

RESOLUTION NUMBER R- 310561

ADOPTED ON JUL 06 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO CERTIFYING A SUPPLEMENTAL
ENVIRONMENTAL IMPACT REPORT FOR THE
DOWNTOWN SAN DIEGO MOBILITY PLAN – SCH NO.
2014121002.

WHEREAS, Civic San Diego prepared the San Diego Mobility Plan and associated amendments to the Downtown Community Plan to provide for a series of enhanced bicycle facilities and pedestrian facilities that are evenly distributed throughout Downtown to provide mobility choices through complete networks and enhanced environments for bicycling and walking in Downtown (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 JUN 21 2016; and

WHEREAS, the City Council considered the issues discussed in the Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan, SCH No. 2014121002 (Report) prepared for the Project; NOW, THEREFORE,

BE IT RESOLVED, by the City Council that it certifies 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 are 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:als
06/06/16
Or.Dept: CivicSD
Doc. No. 1291991

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

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 21 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7/6/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

EXHIBIT A

SUPPLEMENTAL CANDIDATE FINDINGS OF FACT FOR THE CITY COUNCIL
OF THE CITY OF SAN DIEGO CERTIFYING THE FINAL SUPPLEMENTAL
ENVIRONMENTAL IMPACT REPORT FOR THE DOWNTOWN SAN DIEGO
MOBILITY PLAN

City of San Diego

SCH 2014121002

Section 21081(a) of the California Environmental Quality Act (CEQA) and Section 15091(a) of the State CEQA Guidelines (Guidelines) require that no public agency shall approve or carry out a project for which an environmental impact report (EIR) has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless such public agency makes one or more of the following findings:

- (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; or
- (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 alternatives identified in the environmental impact report.

CEQA also requires that the findings made pursuant to Section 15091 of the CEQA Guidelines be supported by substantial evidence in the record (Section 15091(b) of the CEQA Guidelines). Under CEQA, substantial evidence means enough relevant information has been provided (and reasonable inferences from this information may be made) that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Substantial evidence must include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (Section 15384 of the CEQA Guidelines).

The following Candidate Findings have been submitted by Civic San Diego to the City Council of the City of San Diego ("City Council") as Candidate Findings to be made by the decision-making body. They are attached to allow readers of this report an opportunity to review the position on this matter. It is the exclusive discretion of the decision-maker certifying the EIR to determine the adequacy of the proposed Candidate Findings. It is the role of staff to independently evaluate the proposed Candidate Findings and to make a recommendation to the decision-maker regarding their legal adequacy.

I. INTRODUCTION

The purpose of this document is to supplement prior Findings of Fact (Findings) and Statement of Overriding Considerations (SOC) made March 14, 2006 in accordance with Section 15091 of the CEQA Guidelines (14 Cal. Code Regulations Sections 15000 et seq.) by the City Council and the Redevelopment Agency of the City of San Diego ("Redevelopment Agency") (2006 Findings/SOC). The 2006 Findings/SOC adopted at the time of certification of the Final Program Environmental Impact Report (PEIR) prepared for the Downtown Community Plan, Centre City Planned District Ordinance and the 10th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project (2006 PEIR).

In the 2006 Findings/SOC, the City Council/Redevelopment Agency identified all significant effects of the then proposed Downtown Community Plan, Centre City Planned District Ordinance, and the 10th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, including those effects which would not be mitigated to below a level of significance. As further required by the CEQA Guidelines, the City Council/Redevelopment Agency balanced the benefits of the proposed plans and ordinance against the identified unavoidable environmental risks (Section 15093 of the CEQA Guidelines) and adopted the SOC, which states the specific reasons why the benefits of the proposed plans and ordinance, outweigh the unavoidable adverse environmental effects of the proposed plans and ordinance, and explains that the unavoidable environmental effects are considered acceptable.

Subsequent to the adoption of the 2006 Findings/SOC, and approval of the proposed Downtown Community Plan, Centre City Planned District Ordinance, and the 10th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, the City of San Diego completed a comprehensive update of its General Plan in 2008, establishing additional goals and policies for pedestrian, bicycle, and transit mobility in its Mobility Element. Also in 2008, the State of California enacted the California Complete Streets Act. The San Diego Association of Governments (SANDAG) adopted the 2050 Regional Comprehensive Plan and Regional Transportation Plan/Sustainable Community Strategy in 2011 and San Diego Forward in 2015. The adoption of these plans and legislation has resulted in the preparation of the proposed Downtown San Diego Mobility Plan ("Mobility Plan") and a comprehensive amendment to the Transportation Chapter for the Downtown Community Plan (proposed Project). Approval of the proposed Project would establish a master plan of policies, programs, and projects which would improve overall mobility throughout the study area and provide multi-modal connections to surrounding communities and the region's transportation network.

These Supplemental Findings are made relative to the specific conclusions of the Final Supplemental Environmental Impact Report (FSEIR) for the proposed Project. As explained in Section 1.3 of the FSEIR, the proposed Project includes the replacement of the Transportation Chapter of the Downtown Community Plan with a new Mobility Chapter consistent with the proposed Mobility Plan. The proposed Project also calls for updated subsequent transportation-related projects that were not previously envisioned or called for in the Downtown Community Plan or evaluated in the 2006 PEIR. It was determined that

the proposed Project involved new information of substantial importance and could have one or more significant effects not discussed in the 2006 PEIR and that minor additions would be necessary to make the 2006 PEIR adequate. Therefore, the FSEIR was completed pursuant to Section 15163(a) of the CEQA Guidelines to provide an updated analysis necessary to make the 2006 PEIR adequate. Likewise, these Findings and SOC are intended to update the 2006 Findings/SOC.

The following documents are incorporated by reference: 2006 PEIR, 2006 Findings/SOC, and the FSEIR for the proposed Project.

The following Supplemental Findings are hereby adopted by the City in its capacity as the CEQA Lead Agency. The State CEQA Guidelines also require that the City Council balance the benefits of the proposed Project against the unavoidable environmental risks in determining whether to approve the proposed Project. The City Council has carefully considered the benefits of the proposed Project. The FSEIR identifies significant environmental effects which could remain significant even with the implementation of the identified mitigation measures. Therefore, the City Council hereby also adopts the SOC, which states the specific reasons why the benefits of the proposed Project, each of which standing alone, is sufficient to support approval of the proposed Project, outweigh the unavoidable adverse environmental effects of the proposed Project, and explains that the unavoidable environmental effects are considered acceptable.

II. DESCRIPTION OF THE PROPOSED PROJECT

The proposed Project includes both the adoption of a freestanding Mobility Plan and amendments to the Transportation Chapter within the Downtown Community Plan. The planning effort for the proposed Project was undertaken to address the changing priorities and needs of the multi-modal network within the urban setting, bringing forth improved connections and access for transit riders, bicyclists, and pedestrians while maintaining roadway circulation for cars and commercial vehicles. Overall, the proposed Project would provide for the development of a cohesive network of streets, improve multi-modal travel, and increase safety of pedestrians and bicyclists. The proposed Project addresses some of the new state mandates, and updates to regional and local plans focused on reduction of greenhouse gas emissions.

Details of the project description are set out in Chapter 3 of the FSEIR.

III. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings and SOC, the Record of Proceedings for the proposed Project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation and all other public notices issued by Civic San Diego in conjunction with the proposed Project;
- The Draft SEIR;

- The FSEIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft SEIR;
- All written and verbal public testimony presented during a noticed public hearing for the proposed Project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program (“MMRP”);
- The Mobility Plan and technical reports incorporated by reference to the Draft SEIR;
- The Ordinances and Resolutions adopted by the Council/Agency in connection with the proposed Project, and all documents incorporated by reference therein;
- Matters of common knowledge to the City Council, including but not limited to federal, state and local laws and regulations;
- Any documents expressly cited in these Findings and SOC; and
- Any other materials required to be in the record of proceedings by Section 21167.6(e) of CEQA.

The documents and other materials that constitute the record of proceedings upon which the City Council’s decision is based are located at the City of San Diego, 202 C Street, San Diego, CA 92101, and at Civic San Diego, 401 B Street, Fourth Floor, San Diego, CA 92101. Copies of all these documents, which constitute the record of proceedings, are and at all relevant times have been available upon request at the offices of the City Council at the above addresses. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and 14 California Code of Regulations Section 15091(e). The City Council has relied on all the documents listed above in reaching its decision on the proposed Project, even if every document was not formally presented to the City Council or City Council staff as part of the City Council files generated in connection with the proposed Project. These documents are either in the proposed Project files, reflect prior planning or legislative decisions of which the City Council was aware in approving the proposed Project, or influenced the expert advice provided to the City Council staff or consultants, who then provided advice to City Council. For that reason, these documents form part of the underlying factual basis for the City Council’s decisions relating to the adoption of the proposed Project.

IV. GENERAL FINDINGS

The City Council hereby finds as follows:

- The foregoing statements are true and correct;
- The FSEIR was completed in compliance with CEQA as a supplement to the 2006 PEIR and is intended to complement and refine said document;

- The FSEIR reflects the City Council's independent judgment;
- A MMRP has been prepared for the changes to the proposed Project, which the City Council has adopted or made a condition of approval of the proposed Project. That MMRP has been incorporated herein by reference and is considered part of the record of proceedings for the proposed Project;
- The MMRP designates responsibility and anticipated timing for the implementation of mitigation;
- In determining whether the proposed Project has a significant impact on the environment, and in adopting these Supplemental Findings pursuant to Section 21081 of CEQA, the City Council has complied with Sections 21081.5 and 21082.2 of CEQA;
- The impacts of the proposed Project have been analyzed to the extent feasible at the time of certification of the FSEIR;
- The City Council has made no decisions related to approval of the proposed Project prior to certification of the FSEIR, nor has the City Council previously committed to a definite course of action with respect to the proposed Project; and
- Copies of all the documents incorporated by reference in the FSEIR are and have been available upon request at all times at Civic San Diego, custodians of record for such documents or other materials.

V. SUMMARY OF IMPACTS

The FSEIR evaluated only those issue areas where changes were necessary to make the 2006 PEIR adequate. The FSEIR therefore included an analysis of the following: Land Use; Traffic; Air Quality; Noise; and Hydrology/Water Quality. All other issue areas remain as previously analyzed in the 2006 PEIR. The FSEIR concludes that implementation of the proposed Project would have new or substantially increased significant impacts related to Transportation and Circulation, some of which would not be mitigated to below a level of significance. Impacts to Land Use, Air Quality, Noise, and Hydrology/Water Quality were determined to be less than significant with no new impacts identified.

VI. FINDINGS OF FACT

CEQA (Public Resources Code Section 21000 *et seq.*) and the State Guidelines (14 California Code of Regulations Section 15000 *et seq.*) promulgated thereunder, require that the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an Environmental Impact Report has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more

written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FSEIR.
 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. 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 provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FSEIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The "changes or alterations" referred to in Guidelines Section 15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Having received, reviewed, and considered the FSEIR for the proposed Project, as well as all other information in the record of proceedings on this matter, the following Supplemental Findings are hereby adopted by the City Council in its capacity as the CEQA Lead Agency. These Supplemental Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City of San Diego and responsible agencies for the implementation of the proposed Project.

