate of occupancy for each of the new facilities constructed in later phases as described in *Section 3.2* of this EIR, the applicant shall update the MWMP and the HMBP for the project to reflect the additional inventory of hazardous materials and wastes being used at each facility (as required by the County of San Diego Department of Environmental Health, Hazardous Materials Division (County of San Diego 2011; County of San Diego 2012)).

With implementation of mitigation measure HS-4, impacts associated with the accidental handling, storage, disposal, or release of hazardous materials, including hazardous medical waste at the proposed hospital campus once operational, would be less than significant.

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

Passed by the Council of The City of San Diego on NOV 05 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 05 2013.

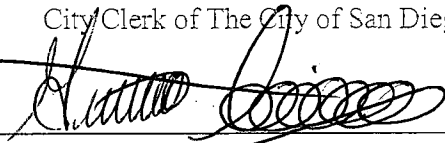
(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 308572