

RESOLUTION NUMBER R- 310803
DATE OF FINAL PASSAGE NOV 28 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING ENVIRONMENTAL IMPACT REPORT SCH NO. 2015111012, ADOPTING THE FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE SAN YSIDRO HISTORIC VILLAGE SPECIFIC PLAN AND COMPREHENSIVE UPDATE TO THE SAN YSIDRO COMMUNITY PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN.

WHEREAS, the City of San Diego undertook a comprehensive update to the San Ysidro Community Plan, amendments to the General Plan, amendments to the Land Development Code, associated rezoning actions, creation of the San Ysidro Historic Village Specific Plan, and associated actions (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 matter was heard by the City Council on NOV 15 2016; and

WHEREAS, the City Council considered the issues discussed in the Environmental Impact Report SCH No. 2015111012 (Report) prepared for the Project; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that it is hereby certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (California Public Resources Code Section 21000 et seq.), as amended, and the State 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 the 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.

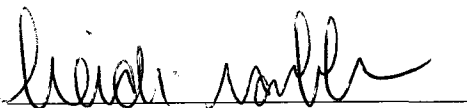
BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and CEQA Guidelines Sections 15091 and 15093, the City Council hereby adopts Findings, attached hereto as Exhibit B, and incorporated herein by reference, and a Statement of Overriding Considerations, attached hereto as Exhibit C and incorporated herein by reference, with respect to the Project.

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

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 at 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 after final passage of the ordinances associated with the Project.

APPROVED: JAN I. GOLDSMITH, City Attorney

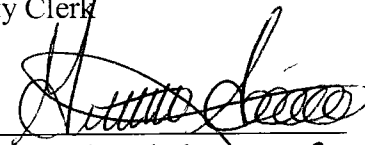
By 
Heidi K. Vonblum
Deputy City Attorney

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Or.Dept: Planning
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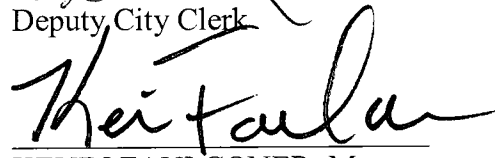
Attachments: Exhibit A, Mitigation Monitoring and Reporting Program
Exhibit B, Findings
Exhibit C, Statement of Overriding Considerations

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 15 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/28/16
(date)


KEVIN FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN FAULCONER, Mayor

11.0 MITIGATION MONITORING AND REPORTING PROGRAM

11.1 Introduction

Section 15097 of the CEQA Guidelines requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted upon certification of an EIR (including associated Findings), to ensure that the associated mitigation measures are implemented. The MMRP identifies the mitigation measures, specifies the entity (or entities) responsible for monitoring and reporting, and notes when in the process monitoring and reporting should be conducted.

This PEIR describes the proposed SYCPU and SYHVSP and, based on direction by the City, evaluates associated potential impacts for the issues of land use; transportation/circulation; air quality; greenhouse gas emissions; noise; biological resources; historical resources; visual effects and neighborhood character; human health/public safety/hazardous materials; hydrology, water quality and drainage; population and housing; public services; public utilities; energy conservation; geology and soils; and paleontological resources.

Pursuant to Public Resources Code Section 21081.6, an MMRP is only required for impacts identified as significant or potentially significant in the EIR analysis. Accordingly, based on the evaluation in Section 5.0 of the PEIR, Environmental Analysis, this MMRP addresses the following potentially significant impacts requiring mitigation:

- SYCPU: transportation/circulation, air quality, noise, biological resources, historical resources, geologic hazard, and paleontological resources.
- SYHVSP: transportation/circulation, air quality, noise, historical resources, and paleontological resources.

The environmental analysis in Section 5.0 of the PEIR resulted in the identification of a mitigation framework to reduce potentially significant impacts for the noted issue areas under the SYCPU and SYHVSP. In some cases, the mitigation measures would reduce impacts to less than significant, while in other instances the identified mitigation measures would reduce the impact, but not to less than significant. Specifically, mitigation measures were identified for individual significant impacts related to air quality, historical resources, and transportation/circulation under both the SYCPU and SYHVSP, although these impacts would remain cumulatively significant and unavoidable even with adherence to the mitigation framework.

The MMRP for the proposed SYCPU and SYHVSP is under the jurisdiction of the City and other pertinent agencies, as specified in the following analyses. The MMRP addresses only the issue areas identified above as significant, with an overview of the applicable MMRP requirements for these issues provided below.

11.2 SYCPU

11.2.1 Transportation/Circulation

11.2.1.1 Roadway Segments

a. Impacts

Full implementation of the SYCPU would have a cumulatively significant impact at 31 roadway segments. The impacts at these roadway segments would occur because the LOS would degrade to an unacceptable E or F, or because the v/c ratio increase would exceed the allowable threshold at a location operating at LOS E or F.

b. Mitigation Framework

The TIS identified improvements that would mitigate or reduce cumulative roadway segment impacts (Table 11.1, *Roadway Segment Mitigation Measures*). As discussed in the Findings, a number of these mitigation measures are considered infeasible either because they would conflict with the smart growth and/or City of Villages Strategy, or are precluded by surrounding development. These measures are not included in this MMRP.