For the unmitigated impacts set forth below, Supplemental Findings are made that there are no other feasible mitigation measures that would mitigate the impact to below a level of significance and that specific economic, social, technological, or other considerations make infeasible any alternatives considered in the 2006 PEIR. As described in the SOC, the City Council has determined that unmitigated impacts are acceptable because of specific overriding considerations.

A. FINDINGS REGARDING SIGNIFICANT IMPACTS MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE (CEQA GUIDELINES 15091 (A)(1))

Transportation and Circulation

Environmental Impact TRF-1 (*Impacts to capacity of intersections within the Downtown study area*): As discussed in Section 4.2.3.1 of the FSEIR, the network set forth by the proposed Project would change circulation patterns, prioritize various users throughout the network, and redistribute vehicle traffic. Implementation of the proposed Project would result in 25 (out of a total 107 studied) intersections operating at an unacceptable level of service (LOS F).

Finding: Pursuant to Section 21081(a)(1) of CEQA, Section 15091(a)(1) of the State CEQA Guidelines, the City Council finds that conditions, changes or alterations have been required in, or incorporated into, the proposed Project which could reduce the significant environmental effect identified in the FSEIR.

Facts in Support of Finding: The traffic study for the FSEIR identified 11 intersections that would be significantly adversely impacted by the proposed Project for which the following mitigation measures would fully mitigate traffic impacts associated with the proposed Project at the following intersections.

- **Interstate 5 (I-5) northbound off-ramp/Brant Street and Hawthorn Street** – Signalization would be required at this intersection to mitigate direct project

impacts. A traffic signal warrant was conducted. Based upon the California Manual on Uniformed Traffic Control Devices (MUTCD), this intersection would meet the "Peak Hour" warrant.

- **Second Avenue and Cedar Street** – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the "Peak Hour" warrant.
- **Fourth Avenue and Beech Street** – Convert on-street parking to a travel lane on Fourth Avenue between Cedar Street and Ash Street during the AM peak hour.
- **First Avenue and A Street** – Remove on-street parking on the north side of A Street between First and Front avenues as necessary to provide an east bound left turn lane and add an eastbound left-turn lane.
- **17th Street and B Street** – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the "Peak Hour" warrant.
- **16th Street and E Street** – Remove on-street parking on the east side of 16th Street south of E Street as necessary to provide a northbound right-turn lane.
- **Eleventh Avenue and G Street** – Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.
- **Park Boulevard and G Street** – Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.
- **16th Street and Island Avenue** – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the "Peak Hour" warrant.
- **19th Street and J Street** – Restripe the northbound left-turn lane into a northbound left-turn and through shared lane.
- **Logan Avenue and I-5 southbound off-ramp** – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the "Peak Hour" warrant.

Implementation of these mitigation measures would be required and would ensure that implementation of the proposed Project would mitigate impacts to these 11 intersections to below a level of significance

B. FINDING REGARDING MITIGATION THAT IS WITHIN THE RESPONSIBILITY AND JURISDICTION OF ANOTHER PUBLIC AGENCY (CEQA GUIDELINES 15091 (A)(2))

There are no changes or alterations that are within the responsibility and jurisdiction of another public agency and not the agency making the finding.

C. FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS (CEQA GUIDELINES 15091 (A)(3))

Transportation and Circulation

Environmental Impact TRF-A.1.1-1 (Impacts to capacity of intersections within the Downtown study area): As discussed under A, above, and in Section 4.2.3.1 of the FSEIR, the network set forth by the proposed Project would result in intersections operating at an unacceptable level of service (LOS F), the locations of which could not be feasibly mitigated.

Finding: Pursuant to Section 21081(a)(3) of CEQA and Section 15091(a)(3) of the State CEQA Guidelines, the City Council finds that there are no feasible mitigation measures that would mitigate the following impacts to below a level of significance and that specific economic, social, technological or other considerations make infeasible the mitigation measures identified in the FSEIR and the alternatives identified in the 2006 PEIR. As described in the SOC, the City Council has determined that this impact is acceptable because of specific overriding considerations. The impacts are considered significant and not mitigated.

Facts in Support of Finding: The traffic study for the FSEIR identified intersections that would be significantly adversely impacted by the proposed Project. Although the FSEIR identified mitigation measures that would fully mitigate the impacts to below a level of significance at these locations, these measures are considered infeasible due to policy considerations (e.g., removal of multi-modal facilities), as well as environmental, economic, and social issues relative to acquisition of additional right-of-way (see FSEIR Section 4.2.3.3 (b)). More specifically, these measures are infeasible due to the existing physical limitations of the rights-of-way. Additionally, acquisition of additional rights-of-way is not feasible in some cases because such acquisition would require demolition of existing buildings. Moreover, widening of right-of-way would promote vehicular usage, which would be inconsistent with the City's goals of shifting toward active transportation modes. The following mitigation measures would partially mitigate traffic impacts associated with the proposed Project; however, impacts at these locations would remain significant and unavoidable:

- **Front Street and Beech Street:** Convert on-street parking to a travel lane on Front Street between Cedar Street and Ash Street during the PM peak hour.
- **15th Street and F Street:** Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the "Peak Hour" warrant.

- **13th Street and G Street:** Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.
- **14th Street and G Street:** Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.
- **16th Street and G Street:** Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.
- **17th Street and G Street:** Signalization and convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the “Peak Hour” warrant.

With respect to the remaining intersections, no feasible mitigation measures are currently available that would reduce, completely or partially, the significant impact identified at each location. These intersections are built to the limits of the existing right-of-way and could not be widened because to do so would prohibit the implementation of pedestrian and/or bicycle facilities. Mitigation measures are identified in the FSEIR (see FSEIR Section 4.2.3.3 (c)) that could reduce significant impacts; however, these measures are considered infeasible due to policy considerations (e.g., removal of multi-modal facilities), as well as environmental, economic, and social issues relative to acquisition of additional right-of-way. More specifically, these measures are infeasible due to the existing physical limitations of the rights-of-way. Additionally, acquisition of additional rights-of-way is not feasible in some cases because such acquisition would require demolition of existing buildings. Moreover, widening of right-of-way would promote vehicular usage, which would be inconsistent with the City’s goals of shifting toward active transportation modes. Therefore, no feasible mitigation measures exist to reduce impacts at the following intersections and impacts would remain significant and unavoidable:

- **Pacific Highway and Laurel Street**
- **First Avenue and Beech Street**
- **16th Street and C Street**
- **Front Street and Broadway**
- **First Avenue and Broadway**
- **Eleventh Avenue and Broadway**
- **16th Street and F Street**
- **Eleventh Avenue and Market Street**

Reference: FSEIR Section 4.2

VII. FINDINGS REGARDING ALTERNATIVES

In accordance with Section 15126.6(a) of the CEQA Guidelines, an EIR must contain a discussion of “a range of reasonable alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” Section 15126.6(f) further states that “the range of alternatives in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.” As no new environmental issue was found in the FSEIR analysis to be significant, no new alternative analysis is warranted. As such, the infeasibility findings regarding alternatives from the 2006 PEIR are incorporated by reference.

The objectives of the proposed Project are the same as the 2006 PEIR, as follows:

1. To establish a plan that provides for a balanced network, with enhancements to local roadways that encourage and facilitate bicycle and pedestrian usage;
2. To designate distinct streets where different individual modes of travel take priority, such as walking, bicycling, taking transit, or driving a vehicle;
3. To connect Downtown's bicycle circulation with surrounding communities and transit facilities to encourage everyday commuter and recreational bicycle trips within the region;
4. To provide for sustainable street designs including storm water infiltration and reduction in storm water runoff as well as flooding; and
5. To provide policies and implementation strategies to allow for the timely and phased implementation of improvements by both the public and private developments in a cost-effective manner.

Because the proposed Project would cause unavoidable significant traffic impacts, the City Council must consider the feasibility of any environmentally superior alternative to the proposed Project, evaluating whether these alternatives could avoid or substantially lessen the unavoidable significant environmental effects while achieving most of the objectives of the proposed Project. The analysis of alternatives within the 2006 PEIR remains applicable to the proposed Project.

The 2006 PEIR considered the No Project Alternative, which evaluated the scenario in which the Downtown Community Plan would not be implemented as proposed at that time. The proposed Project supplements the Downtown Community Plan through the adoption of a Mobility Element of the Downtown Community Plan. Traffic impacts would not be reduced under the No Project Alternative. Specifically, as addressed in the 2006 PEIR, potential traffic impacts associated with the eight study area intersections where no feasible mitigation is available, would likewise remain significant and unavoidable.

VIII. ENVIRONMENTAL ISSUES DETERMINED NOT TO BE SIGNIFICANT

The environmental analysis contained in the FSEIR for land use, air quality, noise, and water quality had a “less than significant impact.” The environmental analysis within the 2006 PEIR of all other environmental issue areas, including growth inducement, remain applicable to the proposed Project. The FSEIR includes all previously identified mitigation that would be necessary to carry forward under the proposed Project to maintain the same conclusions concerning the significance of impacts with mitigation incorporated as the 2006 PEIR. Any new feasible mitigation measures that could be utilized to avoid or minimize the proposed Project’s significant environmental impacts, or where previous mitigation measures are proposed for modification, are summarized in FSEIR Chapter 6, Mitigation Monitoring and Reporting Program.

IX. FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines indicates that “uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely.” The State CEQA Guidelines also indicate that that “irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.” This Finding remains the same as the 2006 PEIR. The proposed Project would not have any significant irreversible impacts on biological, agricultural or mineral resources, as the Downtown area is already substantially developed in an urban state and such resources are not significantly located in the area.

X. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS

The City of San Diego is the “Lead Agency” for the proposed Project evaluated in the FSEIR. The City Council finds that the Draft SEIR and the FSEIR were prepared in compliance with CEQA and the CEQA Guidelines. The City Council finds that it has independently reviewed and analyzed the Draft SEIR and FSEIR for the proposed Project, that the Draft SEIR which was circulated for public review reflected its independent judgment, and that the FSEIR reflects the independent judgment of the City Council. The Notice of Preparation of the Draft SEIR was published on December 2, 2014. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency’s specific responsibilities. The public review period for the Draft SEIR began on January 25, 2016 and the Draft SEIR was available for public review on that date. A Notice of Availability of Draft SEIR was filed with the County Recorder/County Clerk on January 25, 2016 and a Notice of Completion of Draft SEIR was submitted to the State Clearinghouse on January 25, 2016. The 45-day public review and comment period ended on March 10, 2016. The Draft SEIR was available for public review at that time. On April 28, 2016, Civic San Diego distributed the FSEIR and provided proposed written responses to the responsible agencies. This was at least fourteen calendar days prior to certification of the FSEIR.

The City Council finds that the FSEIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the proposed Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft SEIR. The FSEIR was prepared after the review period and responds to comments made during the public review period. Civic San Diego evaluated comments on environmental issues received from persons who reviewed the Draft SEIR. In accordance with CEQA, Civic San Diego prepared written responses describing the disposition of significant environmental issues raised. The FSEIR provides adequate, good faith and reasoned responses to the comments. The City Council reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft SEIR. The City Council, as lead agency, has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the FSEIR.

All of the significant environmental impacts of the proposed Project were identified in the text and summary of the FSEIR. The mitigation measures which have been identified for the proposed Project were identified in the text and summary of the FSEIR. The final mitigation measures are described in the MMRP, contained in the FSEIR. Each of the mitigation measures identified in the MMRP, contained in FSEIR, is incorporated into the proposed Project. The City Council finds that the impacts of the proposed Project have been mitigated to the extent feasible by the mitigation measures described in the FSEIR and identified in the MMRP.

Textual refinements and errata were compiled and presented to the decision-makers for review and consideration. Civic San Diego staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with the review of the proposed Project. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents will require clarifications and corrections. Second, textual clarifications and revisions to select graphics were necessitated in order to describe refinements suggested as part of the public participation process. Additionally, the responses to the comments on the Draft SEIR, which are contained in the FSEIR, clarify and amplify the analysis in the Draft SEIR. Having reviewed the information contained in the Draft SEIR and FSEIR and in the administrative record as well as the requirements of CEQA, and the State CEQA Guidelines regarding recirculation of Draft EIRs, and having analyzed the changes in the Draft SEIR which have occurred since the close of the public review period, the City Council finds that there is no new significant information in the FSEIR and finds that recirculation of the Draft SEIR is not required.

The City Council finds that the FSEIR was presented to the City Council, and that the City Council reviewed and considered the information contained in the FSEIR prior to taking action on the proposed Project and certification of the FSEIR. CEQA requires the lead agency approving a project to adopt a MMRP for the changes to the project which it has

adopted or made a condition of project approval in order to ensure compliance with project implementation. The MMRP included in the SEIR as certified by the City Council serves that function. The MMRP includes all of the mitigation measures identified in the FEIR and has been designed to ensure compliance during implementation of the proposed Project. In accordance with CEQA, the MMRP provides the measures to ensure that the mitigation measures are fully enforceable.

The City Council is certifying a FSEIR for, and is approving and adopting Findings for, the entirety of the actions described in these Findings and in the FSEIR as comprising the proposed Project.

It is contemplated that there may be a variety of actions undertaken by other state and local agencies (who might be referred to as "responsible agencies" under CEQA). Because the City Council is the lead agency for the proposed Project, the FSEIR along with the 2006 PEIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other state and local agencies to carry out the proposed Project.

**STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE CITY COUNCIL OF
THE CITY OF SAN DIEGO CERTIFYING THE FINAL SUPPLEMENTAL
ENVIRONMENTAL IMPACT REPORT FOR THE DOWNTOWN SAN DIEGO
MOBILITY PLAN**

The City Council of the City of San Diego ("City Council") adopts and makes this Statement of Overriding Considerations (SOC) concerning the unavoidable significant impacts of implementing the Final Supplemental Environmental Impact Report (FSEIR) for the proposed Downtown San Diego Mobility Plan ("Mobility Plan") and replacement of the Downtown Community Plan Transportation Chapter with a new Mobility Element (proposed Project). Unavoidable significant impacts associated with transportation and circulation have been identified in the FSEIR and the Supplemental Findings made by the City Council in connection with the FSEIR, all of which are incorporated into SOC by this reference. Additionally incorporated by reference are the 2006 PEIR and associated Findings and SOC for the 2006 project which included the Downtown Community Plan, Centre City Planned District Ordinance, and the 10th Amendment to the Center City Redevelopment Project (2006 Plan).

The proposed Project is limited to the rights-of-way within the Downtown Community Plan area, with consideration of and connections to neighboring communities. Like the 2006 Plan, the proposed Project will bring substantial benefits to the City of San Diego and the Downtown study area. These benefits include strengthening Downtown's role as the regional residential, administrative, commercial, and cultural center for the metropolitan area; accommodating in an urban environment a significant portion of the growth expected in the San Diego region over the coming years; ensuring that intense development is complemented with livability through strategies such as the development of new parks and Neighborhood Centers; advancing Downtown's position as the regional economic and employment center, by ensuring availability of employment land, development of regional destinations, and creation of jobs easily accessed via transit, bicycle or on foot; creating walkable neighborhoods Downtown with a mix of uses and easy access to open space, transit, shops, services, amenities, and cultural attractions; and connecting Downtown's neighborhoods to the waterfront with new streets and view corridors, reestablishing Balboa Park's relationship to Downtown, and integrating Downtown with the surrounding neighborhoods.

The City Council finds that the proposed Project's unavoidable significant impacts are acceptable in light of the proposed Project's benefits. Each benefit set forth below constitutes an overriding consideration warranting approval of the proposed Project, independent of the other benefits and despite each and every unavoidable impact. The SOC adopted in 2006 continues to represent the same beneficial outcome of implementing the proposed Project and are supplemented below relative to the proposed Project.

Project's Benefits:

1. The 2006 Plan provided a benefit to develop Downtown as the primary urban center for the region. One of the foundational conclusions reached by the Steering Committee during its three-year process was that Downtown should be developed as

a vibrant, urban center for the region. The 1992 Community Plan had some of the same goals as the 2006 Plan and the proposed Project; however, the 1992 Community Plan lacked the mandate for intense development which promoted a lively, 24-hour Downtown environment while at the same time balancing residential, commercial and recreational uses. The 2006 Plan re-focused the residential development efforts on specific, comprehensive neighborhood centers including shops, services, employment and recreational opportunities, open spaces and transit facilities; all of which would be located within walking distance of the residential developments.

The proposed Project further enhances this benefit by assuring that residential, commercial, and recreation areas will balance and complement the neighborhoods connected by pedestrian and bicycle friendly routes. The proposed Project coordinates mobility-related facilities to ensure additional safety through the design of facilities as well as efficient and on-going uses of the available land as designated in the 2006 Plan. The proposed Project represents a transportation network that supports community health and well-being, promotes a strong economy, and also builds social capital.

2. The 2006 Plan provided a benefit to maximize employment opportunities within the Downtown area. The Steering Committee, at that time, determined that Downtown should be the region's premier employment center. To ensure this goal would be achieved, the 2006 Plan required the development of employment-generating uses over a large part of the core area, and also incentivized retail and other commercial uses throughout Downtown that would add to employment opportunities.

The proposed Project further enhances this benefit to transit facilities located throughout Downtown and will make it easier for employers to attract and retain a workforce from within the Downtown neighborhoods and accommodates an array of transportation options.

3. The 2006 Plan provided a benefit to develop full-service, walkable neighborhoods linked to the assets Downtown offers. The 2006 Plan recognized that parts of Downtown are already characterized by built-out neighborhoods, while others areas were just beginning to undergo the transformation. Under the 2006 Plan all neighborhoods in the Downtown area would be designed to require no more than a 10-minute walk from one end (or side) of the district to the other. All neighborhoods would have residential units, retail, employment opportunities, civic or cultural resources, open spaces and local services components.

The proposed Project further enhances this benefit through coordination of transit opportunities throughout these full-service neighborhoods, and implementing circulation routes that will protect pedestrian and bicycle activity while allowing for ease of movement between points of interest.

4. The 2006 Plan provided a benefit to implementing a coordinated, efficient system of vehicular, transit, bicycle and pedestrian traffic. The 2006 Plan recognized that the

existing grid system of streets is practical and functional. However, as part of the emphasis on developed Neighborhood Centers, and easy pedestrian connectivity between them, the 2006 Plan included several physical changes that would help define the neighborhoods and reinforce the intended uses of the retail, commercial services development allowed by the Plan.

The proposed Project further enhances this benefit through design guidelines and implementation mechanisms for streetscape enhancements for each type of corridor. The vision for the Mobility Plan in the Downtown area is an integrated transportation network of greenways, sidewalks, bikeways, transit services, roadways and freeways that provides for the safety of all travelers—including the elderly, youth and disabled—both within Downtown and to surrounding communities. It is a transportation network that provides convenient access to valuable community resources such as employment centers, parks and the waterfront, cultural and entertainment attractions, and civic uses. The proposed Project also provides a benefit in supporting the goals and policies for the City of San Diego Climate Action Plan, which recognizes the importance of coordinated land use and transportation planning, acknowledging that community design factors into transportation choices.

5. The proposed Project helps implement the City's Climate Action Plan by promoting facilities increasing the mode share for bicycling, walking, and transit within Transit Priority Areas within the Downtown community.

**STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE CITY COUNCIL OF
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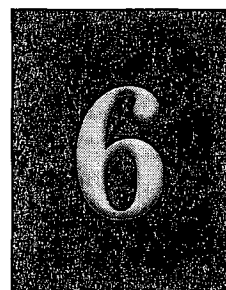
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5. The proposed Project helps implement the City's Climate Action Plan by promoting facilities increasing the mode share for bicycling, walking, and transit within Transit Priority Areas within the Downtown community.

EXHIBIT B



Chapter 6 Mitigation Monitoring and Reporting Program

6.1 Introduction

This MMRP is designed to ensure compliance with PRC 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 MMRP will be maintained at the offices of Civic San Diego, 401 B Street, Suite 400, San Diego, CA 92101, and the City of San Diego Development Services Department Entitlement Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. The specific measures provided in this SEIR for issues determined to be significant are presented individually in each applicable section in Chapter 4 ~~and duplicated below.~~

This MMRP updates and replaces the MMRP adopted with 2006 Downtown Community Plan and 2006 PEIR, including MMRP revisions adopted in 2010. The MMRP addresses the following changes and updates from the 2006 PEIR MMRP, as revised in 2010: (1) measures from the 2006 PEIR which have been satisfied and removed; (2) specific traffic mitigation measures updated to reflect the Mobility Plan and its traffic analysis; (3) applicable mitigation measures from the 2006 PEIR carried over into the SEIR. While specific terms have been updated (e.g., CCDC has been updated with Civic San Diego where applicable), the content of the measures has not changed. These are further described below. All mitigation measures described below in Table 6-1 shall be made conditions of the project.

1) ~~In addition, m~~ Measures from the 2006 PEIR which were required to be implemented subsequent to ~~the~~^{upon} adoption of the Downtown Community Plan and which have been satisfied have been removed. This applies to the following traffic mitigation measures:

- Mitigation Measure TRF-A.1.1-3 which required an update to the Public Facilities Financing Plan to include a transportation element to specify transportation improvements, timeline, and estimated costs. This update was completed and adopted by the City Council in 2014.
- Mitigation Measure TRF-A.2.1-1 which required a multijurisdictional effort to study the I-5 corridor through downtown. The Central I-5 Conceptual Improvement Program Report was completed in May 2010 as a result of a joint effort by the Centre City Development Corporation (CCDC), San Diego Association of Governments (SANDAG), California Department of Transportation, District 11 (Caltrans), the City of San Diego, Port of San Diego San Diego Airport Authority, and the Metropolitan Transit Systems (MTS).