**TABLE 11-1
ROADWAY SEGMENT MITIGATION MEASURES**

Mitigation Measure Number	Road Segment	Improvement
TRF-1	Beyer Blvd: Cottonwood Road to West Park Avenue	Widen the roadway to a 4-lane major arterial and install a raised median.
TRF-2	Beyer Blvd : West Park Avenue to East Beyer Blvd	Widen the roadway to a 4-lane major arterial and install a raised median.
TRF-3	Smythe Avenue : SR-905 Eastbound Ramp to Beyer Blvd	Restripe the roadway to a 4-lane collector with a continuous two-way, left-turn lane.
TRF-4	Smythe Avenue : South Vista Avenue to Sunset Lane	Restripe the roadway to a 2-lane collector with a continuous two-way, left-turn lane.
TRF-5	Dairy Mart Road: West San Ysidro Blvd to I-5 Southbound Ramps	Widen the roadway to a 4-lane collector.
TRF-6	Dairy Mart Road: I-5 SB Ramps to Servando Avenue	Widen the roadway to a 4-lane collector.

**TABLE 11-1
ROADWAY SEGMENT MITIGATION MEASURES
(Continued)**

Mitigation Measure Number	Road Segment	Improvement
TRF-40	Dairy Mart Road: Servando Avenue to Camino de la Plaza	Construct a raised median.
TRF-7	East San Ysidro Blvd: Border Village Road (east) to East Beyer Blvd/ Camino de la Plaza	Widen the roadway to a 5-lane major arterial and install a raised median.
TRF-8	East San Ysidro Blvd: East Beyer Blvd/Camino de la Plaza to Rail Court	Widen the roadway to a 4-lane major arterial and install a raised median.
TRF-9	Via de San Ysidro : West San Ysidro Blvd to I-5 NB Ramps	Restripe the roadway to a 4-lane collector with a continuous two-way, left-turn lane.
TRF-11	Calle Primera: Rancho del Rio Estates to Via de San Ysidro	Widen the roadway to a 3-lane collector.
TRF-12	Camino de la Plaza: I-5 SB Ramp to East San Ysidro Blvd	Widen the roadway to a 4-lane major arterial and install a raised median.

¹ Located within SYHVSP

c. Mitigation Funding, Timing, and Responsibility

As discussed in Section 5.2 of the PEIR and the Findings, implementation of the roadway segment improvements cannot be guaranteed because funding sources are not guaranteed nor is the timing of their implementation. Potential funding sources are anticipated to potentially include development fees, individual property owners/developers, as well as grants from federal, state and/or other entities (e.g., SANDAG).

Mitigation timing would be driven by the implementation schedule of individual (project level) development related to specific impacts within the SYCPU, along with the availability of funding as outlined above. The overall responsibility for mitigation monitoring, enforcement and reporting would be with the City of San Diego, with certain elements of these tasks to potentially be delegated to applicable parties. Documentation of mitigation-related construction efforts, for example, could be provided by contractors through submittal of daily or weekly construction logs (with verification by City staff as applicable).

11.2.1.2 Intersections

a. Impacts

Full implementation of the SYCPU would have a cumulative significant impact at 25 intersections. The impacts at these intersections would occur because the increase in delay would exceed the allowable threshold.

b. Mitigation Framework

The TIS identified improvements that would mitigate or reduce intersection impacts (Table 11.2, *Intersection Mitigation Measures*). As discussed in the Findings, several of these mitigation measures are considered infeasible either because they would conflict with the smart growth and/or City of Villages Strategy, or are precluded by surrounding development. These measures are not included in this MMRP.

c. Mitigation Funding, Timing, and Responsibility

As discussed in Section 5.2 of the PEIR and the Findings, implementation of the intersection improvements cannot be guaranteed because funding sources are not guaranteed nor is the timing of their implementation. Potential funding sources are anticipated to potentially include development fees, individual property owners/developers, as well as grants from federal, state and/or other entities (e.g., SANDAG).