2) Specific mitigation measures related to traffic have been updated to reflect the proposed Project, priorities in the Mobility Plan, and the associated traffic analysis. These specific measures are outline in Chapter 4.2, Transportation and Circulation.

- Mitigation measure TRF A.1.1-1 has been updated based on the new traffic analysis conducted as part of the Mobility Plan. All mitigation measures contained in the 2006 PEIR and SEIR shall be made conditions of the project as may be further described below in Table 6-1. The environmental analysis resulted in the identification of a mitigation that would reduce potentially significant impacts. In some cases, the mitigation measures would reduce impacts to below a level of significance. For specific transportation-related impacts to intersections described in Chapter 4, the mitigation measures would reduce the impact, but not to below a level of significance.
- It should be noted that Mitigation Measure TRF-A.2.2-1 remains in the MMRP and has been renumbered as TRF A.2.1-1. This measure requires a collaborative effort by the Caltrans, City of San Diego, and Civic San Diego (formerly CCDC) to conduct a traffic study prior to the removal of the Cedar Street off-ramp from I-5. The Cedar Street Off-Ramp Assessment Study was completed in 2009; however, the 2009 study did not consist of the full analysis required by Caltrans. Therefore, this measure is still required prior to removal of the ramp as originally worded.

3) All other mitigation measures listed in Table 6-1 have been carried over from the 2006 PEIR.

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
AIR QUALITY (AQ)				
Impact AQ-B.1	Dust and construction equipment engine emissions generated during grading and demolition would impact local and regional air quality. (Direct and Cumulative)			
	<p><i>Mitigation Measure AQ-B.1-1:</i> Prior to approval of a Grading or Demolition Permit, the City shall confirm that the following conditions have been applied, as appropriate:</p> <ol style="list-style-type: none"> 1. Exposed soil areas shall be watered twice per day. On windy days or when fugitive dust can be observed leaving the development site, additional applications of water shall be applied as necessary to prevent visible dust plumes from leaving the development site. When wind velocities are forecast to exceed 25 mph, all ground disturbing activities shall be halted until winds that are forecast to abate below this threshold. 2. Dust suppression techniques shall be implemented including, but not limited to, the following: <ol style="list-style-type: none"> a. Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown or otherwise stabilized in a manner acceptable to Civic San Diego. b. On-site access points shall be paved as soon as feasible or watered periodically or otherwise stabilized. c. Material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. d. The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times. 3. Vehicles on the construction site shall travel at speeds less than 15 mph. 4. Material stockpiles subject to wind erosion during construction activities, which will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer. 5. Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface. Any visible track-out extending for more than fifty (50) feet from the access point shall be swept or washed within thirty (30) minutes of deposition. 	Prior to Demolition or Grading Permit (Design)	Developer	City

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	6. All diesel-powered vehicles and equipment shall be properly operated and maintained.			
	7. All diesel-powered vehicles and gasoline-powered equipment shall be turned off when not in use for more than five minutes, as required by state law.			
	8. The construction contractor shall utilize electric or natural gas-powered equipment in lieu of gasoline or diesel-powered engines, where feasible.			
	9. As much as possible, the construction contractor shall time the construction activities so as not to interfere with peak hour traffic. In order to minimize obstruction of through traffic lanes adjacent to the site, a flag-person shall be retained to maintain safety adjacent to existing roadways, if necessary.			
	10. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.			
	11. Low VOC coatings shall be used as required by SDAPCD Rule 67. Spray equipment with high transfer efficiency, such as the high volume-low pressure spray method, or manual coatings application such as paint brush hand roller, trowel, spatula, dauber, rag, or sponge, shall be used to reduce VOC emissions, where feasible.			
	12. If construction equipment powered by alternative fuel sources (liquefied natural gas/compressed natural gas) is available at comparable cost, the developer shall specify that such equipment be used during all construction activities on the development site.			
	13. The developer shall require the use of particulate filters on diesel construction equipment if use of such filters is demonstrated to be cost-competitive for use on this development.			
	14. During demolition activities, safety measures as required by City/County/State for removal of toxic or hazardous materials shall be utilized.			
	15. Rubble piles shall be maintained in a damp state to minimize dust generation.			
	16. During finish work, low-VOC paints and efficient transfer systems shall be utilized, to the extent possible.			
	17. If alternative-fueled and/or particulate filter-equipped construction equipment is not feasible, construction equipment shall use the newest, least-polluting equipment, whenever possible. During finish work, low-VOC paints and efficient transfer systems shall be utilized, to the extent possible.			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
HISTORICAL RESOURCES (HIST)				
Impact HIST-A.1	Future development in Downtown could impact significant architectural structures. (Direct and Cumulative)			
	<p><i>Mitigation Measure HIST-A.1-1:</i> For construction or development permits that may impact potentially historical resources which are 45 years of age or older and which have not been evaluated for local, state and federal historic significance, a site specific survey shall be required in accordance with the Historical Resources Regulations in the LDC. Based on the survey and the best information available, City Staff to the Historical Resources Board (HRB) shall determine whether historical resources exist, whether potential historical resource(s) is/are eligible for designation as designated historical resource(s) by the HRB, and the precise location of the resource(s). The identified historical resource(s) may be nominated for HRB designation as a result of the survey pursuant to Chapter 12, Article 3, Division 2, Designation of Historical Resource procedures, of the LDC.</p> <p>All applications for construction and development permits where historical resources are present on the site shall be evaluated by City Staff to the HRB pursuant to Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC.</p> <ol style="list-style-type: none"> National Register-Listed/Eligible, California Register-Listed/Eligible Resources: Resources listed in or formally determined eligible for the National Register or California Register and resources identified as contributing within a National or California Register District, shall be retained onsite and any improvements, renovation, rehabilitation and/or adaptive reuse of the property shall ensure its preservation and be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995) and the associated Guidelines. San Diego Register-Listed Resources: Resources listed in the San Diego Register of Historical Resources, or determined to be a contributor to a San Diego Register District, shall, whenever possible, be retained on-site. Partial retention, relocation, or demolition of a resource shall only be permitted according to Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC. 	<p>Prior to Development Permit (Design)</p> <p>Prior to Demolition, Grading, and/or Building Permit (Design)</p> <p>Prior to Certificate of Occupancy (Implementation)</p>	Developer	Civic San Diego /City

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>Mitigation Measure HIST-A.1-2: If the potential exists for direct and/or indirect impacts to retained or relocated designated and/or potential historical resources ("historical resources"), the following measures shall be implemented in coordination with a Development Services Department designee and/or City Staff to the HRB ("City Staff") in accordance with Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC.</p> <p>I. Prior to Permit Issuance</p> <p>A. Construction Plan Check</p> <p>1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit Building Permits, but prior to the first Preconstruction (Precon) Meeting, whichever is applicable, City Staff shall verify that the requirements for historical monitoring during demolition and/or stabilization have been noted on the appropriate construction documents.</p> <p>(a) Stabilization work can-not begin until a Precon Meeting has been held at least one week prior to issuance of appropriate permits.</p> <p>(b) Physical description, including the year and type of historical resource, and extent of stabilization shall be noted on the plans.</p> <p>B. Submittal of Treatment Plan for Retained Historical Resources</p> <p>1. Prior to NTP for any construction permits, including but not limited to, the first Grading Permit and Building Permits, but prior to the first Precon Meeting, whichever is applicable, the Applicant shall submit a Treatment Plan to City Staff for review and approval in accordance in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995) and the associated Guidelines. The Treatment Plan shall include measures for protecting any historical resources, as defined in the LDC, during construction related activities (e.g., removal of non-historic features, demolition of adjacent structures, subsurface structural support, etc.). The Treatment Plan shall be shown as notes on all construction documents (i.e., Grading and/or Building Plans).</p>			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>C. Letters of Qualification have been submitted to City Staff</p> <ol style="list-style-type: none"> 1. The applicant shall submit a letter of verification to City Staff identifying the Principal Investigator (PI) for the project and the names of all persons involved in this MMRP (i.e., Architectural Historian, Historic Architect and/or Historian), as defined in the City of San Diego HRG. 2. City Staff will provide a letter to the applicant confirming that the qualifications of the PI and all persons involved in the historical monitoring of the project meet the qualification standards established by the HRG. 3. Prior to the start of work, the applicant must obtain approval from City Staff for any personnel changes associated with the monitoring program. <p>II. Prior to Start of Construction</p> <p>A. Documentation Program (DP)</p> <ol style="list-style-type: none"> 1. Prior to the first Precon Meeting and/or issuance of any construction permit, the DP shall be submitted to City Staff for review and approval and shall include the following: <ol style="list-style-type: none"> (a) Photo Documentation <ol style="list-style-type: none"> (1) Documentation shall include professional quality photo documentation of the historical resource(s) prior to any construction that may cause direct and/or indirect impacts to the resource(s) with 35mm black and white photographs, 4x6 standard format, taken of all four elevations and close-ups of select architectural elements, such as, but not limited to, roof/wall junctions, window treatments, and decorative hardware. Photographs shall be of archival quality and easily reproducible. (2) Xerox copies or CD of the photographs shall be submitted for archival storage with the City of San Diego HRB and the Civic San Diego Project file. One set of original photographs and negatives shall be submitted for archival storage with the California Room of the City of San Diego Public Library, the San Diego Historical Society and/or other relative historical society or group(s). 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>(b) Required drawings</p> <p>(1) Measured drawings of the building's exterior elevations depicting existing conditions or other relevant features shall be produced from recorded, accurate measurements. If portions of the building are not accessible for measurement, or cannot be reproduced from historic sources, they should not be drawn, but clearly labeled as not accessible. Drawings produced in ink on translucent material or archivally stable material (blue-line drawings) are acceptable. Standard drawing sizes are 19 by 24 inches or 24 by 36 inches, standard scale is 1/4 inch = 1 foot.</p> <p>(2) One set of measured drawings shall be submitted for archival storage with the City of San Diego HRB, the Civic San Diego Project file, the South Coastal Information Center, the California Room of the City of San Diego Public Library, the San Diego Historical Society and/or other historical society or group(s).</p> <p>2. Prior to the first Precon Meeting, City Staff shall verify that the DP has been approved.</p> <p>B. PI Shall Attend Precon Meetings</p> <p>1. Prior to beginning any work that may impact any historical resource(s) which is/are subject to this MMRP, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Historical Monitor(s), Building Inspector (BI), if appropriate, and City Staff. The qualified Historian and/or Architectural Historian shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Historical Monitoring program with the Construction Manager and/or Grading Contractor.</p> <p>(a) If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with City Staff, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.</p> <p>2. Historical Monitoring Plan</p> <p>(a) Prior to the start of any work that is subject to an Historical Monitoring Plan.</p>			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>the PI shall submit an Historical Monitoring Plan which describes how the monitoring would be accomplished for approval by City Staff. The Historical Monitoring Plan shall include an Historical Monitoring Exhibit (HME) based on the appropriate construction documents (reduced to 11x17 inches) to City Staff identifying the areas to be monitored including the delineation of grading/excavation limits.</p> <p>(b) Prior to the start of any work, the PI shall also submit a construction schedule to City Staff through the RE indicating when and where monitoring will occur.</p> <p>(c) The PI may submit a detailed letter to City Staff 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 site conditions such as underpinning, shoring and/or extensive excavation which could result in impacts to, and/or reduce impacts to the on-site or adjacent historical resource.</p> <p>C. Implementation of Approved Treatment Plan for Historical Resources</p> <ol style="list-style-type: none"> 1. Implementation of the approved Treatment Plan for the protection of historical resources within the project site may not begin prior to the completion of the Documentation Program as defined above. 2. The qualified Historical Monitor(s) shall attend weekly jobsite meetings and be on-site daily during the stabilization phase for any retained or adjacent historical resource to photo document the Treatment Plan process. 3. The qualified Historical Monitor(s) shall document activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day and last day (Notification of Monitoring Completion) of the Treatment Plan process and in the case of ANY unanticipated incidents. The RE shall forward copies to City Staff. 4. Prior to the start of any construction related activities, the applicant shall provide verification to City Staff that all historical resources on-site have been adequately stabilized in accordance with the approved Treatment Plan. This may include a site visit with City Staff, the CM, RE or BI, but may also be accomplished through submittal of the draft Treatment Plan photo documentation report. 			

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Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>5. City Staff will provide written verification to the RE or BI after the site visit or upon approval of draft Treatment Plan report indicating that construction related activities can proceed.</p> <p>III. During Construction</p> <p>A. Qualified Historical Monitor(s) Shall be Present During Grading/Excavation/Trenching</p> <ol style="list-style-type: none"> 1. The Qualified Historical Monitor(s) shall be present full-time during grading/excavation/trenching activities which could result in impacts to historical resources as identified on the HME. The Construction Manager is responsible for notifying the RE, PI, and City Staff of changes to any construction activities. 2. The Qualified Historical Monitor(s) shall document field activity via the CSV. The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY incidents involving the historical resource. The RE shall forward copies to City Staff. 3. The PI may submit a detailed letter to City Staff during construction requesting a modification to the monitoring program when a field condition arises which could effect the historical resource being retained on-site or adjacent to the construction site. <p>B. Notification Process</p> <ol style="list-style-type: none"> 1. In the event of damage to a historical resource retained on-site or adjacent to the project site, the Qualified Historical Monitor(s) shall direct the contractor to temporarily divert construction activities in the area of historical resource and immediately notify the RE or BI, as appropriate, and the PI (unless Monitor is the PI). 2. The PI shall immediately notify City Staff by phone of the incident, and shall also submit written documentation to City Staff within 24 hours by fax or email with photos of the resource in context, if possible. 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>C. Determination/Evaluation of Impacts to a Historical Resource</p> <p>1. The PI shall evaluate the incident relative to the historical resource.</p> <p>(a) The PI shall immediately notify City Staff by phone to discuss the incident and shall also submit a letter to City Staff indicating whether additional mitigation is required.</p> <p>(b) If impacts to the historical resource are significant, the PI shall submit a proposal for City Staff review and written approval in accordance with Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC and the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995) and the associated Guidelines. Direct and/or indirect impacts to historical resources from construction activities must be mitigated before work will be allowed to resume.</p> <p>(c) If impacts to the historical resource are not considered significant, the PI shall submit a letter to City Staff indicating that the incident will be documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.</p> <p>IV. Night Work</p> <p>A. If night and/or weekend work is included in the contract</p> <p>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.</p> <p>2. The following procedures shall be followed.</p> <p>(a) No Impacts/Incidents</p> <p>In the event that no historical resources were impacted during night and/or weekend work, the PI shall record the information on the CSVr and submit to City Staff via fax by 8 a.m. of the next business day.</p> <p>(b) Potentially Significant Impacts</p> <p>If the PI determines that a potentially significant impact has occurred to a historical resource, the procedures detailed under Section III - During</p>			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>Construction shall be followed.</p> <p>(c) The PI shall immediately contact City Staff, or by 8 a.m. of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.</p> <p>B. If night and/or weekend work becomes necessary during the course of construction:</p> <ol style="list-style-type: none"> 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 City Staff immediately. <p>C. All other procedures described above shall apply, as appropriate.</p> <p>V. Post Construction</p> <p>A. Submittal of Draft Monitoring Report</p> <ol style="list-style-type: none"> 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (HRG) and Appendices which describes the results, analysis, and conclusions of all phases of the Historical Monitoring Plan (with appropriate graphics) to City Staff for review and approval within 90 days following the completion of monitoring. <ol style="list-style-type: none"> (a) The preconstruction Treatment Plan and Documentation Plan (photos and measured drawings) and Historical Commemorative Program, if applicable, shall be included and/or incorporated into the Draft Monitoring Report. (b) The PI shall be responsible for updating (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any existing site forms to document the partial and/or complete demolition of the resource. Updated forms shall be submitted to the South Coastal Information Center with the Final Monitoring Report. 2. City Staff shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report. 3. The PI shall submit revised Draft Monitoring Report to City Staff for approval. 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<ol style="list-style-type: none"> 4. City Staff shall provide written verification to the PI of the approved report. 5. City Staff shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals. <p>B. Final Monitoring Report(s)</p> <ol style="list-style-type: none"> 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to City Staff (even if negative), within 90 days after notification from City Staff 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 City Staff. 			
	<p>Mitigation Measure HIST-A.1-3: If a designated or potential historical resource ("historical resource") as defined in the LDC would be demolished, the following measure shall be implemented in accordance with Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC.</p> <p>I. Prior to Issuance of a Demolition Permit</p> <p>A. A DP shall be submitted to City Staff to the HRB ("City Staff") for review and approval and shall include the following:</p> <ol style="list-style-type: none"> 1. Photo Documentation <ol style="list-style-type: none"> (a) Documentation shall include professional quality photo documentation of the structure prior to demolition with 35 millimeter black and white photographs, 4x6 inch standard format, taken of all four elevations and close-ups of select architectural elements, such as, but not limited to, roof/wall junctions, window treatments, decorative hardware. Photographs shall be of archival quality and easily reproducible. (b) Xerox copies or CD of the photographs shall be submitted for archival storage with the City of San Diego HRB and the Civic San Diego Project file. One set of original photographs and negatives shall be submitted for archival storage with the California Room of the City of San Diego Public Library, the San Diego Historical Society and/or other relative historical society or group(s). 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>2. Required drawings</p> <p>(a) Measured drawings of the building's exterior elevations depicting existing conditions or other relevant features shall be produced from recorded, accurate measurements. If portions of the building are not accessible for measurement, or cannot be reproduced from historic sources, they should not be drawn, but clearly labeled as not accessible. Drawings produced in ink on translucent material or archivally stable material (blue-line drawings are acceptable). Standard drawing sizes are 19 by 24 inches or 24 by 36 inches, standard scale is 1/4 inch = 1 foot.</p> <p>(b) One set of measured drawings shall be submitted for archival storage with the City of San Diego HRB, the Civic San Diego Project file, the South Coastal Information Center, the California Room of the City of San Diego Public Library, the San Diego Historical Society and/or other historical society or group(s).</p> <p>B. Prior to the first Precon Meeting City Staff shall verify that the DP has been approved.</p> <p>C. In addition to the Documentation Program, the Applicant shall comply with any other conditions contained in the Site Development Permit pursuant to Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC.</p>			
Impact HIST-B.1	Development in Downtown could impact significant buried archaeological resources. (Direct and Cumulative)			
	<p><i>Mitigation Measure HIST-B.1-1:</i> If the potential exists for direct and/or indirect impacts to significant buried archaeological resources, the following measures shall be implemented in coordination with a Development Services Department designee and/or City Staff to the HRB ("City Staff") in accordance with Chapter 14, Article 3, Division 2, Historical Resources Regulations of the LDC. Prior to issuance of any permit that could directly affect an archaeological resource, City Staff shall assure that all elements of the MMRP are performed in accordance with all applicable City regulations and guidelines by an Archaeologist meeting the qualifications specified in Appendix B of the San Diego LDC. Historical Resources Guidelines. City Staff shall also require that the following steps be taken to determine: (1) the presence of archaeological resources and (2) the appropriate mitigation for any significant resources which may be impacted by a development activity. Sites may include residential and commercial properties, privies, trash pits, building foundations, and industrial features</p>	<p>Prior to Demolition or Grading Permit (Design)</p> <p>Prior to Certificate of Occupancy (Implementation)</p>	Developer	City Staff