**TABLE 11-2
INTERSECTION MITIGATION MEASURES**

Mitigation Measure Number	Intersection Number¹	Intersection	Improvement
TRF-13	1	Beyer Blvd and Iris Avenue/ SR-905 WB Ramps	Realign west leg of intersection to the north accommodate an exclusive EB left-turn lane.
TRF-14	2	Beyer Blvd and Dairy Mart Road/SR 905 EB Ramps	Restripe WB right-turn lane into a WB through/right-turn lane.
TRF-15	4 ²	Smythe Crossing and Beyer Blvd	Install traffic signal. (High Priority CIP)
TRF-16	5 ²	Beyer Blvd and Smythe Avenue	Install an exclusive WB right-turn lane, a SB left-turn lane and WB right-turn overlap phase.
TRF-17	6 ²	W. Park Avenue/Alaquinas Drive and Beyer Blvd	Install an additional SB left-turn lane and an exclusive NB right-turn lane.
TRF-18	10	Dairy Mart Road and South Vista Lane	Install traffic signal.
TRF-19	15 ²	Smythe Avenue and Sunset Lane	Remove segment of Sunset Lane between South Vista Avenue and Smythe Avenue and close intersection of Sunset and Vista Lane.
TRF-20	18	West San Ysidro Blvd and Howard Avenue	Install single lane roundabout.
TRF-21	22	West San Ysidro Blvd and Averil Road	Install single lane roundabout or signalize. (High Priority CIP)
TRF-22	29	East San Ysidro Blvd and I-805 NB Ramps	Install an additional WB right-turn lane.
TRF-23	31	Border Village (south) and E. San Ysidro Blvd	Install a free NB right-turn lane.
TRF-24	33	I-5 NB Ramp and E. San Ysidro Blvd	Install a new on-ramp to the I-805 freeway.
TRF-25	34	Via de San Ysidro and I-5 NB Ramps	Install traffic signal.
TRF-26	35	Via de San Ysidro and I-5 SB Ramp/Calle Primera	Relocate existing I-5 SB off-ramp west of Via de San Ysidro. Install roundabouts. (High Priority CIP)

**TABLE 11-2
INTERSECTION MITIGATION MEASURES
(Continued)**

Mitigation Measure Number	Intersection Number¹	Intersection	Improvement
TRF-27	36	Calle Primera/Willow Road and Via de San Ysidro	Relocate existing I-5 SB off-ramp west of Via de San Ysidro. Install roundabouts. (High Priority CIP)
TRF-28	37	Dairy Mart Road and I-5 SB Ramps	Install an additional EB left-turn lane.
TRF-29	38	Dairy Mart Road and Servando Avenue	Install traffic signal.
TRF-30	39	Dairy Mart Road and Camino de la Plaza	Install traffic signal.
TRF-31	41	Willow Road and Camino de la Plaza	Provide an exclusive WB right-turn lane and add split signal timing phasing for NB and SB movements.
TRF-32	42	Camino de la Plaza and I-5 SB ramps	Provide additional lanes for the southbound ramps
TRF-33	45	East San Ysidro Blvd and Center Street	Relocate I-805 SB off-ramp to align with Center Street.
TRF-34	47 ²	Vista Lane and Smythe Crossing	Install traffic signal.
TRF-35	48	Camino de la Plaza and Virginia Avenue	Install traffic signal and provide a second WB left-turn lane.

¹ Refer to Figure 5.2-2 for intersection locations.

² Located within SYHVSP.

11.2.1.3 Freeway Segments

a. Impacts

As described in Section 5.2 of the PEIR, three freeway segments would have significant cumulative impacts with implementation of the proposed SYCPU.

b. Mitigation Framework

Freeway improvements identified in the SANDAG Regional Transportation Plan (RTP) would enhance operations along the freeway noted segments. However, these improvements are not within the full control of the City. Thus, no project-related mitigation measures exist.

c. Mitigation Funding, Timing, and Responsibility

As discussed above, no mitigation measures to reduce impacts on freeways are within full control of the City. Furthermore, related funding sources are also currently unknown, but may include SANDAG and/or Caltrans, as noted. Similarly, the timing and responsibility for mitigation monitoring, enforcement and reporting are currently unknown, although it is assumed that both the City and Caltrans would be involved in mitigation monitoring, enforcement and reporting.

11.2.2 Air Quality

11.2.2.1 Conformance to Federal and State Ambient Air Quality Standards

a. Impacts

Based on the evaluation in Section 5.3 of the PEIR, Air Quality, the SYCPU would result in emissions of air pollutants during both the construction phase and operational phase of future development. Operational emissions would be associated with vehicle trips generated by the SYCPU development, along with area sources such as energy use and landscaping. Based on the evaluation of air emissions, the emissions would exceed the screening-level thresholds for volatile organic compounds (VOCs), carbon monoxide (CO), respirable particulate matter with an aerodynamic diameter of 10 microns or less (PM10), and fine particulate matter with an aerodynamic diameter of 2.5 microns or less (PM2.5), and would result in a significant impact for air quality.

b. Mitigation Framework

The following mitigation measures would reduce potential impacts related to conformance with State and federal air quality standards from implementation of the SYCPU.

AQ-1: To identify potential impacts resulting from construction activities, proposed development projects that are subject to CEQA shall have construction-related air quality impacts analyzed using the latest available CalEEMod model, or other analytical method determined in conjunction with the City. The results of the construction-related air quality impacts analysis shall be included in the development project's CEQA documentation. If such analyses identify potentially significant regional or local air quality impacts based on the emissions thresholds presented in Table 4, the City shall require the incorporation of appropriate mitigation to reduce such impacts. Examples of potential mitigation measures are provided in Mitigation Measure AQ-2, below.

AQ-2 For future development that would exceed daily emissions thresholds established by the City of San Diego, best available control measures/technology shall be incorporated to reduce construction emissions to the extent feasible. Best available control measures/technology includes:

- a) Minimizing simultaneous operation of multiple pieces of construction equipment;
- b) Use of more efficient, or low pollutant emitting equipment, e.g., Tier III or Tier IV rated equipment;

- c) Use of alternative fueled construction equipment;
- d) Dust control measures for construction sites to minimize fugitive dust, (e.g. watering, soil stabilizers, and speed limits); and/or
- e) Minimizing idling time by construction vehicles.

AQ-3 Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as a flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on and off site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.

AQ-4 To identify potential impacts resulting from operational activities associated with future development, proposed development that are subject to CEQA shall have long-term operational-related air quality impacts analyzed using the latest available CalEEMod model, or other analytical method determined in conjunction with the City. The results of the operational-related air quality impacts analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis shall incorporate a CO hot spot analysis, or other appropriate analyses, as determined by the City. If such analyses identify potentially significant regional or local air quality impacts based on the thresholds presented in Table 5.3-2 or Table 5.3-4, the City shall require the incorporation of appropriate mitigation to reduce such impacts. Examples of potential measures include the following:

- Installation of electric vehicle charging stations;
- Improve walkability design and pedestrian network;
- Increase transit accessibility and frequency by incorporating Bus Rapid Transit routes included in the SANDAG Regional Plan; and
- Limit parking supply and unbundle parking costs. Lower parking supply below ITE rates and separate parking costs from property costs.

AQ-5 In order to reduce energy consumption from future development, applications (e.g., electrical plans, improvement maps) submitted to the City shall include the installation of energy-efficient street lighting throughout the project site where street lighting is proposed.

c. Mitigation Funding, Timing, and Responsibility

Funding for applicable elements of the described air quality mitigation measures would be provided on a project-specific basis by the associated property owner, developers, and/or construction contractors.

Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the SYCPU, with mitigation for individual projects generally to be implemented prior to and during construction. Responsibility for mitigation monitoring, enforcement and reporting would be with the City of San Diego, with certain elements of these tasks to potentially be delegated to applicable parties as described above for roadway segments in Section 11.2.1, *Transportation/Circulation*.

11.2.2.2 Cumulatively Considerable Net Increase of Criteria Pollutants

a. Impacts

As described in Section 5.3 of the PEIR, criteria pollutant emissions under the SYCPU could contribute to existing violations of their respective standards. Because it cannot be demonstrated at the programmatic level that future development would not exceed applicable air quality standards, associated impacts are considered cumulatively considerable and significant.

b. Mitigation Framework

Implementation of the mitigation measures identified above for conformance to State and federal ambient air quality standards (AQ-1 through AQ-5) would also reduce criteria pollutant emissions.

c. Mitigation Funding, Timing, and Responsibility

Funding, timing, and responsibility considerations for Mitigation Measures AQ-1 through AQ-5 would be the same as those described above for conformance to State and federal ambient air quality standards.

11.2.2.3 Impacts to Sensitive Receptors

a. Impacts

The analysis in Section 5.3 of the PEIR concludes that sensitive receptors/land uses would be subject to significant impacts related to CO hot spots, and exposure of sensitive land uses to DPM as a result of SYCPU implementation.

b. Mitigation Framework

The following mitigation measure, in addition to Mitigation Measures AQ-3 and AQ-4, as described above in this section, would reduce potential impacts to sensitive receptors from SYCPU-related exposure to CO hot spots and DPMs.

AQ-6: Prior to the issuance of building permits for any facility within the buffer area identified by CARB for TACs, a health risk assessment shall be prepared that demonstrates that health risks would be below the level of significance identified in Table 5.3-4.

c. Mitigation Funding, Timing, and Responsibility

Funding, timing, and responsibility considerations for Mitigation Measures AQ-3, AQ-4 and AQ-6 would be the same as those described above for Mitigation Measures AQ-1 through AQ-5 under the discussion of conformance to State and federal ambient air quality standards.

11.2.3 Noise

11.2.3.1 Compatibility of Proposed Land Uses with City Noise Guidelines

a. Impacts

Traffic increases attributable to the implementation of the SYCPU would result in traffic-related noise levels of over 60 CNEL along several major roadways. Where the design of existing or future residential development would be unable to achieve interior noise levels of less than 45 dBA, significant noise impacts would occur.

b. Mitigation Framework

Consistent with the General Plan Policy NE-A.4, the following measure would be required to ensure that noise-sensitive land uses are not exposed to noise levels in excess of City standards.