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
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	<p>representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with pre-historic Native American activities. Archeological resources which also meet the definition of historical resources or unique archaeological resources under CEQA or the SDMC shall be treated in accordance with the following evaluation procedures and applicable mitigation program:</p> <p>Step 1-Initial Evaluation</p> <p>An initial evaluation for the potential of significant subsurface archaeological resources shall be prepared to the satisfaction of City Staff as part of an Environmental Secondary Study for any activity which involves excavation or building demolition. The initial evaluation shall be guided by an appropriate level research design in accordance with the City's LDC, Historical Resources Guidelines. The person completing the initial review shall meet the qualification requirements as set forth in the Historical Resources Guidelines and shall be approved by City Staff. The initial evaluation shall consist, at a minimum, of a review of the following historical sources: The 1876 Bird's Eye View of San Diego, all Sanborn Fire Insurance Company maps, appropriate City directories and maps that identify historical properties or archaeological sites, and a records search at the South Coastal Information Center for archaeological resources located within the property boundaries. Historical and existing land uses shall also be reviewed to assess the potential presence of significant prehistoric and historic archaeological resources. The person completing the initial review shall also consult with and consider input from local individuals and groups with expertise in the historical resources of the San Diego area. These experts may include the University of California, San Diego State University, San Diego Museum of Man, Save Our Heritage Organization, local historical and archaeological groups, the Native American Heritage Commission (NAHC), designated community planning groups, and other individuals or groups that may have specific knowledge of the area. Consultation with these or other individuals and groups shall occur as early as possible in the evaluation process.</p> <p>When the initial evaluation indicates that important archaeological sites may be present on a project site but their presence cannot be confirmed prior to construction or demolition due to obstructions or spatially limited testing and data recovery, the applicant shall prepare and implement an archaeological monitoring program as a condition of development approval to the satisfaction of City Staff. If the NAHC Sacred Lands File search is positive for Native American resources within the project site, then additional evaluation must include participation of a local Native American consultant in accordance with CEQA Sections 15064.5(d), 15126.4(b)(3) and Public Resources Code Section 21083.2.</p>			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
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	<p>No further action is required if the initial evaluation demonstrates there is no potential for subsurface resources. The results of this research shall be summarized in the Secondary Study.</p> <p>Step 2-Testing</p> <p>A testing program is required if the initial evaluation demonstrates that there is a potential for subsurface resources. The testing program shall be conducted during the hazardous materials remediation or following the removal of any structure or surface covering which may be underlain by potential resources. The removal of these structures shall be conducted in a manner which minimizes disturbance of underlying soil. This shall entail a separate phase of investigations from any mitigation monitoring during construction.</p> <p>The testing program shall be performed by a qualified Historical Archaeologist meeting the qualifications specified in Appendix B of the San Diego LDC, HRG. The Historical Archaeologist must be approved by City Staff prior to commencement. Before commencing the testing, a treatment plan shall be submitted for City Staff approval that reviews the initial evaluation results and includes a research design. The research design shall be prepared in accordance with the City's HRG and include a discussion of field methods, research questions against which discoveries shall be evaluated for significance, collection strategy, laboratory and analytical approaches, and curation arrangements. All tasks shall be in conformity with best practices in the field of historic urban archaeology.</p> <p>A recommended approach for historic urban sites is at a minimum fills and debris along interior lot lines or other areas indicated on Sanborn maps.</p> <p>Security measures such as a locked fence or surveillance shall be taken to prevent looting or vandalism of archaeological resources as soon as demolition is complete or paved surfaces are removed. These measures shall be maintained during archaeological field investigations. It is recommended that exposed features be covered with steel plates or fill dirt when not being investigated.</p> <p>The results of the testing phase shall be submitted in writing to City Staff and shall include the research design, testing results, significance evaluation, and recommendations for further treatment. Final determination of significance shall be made in consultation with City Staff, and with the Native American community, if the finds are prehistoric. If no significant resources are found and site conditions are such that there is no potential for further discoveries, then no further action is required. If no significant resources are found but results of the initial evaluation and testing phase indicates there is still a potential for resources to be</p>			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>present in portions of the property that could not be tested, then mitigation monitoring is required and shall be conducted in accordance with the provisions set forth in Step 4 - Monitoring. If significant resources are discovered during the testing program, then data recovery in accordance with Step 3 shall be undertaken prior to construction. If the existence or probable likelihood of Native American human remains or associated grave goods area discovered through the testing program, the Qualified Archaeologist shall stop work in the area, notify the City Building Inspector, City staff, and immediately implement the procedures set forth in CEQA Guidelines Section 15064.5 and the California PRC Section 5097.98 for discovery of human remains. This procedure is further detailed in the Mitigation, Monitoring and Reporting Program (Step 4). City Staff must concur with evaluation results before the next steps can proceed.</p> <p>Step 3-Data Recovery</p> <p>For any site determined to be significant, a Research Design and Data Recovery Program shall be prepared in accordance with the City's Historical Resources Guidelines, approved by City Staff, and carried out to mitigate impacts before any activity is conducted which could potentially disturb significant resources. The archaeologist shall notify City Staff of the date upon which data recovery will commence ten (10) working days in advance.</p> <p>All cultural materials collected shall be cleaned, catalogued and permanently curated with an appropriate institution. Native American burial resources shall be treated in the manner agreed to by the Native American representative or be reinterred on the site in an area not subject to further disturbance in accordance with CEQA section 15164.5 and the Public Resources Code section 5097.98. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species and specialty studies shall be completed, as appropriate. All newly discovered archaeological sites shall be recorded with the South Coastal Information Center at San Diego State University. Any human bones and associated grave goods of Native American origin encountered during Step 2-Testing, shall, upon consultation, be turned over to the appropriate Native American representative(s) for treatment in accordance with state regulations as further outlined under Step 4-Monitoring (Section IV. Discovery of Human Remains).</p> <p>A draft Data Recovery Report shall be submitted to City Staff within twelve months of the commencement of the data recovery. Data Recovery Reports shall describe the research design or questions, historic context of the finds, field results, analysis of artifacts, and conclusions. Appropriate figures, maps and tables shall accompany the text. The report shall also include a</p>			

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Mitigation Monitoring and Reporting Program**

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	<p>catalogue of all finds and a description of curation arrangements at an approved facility, and a general statement indicating the disposition of any human remains encountered during the data recovery effort (please note that the location of reinternment and/or repatriation is confidential and not subject to public disclosure in accordance with state law). Finalization of draft reports shall be subject to City Staff review.</p> <p>Step 4 – Monitoring</p> <p>If no significant resources are encountered, but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required and shall be conducted in accordance with the following provisions and components:</p> <p>I. Prior to Permit Issuance</p> <p>A. Construction Plan Check</p> <ol style="list-style-type: none"> 1. Prior to NTP for any construction permits, including but not limited to, the first Grading Permit, Demolition Permits and Building Permits, but prior to the first Precon Meeting, whichever is applicable, City Staff shall verify that the requirements for Archaeological Monitoring and Native American monitoring, where the project may impact Native American resources, have been noted on the appropriate construction documents. <p>B. Letters of Qualification have been submitted to City Staff</p> <ol style="list-style-type: none"> 1. The applicant shall submit a letter of verification to City Staff identifying the PI for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego HRG. If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour Hazardous Waste Operations and Emergency Response training with certification documentation. 2. City Staff will provide a letter to the applicant confirming that the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG. 3. Prior to the start of work, the applicant must obtain written approval from City Staff for any personnel changes associated with the monitoring program. 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>II. Prior to Start of Construction</p> <p>A. Verification of Records Search</p> <ol style="list-style-type: none"> 1. The PI shall provide verification to City Staff that a site-specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, 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. 3. The PI may submit a detailed letter to City Staff requesting a reduction to the 1/4 mile radius. <p>B. PI Shall Attend Precon Meetings</p> <ol style="list-style-type: none"> 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), CM and/or Grading Contractor, RE, the Native American representative(s) (where Native American resources may be impacted), BI, if appropriate, and City Staff. The qualified Archaeologist and the Native American consultant/monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor. <ol style="list-style-type: none"> (a) If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with City Staff, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring. 2. Archaeological Monitoring Plan (AMP) <ol style="list-style-type: none"> (a) Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Plan (with verification that the AMP has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) which describes how the monitoring would be accomplished for approval by City Staff and the Native American monitor. The AMP shall include an Archaeological Monitoring 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
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	<p>Exhibit (AME) based on the appropriate construction documents (reduced to 11 by 17 inches) to City Staff identifying the areas to be monitored including the delineation of grading/excavation limits.</p> <p>(b) The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).</p> <p>(c) Prior to the start of any work, the PI shall also submit a construction schedule to City Staff through the RE indicating when and where monitoring will occur.</p> <p>(d) The PI may submit a detailed letter to City Staff 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 site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.</p> <p>III. During Construction</p> <p>A. Monitor(s) Shall be Present During Grading/Excavation/Trenching</p> <ol style="list-style-type: none"> The Archaeological monitor shall be present full-time during all soil disturbing and grading/excavation /trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and City Staff of changes to any construction activities. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME, and provide that information to the PI and City Staff. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Processes detailed in Sections III.B-C. and IVA-D shall commence. The archeological and Native American consultant/monitor shall document field activity via the CSV. The CSV's shall be faxed by the CM to the RE 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 City Staff. 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

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	<p>4. The PI may submit a detailed letter to City Staff during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.</p> <p>B. Discovery Notification Process</p> <ol style="list-style-type: none"> 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to, digging, trenching, excavating, or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources 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 City Staff by phone of the discovery, and shall also submit written documentation to City Staff within 24 hours by fax or email with photos of the resource in context, if possible. 4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered. <p>C. Determination of Significance</p> <ol style="list-style-type: none"> 1. The PI and Native American consultant/monitor, where Native American resources are discovered, shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below. <ol style="list-style-type: none"> (a) The PI shall immediately notify City Staff by phone to discuss significance determination and shall also submit a letter to City Staff indicating whether additional mitigation is required. (b) If the resource is significant, the PI shall submit an Archaeological Data Recovery Program which has been reviewed by the Native American consultant/monitor when applicable, and obtain written approval from City Staff and the Native American representative(s), if applicable. Impacts to 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.</p> <p>(c) If the resource is not significant, the PI shall submit a letter to City Staff indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.</p> <p>IV. Discovery of Human Remains</p> <p>If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:</p> <p>A. Notification</p> <ol style="list-style-type: none"> 1. Archaeological Monitor shall notify the RE or BI as appropriate, City Staff, and the PI, if the Monitor is not qualified as a PI. City Staff will notify the appropriate Senior Planner in the Environmental Analysis Section of the Development Services Department to assist with the discovery process. 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone. <p>B. Isolate discovery site</p> <ol style="list-style-type: none"> 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains. 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance. 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin. 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>C. If Human Remains are determined to be Native American</p> <ol style="list-style-type: none"> 1. The Medical Examiner will notify the NAHC within 24 hours. By law, ONLY the Medical Examiner can make this call. 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information. 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e) and the California Public Resources and Health & Safety Codes. 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods. 5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and if: <ol style="list-style-type: none"> (a) The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR: (b) The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN, (c) In order to protect these sites, the Landowner shall do one or more of the following: <ol style="list-style-type: none"> (1) Record the site with the NAHC; (2) Record an open space or conservation easement on the site; (3) Record a document with the County. 6. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing 			

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Mitigation Monitoring and Reporting Program**

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	<p>cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.</p> <p>D. If Human Remains are not Native American</p> <ol style="list-style-type: none"> 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial. 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98). 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for interment of the human remains shall be made in consultation with City Staff, the applicant/landowner and the San Diego Museum of Man. <p>V. Night and/or Weekend Work</p> <p>A. If night and/or work is included in the contract</p> <ol style="list-style-type: none"> 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. <ol style="list-style-type: none"> (a) No Discoveries <p>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 City Staff via fax by 8 am of the next business day.</p> (b) Discoveries <p>All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.</p> 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