NOI-1: Where new development would expose people to noise exceeding normally acceptable levels, a site-specific acoustical analysis shall be performed prior to the approval of building permits for:

- Single-family homes, senior housing, and mobile homes where exterior noise levels range between 60 and 65 CNEL.
- Multi-family homes and mixed-use/commercial and residential, where exterior noise levels range between 65 and 70 CNEL.
- All land uses where noise levels exceed the conditionally compatible exterior noise exposure levels as defined in the City's Land Use/Noise Compatibility Guidelines.

The acoustical analysis shall be conducted to ensure that barriers, building design and/or location are capable of maintaining interior noise levels at 45 CNEL or less. Barriers may include a combination of earthen berms, masonry block, and Plexiglas. Building location may include the use of appropriate setbacks. Building design measures may include dual-pane windows, solid core exterior doors with perimeter weather stripping, and mechanical ventilation to allow windows and doors to remain closed.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described noise mitigation would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the SYCPU, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for noise-related mitigation monitoring, enforcement and reporting would be with the City of San Diego.

11.2.3.2 Vibration

a. Impacts

Potential sources of ground-borne vibration are the in the SYCPU area include Trolley and freight train traffic, both of which utilize existing tracks that bisect the Community Plan area diagonally from northwest to southeast. As described in Section 5.5 of the PEIR, the FTA provides screening distances for land uses that may be subject to vibration impacts from a commuter rail. For Category 1 uses, such as vibration-sensitive equipment, the screening distance from the right-of-way is 600 feet. For Category 2 land uses, such as residences and buildings, where people would normally sleep, the screening distance is 200 feet. The screening distance for Category 3 land uses, such as institutional facilities, is 120 feet.

Land use designations proposed by the SYCPU would allow land uses associated with Categories 1, 2, and 3. Therefore, future development pursuant to the SYCPU has the potential to locate new vibration-sensitive land uses within the screening distance of the railroad tracks. Because new development proposed within the noted screening distances would require further analysis to assess vibration, potential impacts related to ground-borne vibration are considered potentially significant.

b. Mitigation Framework

The following mitigation measure would reduce potential vibration-related impacts from implementation of the SYCPU.

NOI-2: A site-specific vibration study shall be prepared for proposed land uses within FTA screening distances for potential vibration impacts related to train activity. Proposed development shall implement recommended measures within the technical study to ensure that vibration impacts meet the FTA criteria for vibration impacts.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described noise mitigation would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the SYCPU, with mitigation for individual projects

generally to be implemented prior to or during construction. Responsibility for noise-related mitigation monitoring, enforcement and reporting would be with the City of San Diego.

11.2.4 Biological Resources

11.2.4.1 Sensitive Species

a. Impacts

Implementation of the SYCPU has the potential to impact a number of sensitive plant and wildlife species (as outlined in Section 5.6 of the PEIR, Biological Resources), both directly through the loss of habitat, and indirectly by placing development adjacent to the MHPA. Potential impacts to federal or State listed species, MSCP Covered Species, Narrow Endemic Species, plant species with a CNPS Rare Plant Rank of 1 or 2, and wildlife species included on the CDFW Special Animals List would likely be significant. Additionally, impacts to active bird nests of species protected by the federal Migratory Bird Treaty Act and California Fish and Game Code are not allowed, and would be significant.

b. Mitigation Framework

The following mitigation measures would reduce potential impacts on sensitive species from implementation of the SYCPU.

BIO-1: Sensitive Plants. A qualified biologist shall survey for sensitive plants in the spring of a year with adequate rainfall prior to initiating construction activities in a given area. If a survey cannot be conducted due to inadequate rainfall, then the project proponent shall consult with the City and Wildlife Agencies (where applicable) to determine if construction may begin based on site-specific vegetation mapping and potential to occur analysis, and what mitigation would be required, or whether construction must be postponed until spring rare plant survey data is collected.

Adherence to the MSCP Subarea Plan Appendix A (i.e. Conditions of Coverage) and securing comparable habitat to the impacted habitat at the required ratio(s) (i.e., a habitat-based approach to mitigation; see Tables 5.6-9a, 5.6-9b, and 5.6-10 in Mitigation Measures BIO-9 and BIO-10) shall mitigate for direct impacts to most sensitive plant species (e.g., MSCP Covered Species).

Impacts to federal or State listed plant species shall first be avoided, where feasible, and where not feasible, impacts shall be compensated through salvage and relocation via a transplantation/restoration program and/or off-site acquisition and preservation of habitat containing the plant species at ratios, in accordance with the City's Biology Guidelines. A qualified biologist shall prepare a City- and Wildlife Agency-approved Restoration Plan that shall indicate where restoration would take place. The restoration plan shall also identify the goals of the restoration, responsible parties, methods of restoration implementation, maintenance and monitoring requirements, final success criteria, and contingency measures, and notice of completion requirements.

Impacts to moderately sensitive plant species (California Rare Plant Rank 1 or 2 species) shall be avoided, where feasible, and where not feasible, impacts shall be mitigated

through reseedling (with locally collected seed stock) or relocation. Where reseedling or salvage and relocation is required, the project proponent shall identify a qualified Habitat Restoration Specialist to be approved by the City. The Habitat Restoration Specialist shall prepare and implement a Restoration Plan to be approved by the City for reseedling or salvaging and relocating sensitive plant species.

- BIO-2: Fairy Shrimp.** Prior to the issuance of construction permits for future projects in the SYCPU area, protocol surveys shall be completed, if suitable habitat could be affected, to confirm the presence/absence of San Diego fairy shrimp and Riverside fairy shrimp. If San Diego fairy shrimp and/or Riverside fairy shrimp are identified, authorization for take of the species shall be obtained from the USFWS prior to impacts to the species or its occupied habitat. A draft Vernal Pool HCP is currently being prepared by the City in coordination with the Wildlife Agencies. Mitigation for impacts to fairy shrimp within the SYCPU Vernal Pool HCP areas would be required to comply with an individual project, USFWS biological opinion/take permit and/or the Vernal Pool HCP (if adopted and applicable for a given specific project).
- BIO-3: Quino Checkerspot Butterfly.** Prior to the issuance of construction permits for future projects in the SYCPU area, protocol surveys shall be completed to confirm the presence/absence of the Quino checkerspot butterfly, if suitable habitat could be affected. If the butterfly is identified, authorization for take of the species shall be obtained from the USFWS prior to impacts to the species or its occupied habitat. If authorization is obtained, mitigation measures such as the avoidance of occupied habitat and/or the acquisition of occupied habitat shall be developed in consultation with the USFWS and the City.
- BIO-4: Coastal California Gnatcatcher.** Prior to the issuance of construction permits for future projects in the SYCPU area, protocol surveys shall be completed within the MHPA in suitable habitat for the coastal California gnatcatcher, if suitable habitat could be affected. If the species is determined to occupy a site, the loss of occupied habitat (potentially Diegan coastal sage scrub and maritime succulent scrub) shall be mitigated for in accordance with the City's Biology Guidelines and MSCP Subarea Plan (see mitigation for sensitive upland habitats in Mitigation Measure BIO-11 and noise components of the City's MHPA Land Use Adjacency Guidelines standard mitigation in Mitigation Measure BIO-8).
- BIO-5: Least Bell's Vireo.** Prior to the issuance of construction permits for future projects in the SYCPU area (specifically for the extension of Calle Primera), a protocol survey shall be completed in suitable habitat for the least Bell's vireo if suitable habitat could be affected. If the species is determined to be present, the loss of occupied habitat shall be mitigated for in accordance with the City's Biology Guidelines and MSCP Subarea Plan (see mitigation for wetland communities in Mitigation Measure BIO-10 and noise components of the City's MHPA Land Use Adjacency Guidelines standard mitigation in Mitigation Measure BIO-8).
- BIO-6: Burrowing Owl.** During discretionary analysis for future specific projects in the SYCPU area habitat assessments shall be conducted on undeveloped or disturbed land following guidelines and protocol established in the Staff Report on Burrowing Owl Mitigation (CDFW 2012). Should burrowing owl habitat or sign be encountered on or within 150 meters of a project site, breeding season surveys shall be conducted according to the protocol (CDFW 2012). If occupancy is determined, site-specific avoidance and mitigation measures shall

be developed. Measures to avoid and minimize impacts to burrowing owl may include take avoidance (pre-construction) surveys and the use of buffers, screens, or other measures to minimize impacts during project activities.

BIO-7: Coastal Cactus Wren. Prior to issuance of construction permits for future projects in the SYCPU area, a habitat assessment shall be conducted, if suitable habitat could be affected, to determine its presence or absence. If the species is present, mitigation measures shall include area-specific management directives contained in the MSCP for the coastal cactus wren that include the restoration of maritime succulent scrub with propagation of cactus patches within the MHPA, adaptive management of cactus wren habitat, monitoring of populations, and compliance with the MHPA Land Use Adjacency Guidelines to reduce detrimental edge effects. No clearing of occupied habitat may occur from the period of February 15 to August 15. In addition, if unoccupied CACW habitat is impacted, standard mitigation measures for CACW plant salvage and relocation to existing restoration areas shall be included for site-specific projects.