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		Time Frame	Responsibility	Verification Responsibility
	<p>(c) Potentially Significant Discoveries</p> <p>If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV- Discovery of Human Remains shall be followed.</p> <p>(d) The PI shall immediately contact City Staff, or by 8 am of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.</p> <p>B. If night and/or weekend work becomes necessary during the course of construction</p> <ol style="list-style-type: none"> 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 City Staff immediately. <p>C. All other procedures described above shall apply, as appropriate.</p> <p>VI. Post Construction</p> <p>A. Submittal of Draft Monitoring Report</p> <ol style="list-style-type: none"> 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) prepared in accordance with the HRG and Appendices which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to City Staff, for review and approval within 90 days following the completion of monitoring. <ol style="list-style-type: none"> (a) For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report. (b) Recording sites with State of California Department of Parks and Recreation <p>The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.</p> 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		Verification Responsibility
		Time Frame	Responsibility	
	<ol style="list-style-type: none"> 2. City Staff shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report. 3. The PI shall submit revised Draft Monitoring Report to City Staff for approval. 4. City Staff shall provide written verification to the PI of the approved report. 5. City Staff shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals. <p>B. Handling of Artifacts and Submittal of Collections Management Plan, if applicable</p> <ol style="list-style-type: none"> 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued. 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate. 3. The PI shall submit a Collections Management Plan to City Staff for review and approval for any project which results in a substantial collection of historical artifacts. <p>C. Curation of artifacts: Accession Agreement and Acceptance Verification</p> <ol style="list-style-type: none"> 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with City Staff and the Native American representative, as applicable. 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and City Staff. 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance in accordance with section IV – Discovery of Human Remains, subsection 5.(d). 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>D. Final Monitoring Report(s)</p> <ol style="list-style-type: none"> The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to City Staff (even if negative), within 90 days after notification from City Staff that the draft report has been approved. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from—City Staff which includes the Acceptance Verification from the curation institution. 			
LAND USE (LND)				
Impact LU-B.1	Noise generated by major ballpark events could cause interior noise levels in noise-sensitive uses (e.g. residential and hotels) within four blocks of the ballpark to exceed the 45 dB(A) limit mandated by Title 24 of the California Code. (Direct)			
	Implementation of the noise attenuation measures required by Mitigation Measure NOI-B.2-1 would reduce interior noise levels to 45 dB (A) CNEL and reduce potential impacts to below a level of significance.	<p>Prior to Building Permit (Design)</p> <p>Prior to Certificate of Occupancy (Implementation)</p>	Developer	Civic San Diego/City
Impact LU-B.2	Noise generated by I-5 and highly traveled grid streets could cause noise levels in noise-sensitive uses not governed by Title 24 to exceed 45 dB(A). (Direct)			
	Mitigation Measures NOI-B.1-1 and NOI-C.1.1, as described below.	<p>Prior to Building Permit (Design)</p> <p>Prior to Certificate of Occupancy (Implementation)</p>	Developer	Civic San Diego/City

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
Impact LU-B.3	Noise levels in Downtown areas within the 65 CNEL contour of SDIA could exceed 45 dB(A) for noise sensitive uses not covered by Title 24. (Direct)			
	Mitigation Measures NOI-B.1-1, as described below.	Prior to Building Permit (Design) Prior to Certificate of Occupancy (Implementation)	Developer	Civic San Diego/City
Impact LU-B.4	Noise generated by train horns, engines and wheels as well as bells at crossing gates would significantly disrupt sleep of residents along the railroad tracks. (Direct)			
	Mitigation Measure LU-B.4-1: Prior to approval of a Building Permit which would expose habitable rooms to disruptive railroad noise, an acoustical analysis shall be performed. The analysis shall determine the expected exterior and interior noise levels related to railroad activity. As feasible, noise attenuation measures shall be identified which would reduce noise levels to 45 dB(A) CNEL or less in habitable rooms. Recommended measures shall be incorporated into building plans before approval of a Building Permit.	Prior to Building Permit (Design) Prior to Certificate of Occupancy (Implementation)	Developer	City
Impact LU-B.5	Ballpark lighting would interrupt sleep in residences and hotels within two blocks of the ballpark. (Direct)			
	Mitigation Measure LU-B.5.1: Prior to approval of a Building Permit which would result in a light sensitive use within a two-block radius of Petco Park, the applicant shall provide a lighting study that demonstrates to the satisfaction of Civic San Diego that habitable rooms would be equipped with light attenuation measures which would allow occupants to reduce night-time light levels to 2.0 foot-candles or less.	Prior to Building Permit (Design) Prior to Certificate of Occupancy (Implementation)	Developer	Civic San Diego/City

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
NOISE (NOI)				
Impact NOI-B.1	Noise generated by I-5 and highly traveled grid streets could cause interior noise levels in noise-sensitive uses (exclusive of residential and hotel uses) to exceed 45 dB(A). (Direct)			
	Mitigation Measure NOI-B.1-1: Prior to approval of a Building Permit for any residential, hospital, or hotel within 475 feet of the centerline of Interstate 5 or adjacent to a roadway carrying more than 7,000 ADT, an acoustical analysis shall be performed to confirm that architectural or other design features are included which would assure that noise levels within habitable rooms would not exceed 45 dB(A) CNEL.	Prior to Building Permit (Design) Prior to Certificate of Occupancy (Implementation)	Developer	Civic San Diego/City
Impact NOI-B.2	Noise generated by major ballpark events could cause interior noise levels in noise-sensitive uses (e.g. residential and hotels) within four blocks of the ballpark to exceed the 45 dB(A) limit mandated by Title 24 of the California Code. (Direct)			
	Mitigation Measure NOI-B.2-1: Prior to approval of a Building Permit for any noise-sensitive land uses within four blocks of Petco Park, an acoustical analysis shall be performed. The analysis shall confirm that architectural or other design features are included in the design which would assure that noise levels within habitable rooms would not exceed 45 dB(A) CNEL.	Prior to Building Permit (Design) Prior to Certificate of Occupancy (Implementation)	Developer	City
Impact NOI-C.1	Exterior required outdoor open space in residential could experience traffic noise levels in excess of 65 dB(A) CNEL. (Direct)			
	Mitigation Measure NOI-C.1-1: Prior to approval of a Development Permit for any residential development within 475 feet of the centerline of Interstate 5 or adjacent to a roadway carrying more than 7,000 ADT, an acoustical analysis shall be performed to determine if any required outdoor open space areas would be exposed to noise levels in excess of 65 dB(A) CNEL. Provided noise attenuation would not interfere with the primary purpose or design intent of the exterior use, measures shall be included in building plan, to the extent feasible.	Prior to Development Permit (Design) Prior to Certificate of Occupancy (Implementation)	Developer	City

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
Impact NOI-D.1	Recreation areas within public parks and plazas may experience traffic noise levels in excess 65 dB(A) CNEL. (Direct)			
	Mitigation Measure NOI-D.1-1: Prior to approval of a Development Permit for any public park or plaza within 475 feet of the centerline of Interstate 5 or adjacent to a roadway carrying more than 7,000 ADT, an acoustical analysis shall be performed to determine if any recreation areas would be exposed to noise levels in excess of 65 dB(A) CNEL. <i>Provided noise attenuation would not interfere with the intended recreational use or park design intent, measures shall be included, to the extent feasible.</i>	Prior to Development Permit (Design) Prior to Certificate of Occupancy (Implementation)	Civic San Diego/ Developer	City
PALEONTOLOGICAL RESOURCES (PAL)				
Impact PAL-A.1	Excavation in geologic formations with a moderate to high potential for paleontological resources could have a significant impact on these resources, if present. (Direct)			
	<p>Mitigation Measure PAL-A.1-1: In the event the Secondary Study indicates the potential for significant paleontological resources, the following measures shall be implemented as determined appropriate by Civic San Diego.</p> <p>I. Prior to Permit Issuance</p> <p>A. Construction Plan Check</p> <ol style="list-style-type: none"> 1. Prior to NTP for any construction permits, including but not limited to, the first Grading Permit, Demolition Permits and Building Permits, but prior to the first preconstruction meeting, whichever is applicable, Centre City Development Corporation Civic San Diego shall verify that the requirements for paleontological monitoring have been noted on the appropriate construction documents. <p>B. Letters of Qualification have been submitted to Civic San Diego</p> <ol style="list-style-type: none"> 1. The applicant shall submit a letter of verification to Civic San Diego identifying the 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. Civic San Diego 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 Civic San Diego for any personnel changes associated with the monitoring program. 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>II. Prior to Start of Construction</p> <p>A. Verification of Records Search</p> <ol style="list-style-type: none"> 1. The PI shall provide verification to Civic San Diego 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. <p>B. PI Shall Attend Precon Meetings</p> <ol style="list-style-type: none"> 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, CM and/or Grading Contractor, RE, BI, if appropriate, and Civic San Diego. 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. <ol style="list-style-type: none"> a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with Civic San Diego, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring. 2. Identify Areas to be Monitored <ol style="list-style-type: none"> a. 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 by 17 inches) to Civic San Diego 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 <ol style="list-style-type: none"> a. Prior to the start of any work, the PI shall also submit a construction schedule 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>to Civic San Diego through the RE indicating when and where monitoring will occur.</p> <p>b. The PI may submit a detailed letter to Civic San Diego 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.</p> <p>III. During Construction</p> <p>A. Monitor Shall be Present During Grading/Excavation/Trenching</p> <ol style="list-style-type: none"> 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 Civic San Diego of changes to any construction activities. 2. The monitor shall document field activity via the CSV. The CSV's shall be faxed by the CM to the RE 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 Civic San Diego. 3. The PI may submit a detailed letter to Civic San Diego 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. <p>B. Discovery Notification Process</p> <ol style="list-style-type: none"> 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. 			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.</p> <p>3. The PI shall immediately notify Civic San Diego by phone of the discovery, and shall also submit written documentation to Civic San Diego within 24 hours by fax or email with photos of the resource in context, if possible.</p> <p>C. Determination of Significance</p> <p>1. The PI shall evaluate the significance of the resource.</p> <p>a. The PI shall immediately notify Civic San Diego by phone to discuss significance determination and shall also submit a letter to Civic San Diego indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.</p> <p>b. If the resource is significant, the PI shall submit a Paleontological Recovery Program and obtain written approval from Civic San Diego. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.</p> <p>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 Civic San Diego unless a significant resource is encountered.</p> <p>d. The PI shall submit a letter to Civic San Diego 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.</p> <p>IV. Night Work</p> <p>A. If night work is included in the contract</p> <p>1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.</p>			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>2. The following procedures shall be followed.</p> <p>a. No Discoveries</p> <p>(1)In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVR and submit to Civic San Diego via fax by 9 a.m. the following morning, if possible.</p> <p>b. Discoveries</p> <p>(1)All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.</p> <p>c. Potentially Significant Discoveries</p> <p>(1)If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.</p> <p>d. The PI shall immediately contact Civic San Diego, or by 8 a.m. the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.</p> <p>B. If night work becomes necessary during the course of construction</p> <p>1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.</p> <p>2. The RE, or BI, as appropriate, shall notify Civic San Diego immediately.</p> <p>C. All other procedures described above shall apply, as appropriate.</p> <p>V. Post Construction</p> <p>A. Submittal of Draft Monitoring Report</p> <p>1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to Civic San Diego for review and approval within 90 days following the completion of monitoring.</p> <p>a. For significant paleontological resources encountered during monitoring, the</p>			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>Paleontological Recovery Program shall be included in the Draft Monitoring Report.</p> <p>b. Recording Sites with the San Diego Natural History Museum</p> <p>(1) 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.</p> <p>2. Civic San Diego shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.</p> <p>3. The PI shall submit revised Draft Monitoring Report to Civic San Diego for approval.</p> <p>4. Civic San Diego shall provide written verification to the PI of the approved report.</p> <p>5. Civic San Diego shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.</p> <p>B. Handling of Fossil Remains</p> <p>1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.</p> <p>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</p> <p>C. Curation of fossil remains: Deed of Gift and Acceptance Verification</p> <p>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.</p> <p>2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and Civic San Diego.</p>			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>D. Final Monitoring Report(s)</p> <ol style="list-style-type: none"> The PI shall submit two copies of the Final Monitoring Report to Civic San Diego (even if negative), within 90 days after notification from Civic San Diego that the draft report has been approved. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from Civic San Diego which includes the Acceptance Verification from the curation institution. 			
TRAFFIC AND CIRCULATION (TRF)				
Impact TRF-A.1.1	Increased traffic on grid streets from Downtown development would result in unacceptable levels of service on specific roadway intersections and/or segments within downtown. (Direct)			
	<p><i>Mitigation Measure TRF-A.1.1-1:</i> At five-year intervals, commencing upon adoption of the proposed Downtown Community Plan, Civic San Diego shall conduct a downtown-wide evaluation of the ability of the grid street system to accommodate traffic within Downtown. In addition to identifying roadway intersections or segments which may need immediate attention, the evaluation shall identify roadways which may warrant interim observation prior to the next 5-year evaluation. The need for roadway improvements shall be based upon deterioration to LOS F, policies in the Mobility Plan, and/or other standards established by Civic San Diego, in cooperation with the City Engineer. In completing these studies, the potential improvements identified in Section 6.0 of the traffic study for the <u>Downtown San Diego Mobility Plan</u> and Section 4.2.3.3 of the SEIR will be reviewed to determine whether these or other actions are required to improve traffic flow along affected roadway corridors. <u>Specific improvements from Section 4.2.3.3 include:</u></p> <p><u>Mitigation Measures that Fully Reduces Impact</u></p> <p><u>I-5 northbound off-ramp/Brant Street and Hawthorn Street – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the “Peak Hour” warrant.</u></p> <p><u>Second Avenue and Cedar Street – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the “Peak Hour” warrant.</u></p> <p><u>Fourth Avenue and Beech Street – Convert on-street parking to a travel lane on Fourth Avenue between Cedar Street and Ash Street during the AM peak hour.</u></p>	Every five years	Civic San Diego/City	Civic San Diego/City