BIO-8: Nesting Birds. To reduce potentially significant impacts that would interfere with avian nesting within the SYCPU area, measures to be incorporated into project-level construction activities shall include the following, as applicable:

- Site-specific biological resources surveys (e.g., for the coastal California gnatcatcher, burrowing owl, raptors, etc.) shall be conducted in accordance with latest City's Biology Guidelines and Wildlife Agency protocol. Nesting season avoidance and/or pre-grading surveys and mitigation shall also be completed as required to comply with the federal Endangered Species Act, MBTA, California Fish and Game Code, MSCP, and/or ESL Regulations. The MSCP specifies a 300-foot avoidance area for active Cooper's hawk nests and a 900-foot avoidance area for active northern harrier nests.
- In accordance with the noise component of the City's standard MHPA Land Use Adjacency Guideline mitigation measures, there shall be no clearing, grubbing, grading, or other construction activities during the breeding seasons for cactus wren, least Bell's vireo, and/or coastal California gnatcatcher (cactus wren, February 15-August 15; least Bell's vireo, March 15-September 15; coastal California gnatcatcher, March 1-August 15; burrowing owl February 1-August 31) until it can be demonstrated that construction activities would not result in noise levels exceeding 60 dB(A) L_{EQ} at the edge of their occupied habitat(s).
- Work near active nests of any species must include suitable noise abatement measures to ensure construction noise levels at the MHPA boundary would not exceed 60 dB(A) L_{EQ} .

Implementation of the Mitigation Framework identified above would reduce significant program-level (and project-level impacts) to sensitive species to less than significant.

BIO-9: Other Wildlife Species. Site-specific biology surveys shall be conducted to identify any other sensitive or MSCP Covered species present on each future project in the SYCPU area, including but not limited to the potential species listed in Table 5.6-4. Impacts to most sensitive and MSCP Covered species will be mitigated by habitat-based mitigation, as established by the City's Biology Guidelines, unless a rare circumstance requires additional

species-specific mitigation. In that case, the project-level biological survey report shall justify why species-specific mitigation is necessary. For MSCP Covered species, conditions from MSCP Subarea Plan Appendix A shall be implemented where applicable, such as measures to discourage Argentine ants on projects occupied by coast horned lizard.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation measures related to sensitive species would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the SYCPU, with mitigation for individual projects generally to be implemented prior to issuance of construction permits BIO-1 through BIO-7 and 9, or prior to/during construction activities (BIO-8). Responsibility for biology-related mitigation monitoring, enforcement and reporting would be with the City of San Diego.

11.2.4.2 Sensitive Habitats

a. Impacts

As described Section 5.6 of the PEIR, implementation of the SYCPU (including the three options for extending Calle Primera) would potentially impact sensitive habitats, including up to approximately 3.8 acres of wetland communities, and 98.4 acres of Tier I, II, and IIIB habitats (refer to Tables 5.6-7 and 5.6-8 of the PEIR, *Potential Impacts to Sensitive Habitats/Communities* and *Potential Impacts to Sensitive Communities from the Three Calle Primera Options*, respectively). These impacts could occur both directly through habitat removal or indirectly by placing development adjacent to sensitive vegetation communities.

b. Mitigation Framework

The following mitigation measures would reduce potential impacts on sensitive habitats from implementation of the SYCPU.

BIO-10: Wetland Habitats: Wherever feasible, wetland impacts shall be avoided. If avoidance is infeasible, wetland impacts shall be mitigated to achieve no net loss of wetland function and value. Mitigation for wetland vegetation community impacts usually entails a combination of habitat acquisition/preservation, restoration, and/or creation. Typical mitigation ratios, as defined in the City's Biology Guidelines, are identified in Tables 11-3 and 11-4, *City of San Diego Wetland Mitigation Ratios (with Biologically Superior Design)* and *City of San Diego Wetland Mitigation Ratios (without Biologically Superior Design Outside of the Coastal Zone)*, respectively.

**TABLE 11-3
CITY OF SAN DIEGO WETLAND MITIGATION RATIOS
(with Biologically Superior Design*)**

Vegetation Community	Mitigation Ratio
Riparian	2:1 to 3:1
Vernal pool	2:1 to 4:1
Unvegetated basin with fairy shrimp	2:1 to 4:1

* A Biologically Superior Design includes avoidance, minimization, and compensatory measures, which would result in a net gain in overall function and values of the type of wetland resource over the resources being impacted.

**TABLE 11-4
CITY OF SAN DIEGO WETLAND MITIGATION RATIOS
(without Biologically Superior Design Outside of the Coastal Zone)**

Vegetation Community	Mitigation Ratio
Riparian	4:1 to 6:1
Vernal pool	4:1 to 8:1
Unvegetated basin with fairy shrimp	4:1 to 8:1

BIO-11: Upland Habitats: Wherever feasible, impacts to sensitive upland vegetation communities shall be avoided. Where avoidance is not feasible, sensitive upland vegetation communities shall be mitigated through habitat acquisition/preservation, restoration, and/or creation—or a combination thereof. Mitigation for impacts to sensitive upland vegetation would be required in accordance with the ratios in Table 5.6-10, *Mitigation Ratios for Impacts to Upland Vegetation Communities*, per the City's Biology Guidelines. The habitat types that would be impacted by the project and require mitigation are shown in bold in Table 10. The SYCPU would also impact Disturbed Land and Eucalyptus Woodland, which are classified as Tier IV, and do not require mitigation. For individual project impacts that would not exceed 5 acres (in some cases up to 10 acres), an in-lieu contribution may be made to the City's Habitat Acquisition Fund.