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p><u>First Avenue and A Street – Remove on-street parking on the north side of A Street between First and Front avenues as necessary to provide an east bound left turn lane.</u></p> <p><u>17th Street and B Street – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the "Peak Hour" warrant.</u></p> <p><u>16th Street and E Street – Remove on-street parking on the east side of 16th Street south of E Street as necessary to provide a northbound right-turn lane.</u></p> <p><u>Eleventh Avenue and G Street – Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.</u></p> <p><u>Park Boulevard and G Street – Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.</u></p> <p><u>16th Street and Island Avenue – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the "Peak Hour" warrant.</u></p> <p><u>19th Street and J Street – Restripe the northbound left-turn lane into a northbound left-turn and through shared lane.</u></p> <p><u>Logan Avenue and I-5 southbound off-ramp – Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the "Peak Hour" warrant.</u></p> <p><u>Mitigation Measures that Partially Reduces Impact</u></p> <p><u>Front Street and Beech Street - Convert on-street parking to a travel lane on Front Street between Cedar Street and Ash Street during the PM peak hour.</u></p> <p><u>15th Street and F Street - Signalization would be required at this intersection to mitigate direct project impacts. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the "Peak Hour" warrant.</u></p> <p><u>13th Street and G Street - Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.</u></p> <p><u>14th Street and G Street - Convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour.</u></p> <p><u>16th Street and G Street - Convert on-street parking to a travel lane on G Street between 11th</u></p>			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p><u>Avenue and 17th Street during the PM peak hour</u></p> <p><u>17th Street and G Street - Signalization and convert on-street parking to a travel lane on G Street between 11th Avenue and 17th Street during the PM peak hour. A traffic signal warrant was conducted. Based upon the MUTCD, this intersection would meet the "Peak Hour" warrant.</u></p> <p>Following the completion of each five-year monitoring event, Civic San Diego shall incorporate needed roadway improvements into <u>the City of San Diego's</u> CIP or identify another implementation strategy.</p> <p>In order to determine if the roadway improvements included in the current five-year CIP, or the equivalent, are sufficient to accommodate developments, a traffic study would be required for large projects. The threshold to be used for determining the need for a traffic study shall reflect the traffic volume threshold used in the Congestion Management Program. The Congestion Management Program stipulates that any activity forecasted to generate 2,400 or more daily trips (200 or more equivalent peak hour trips).</p>			
	<p><i>Mitigation Measure TRF-A.1.1-2:</i> Prior to approval of any development which would generate a sufficient number of trips to qualify as a large project under the Congestion Management Program (i.e. more than 2,400 daily trips, or 200 trips during a peak hour period), a traffic study shall be completed as part of the Secondary Study process. The traffic study shall be prepared in accordance with City's Traffic Impact Study Manual. If the traffic study indicates that roadways substantially affected by the project would operate at LOS F with the addition of project traffic, the traffic study shall identify improvements to grid street segments and/or intersections consistent with the <u>Downtown San Diego Mobility Plan</u> which would be required within the next five years to achieve an acceptable LOS or reduce congestion, to the extent feasible. If the needed improvements are already included in <u>the City of San Diego's</u> Civic San Diego's CIP, or the equivalent, no further action shall be required. If the any of the required improvements are not included in the CIP, or not expected within five years of project completion, Civic San Diego <u>the City of San Diego</u> shall amend the CIP, within one year of project approval, to include the required improvements and assure that they will be implemented within five years of project completion. At Civic San Diego's discretion, the developer may be assessed a pro-rated share of the cost of improvements <u>as a condition of project approval.</u></p>	Prior to Development Permit (Design)	Developer	Civic San Diego/City
Impact TRF-A.1.2	Increased traffic from Downtown development on certain streets surrounding Downtown would result in an unacceptable level of service. (Direct and Cumulative)			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	Implementation of Mitigation Measure TRF-A.1.1-1 would also reduce impacts on surrounding roadways but not necessarily below a level of significance.	Every five years	Civic San Diego/City	Civic San Diego/City
Impact TRF A.2.1				
	<p>a) to address regional transportation needs, but for purposes of this mitigation measure, the Improvements included in the Plan need only be designed to mitigate the impacts created by Downtown development.</p> <p>b) The Plan will set forth a timeline and other agreed upon relevant criteria for implementation of each Improvement.</p> <p>c) The Plan will identify the total estimated costs for each such Improvement, including construction, maintenance and operational costs [the Total Costs], and the responsibility of each Entity for both implementation and funding for such Total Costs.</p> <p>d) The Plan will include the parameters for any fair share or development impact fee programs (or the like) to be implemented, that would require private and/or public developers to contribute to the Total Costs, in a manner that will comply with applicable law.</p> <p>e) In developing the Plan, the Entities shall also consider ways in which the Improvements can be coordinated with existing local and regional transportation and facilities financing plans and programs, in order to avoid duplication of effort and expenditure; however, the existence of such other plans and programs shall not relieve the Entities of their collective obligation to develop and implement the Plan as set forth in this mitigation measure. Nothing in the Plan shall be construed as relieving any Entity (or any other entity) from its independent responsibility (if any) for the planning, funding, construction, maintenance or operation of any transportation improvement.</p> <p>f) Upon adoption of the Plan by the City Council, SANDAG, MTS and Caltrans will also seek endorsement of same through their government structures.</p> <p>g) Civic San Diego shall seek adoption of the Plan at a public hearing before the City Council within one year of the initiation of the multi jurisdictional effort to develop the Plan. Civic San Diego shall report in writing, and at a public hearing before the City Council and SANDAG (if SANDAG agrees to place such a report on its agenda), regarding the progress made to develop the Plan, within six months of the first meeting of the entities. Thereafter,</p>	Upon Plan Adoption	Civic San Diego	Civic San Diego/City

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
	<p>Civic San Diego shall report to the City Council at least annually regarding the progress of the Plan, for a period of not less than five years, which may be extended at the request of the City Council.</p> <p>b) The Plan shall also expressly include each Entity's pledge that it will cooperate with Civic San Diego in making the required reports to the Agency, including the presence and participation of a responsible representative of the Entity at all public hearings called for the purpose of reviewing the progress of development and implementation of the Plan.</p> <p>i) The Public Facilities Financing Plans (PFFP) shall be amended to include any projects in the Plan that Civic San Diego and the City Council determine are appropriate for inclusion in the PFFP. The amendment to the PFFP to accommodate such appropriate improvements shall be processed for adoption at the time the Plan is submitted for adoption to the City Council.</p> <p>The failure or refusal of any Entity other than Civic San Diego or the City to cooperate in the implementation of this mitigation measure shall not constitute a failure of Civic San Diego or the City to implement this mitigation measure; however, Civic San Diego and City shall each use its best efforts to obtain the cooperation of all responsible Entities to fully participate, in order to achieve the goals of the mitigation measure.</p> <p>Further, if the City Council or Redevelopment Agency finds that (1) any of the Entities fails or has failed to cooperate in the development or implementation of this Plan, or (2) there is insufficient funding for implementation of the improvements in accord with the Plan, or (3) development Downtown has significantly outpaced the development of infrastructure needed to support the development, the Council/Agency shall thereafter review the status of the Plan and its improvements, to determine whether substantial evidence shows that any of the conditions listed in Public Resources Code section 21166 and Guidelines section 15162 exist, so that additional environmental documentation would be required. In any event, the annual progress report delivered by Civic San Diego pursuant to this mitigation measure shall include an evaluation of whether any of these conditions exist.</p>			

**Table 6-1
Mitigation Monitoring and Reporting Program**

Significant Impact(s)	Mitigation Measure(s)	Implementation		
		Time Frame	Responsibility	Verification Responsibility
Impact TRF-A.2.2.1-1	Elimination of Cedar St. off-ramp would impact other freeway ramps by redirecting traffic to other off ramps serving downtown. (Direct)			
	<i>Mitigation Measure TRF A.2.2-1:</i> Prior to elimination of the Cedar Street off-ramp from I-5, a traffic study shall be done by Civic San Diego in consultation with the City of San Diego and Caltrans to determine the potential effects associated with elimination of the off-ramp and the conversion of Cedar Street from one- to two-way. The report shall also identify roadway modifications that would minimize potential impacts on local surface streets and I-5.	Prior to elimination of Cedar Street off-ramp (Design/Implementation)	Civic San Diego/City	Civic San Diego/City

Passed by the Council of The City of San Diego on JUN 21 2016, 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"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Chris Cate	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 06 2016

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

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

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

(Seal)

By *Sty Ready*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **310561**