**TABLE 11-5
MITIGATION RATIOS FOR IMPACTS
TO UPLAND VEGETATION COMMUNITIES**

Tier	Habitat Type	Mitigation Ratios			
TIER 1 (rare uplands)	Southern Foredunes	Location of Preservation			
	Torrey Pines Forest			Inside	Outside
	Coastal Bluff Scrub			2:1	3:1
	Maritime Succulent Scrub	Location of Impact	Inside* Outside	1:1	2:1
	Maritime Chaparral				
	Scrub Oak Chaparral				
	Native Grassland Oak Woodlands				
TIER II (uncommon uplands)	Coastal Sage Scrub (CSS) CSS/Chaparral	Location of Preservation			
		Location of Impact	Inside* Outside	1:1 1:1	2:1 1.5:1
TIER III A (common uplands)	Mixed Chaparral	Location of Preservation			
	Chamise Chaparral	Location of Impact	Inside* Outside	2:1 1:1	3:1 2:1
TIER III B (common uplands)	Non-Native Grasslands	Location of Preservation			
		Location of Impact	Inside* Outside	1:1 0.5:1	1.5:1 1:1

* For all Tier I impacts, the mitigation could (1) occur within the MHPA portion of Tier I (in-kind) or (2) occur outside of the MHPA within the affected habitat type (in-kind). For impacts on Tier II, IIIA, and IIIB habitats, the mitigation could (1) occur within the MHPA portion of Tiers I-III (out-of-kind) or (2) occur outside of the MHPA within the affected habitat type (in-kind). Project-specific mitigation will be subject to applicable mitigation ratios at the time of project submittal.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation measures related to sensitive habitats would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the SYCPU, with mitigation for individual projects generally to be implemented prior to (e.g., avoidance through design), during (e.g., avoidance through monitoring and/or restoration/creation), or after construction (e.g., acquisition).

Responsibility for biology-related mitigation monitoring, enforcement and reporting would be with the City of San Diego.

11.2.4.3 Wetlands

a. Impacts

As described Section 5.6 of the PEIR, implementation of the SYCPU would potentially impact up to approximately 3.8 acres of wetland habitats (refer to Tables 5.6-7 and 5.6-8 of the PEIR). These impacts could occur both directly through habitat removal, or indirectly by placing development adjacent to sensitive wetland communities.

b. Mitigation Framework

Implementation of Mitigation Measure BIO-10, as described above under Sensitive Habitats, would reduce significant program-level (and project-level) impacts to wetlands to less than significant.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to wetlands would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing and responsibilities for wetland-related mitigation monitoring, enforcement and reporting would be the same as that described above under Sensitive Habitats.

11.2.5 Geology

11.2.5.1 Geologic Hazard

a. Impacts

As described in Section 5.15.1.2, the eastern portion of the SYCPU area, which is included in the Hillside Specific Plan area designated by the SYCPU, includes a number of known landslide-prone areas. Future development in these areas would be exposed to potentially significant impacts related to landslides.

b. Mitigation Framework

The following mitigation measure would reduce potential impacts related to landslide potential from implementation of the SYCPU.

GEO-1: Geologic Hazard: Prior to issuance of the first building permit on vacant land located within geologic hazard categories 21 or 22, a comprehensive geotechnical investigation shall be conducted that will address all vacant land within these categories. The geotechnical investigation will characterize the limit/extent of the slide areas, the engineering characteristics of the soil material(s) which comprises the slip plane(s), and the hydrogeologic conditions within and in the areas surrounding the slides. The results of the investigation will be adequate to develop a 3-dimensional model of the slide, and to perform slope stability analyses. The investigation will also evaluate the impact of the proposed development on the stability of the adjoining properties.

The investigation shall identify remedial mitigation measures that would be necessary to stabilize slopes to factor of safety of 1.5 or greater. Mitigation measures shall include, but not be limited to: removal/replacement of unstable deposits, installation of stabilizing features such as buttress fills or shear pins, and/or the use of protective barriers. As required by the City Engineer, these remedial measures will be implemented prior to issuance of the first building permit within the affected area. Subsequent development shall demonstrate that the necessary remedial measures have been completed, or demonstrate that the development will implement equivalent remedial measures, to the satisfaction of the City Engineer, to reduce landslide effects to less than significant based on subsequent geotechnical analysis.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described geologic hazard mitigation would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the SYCPU, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for mitigation monitoring, enforcement and reporting would be with the City of San Diego.

11.2.6 Historical Resources

11.2.6.1 Archaeological and Historical Resources

a. Impacts

As described in Section 5.7, *Historical Resources*, of the PEIR, the SYCPU area includes both known and potential historical and archeological resources. As a result, future development pursuant to the SYCPU could have a significant impact on important historical or archaeological resources.

b. Mitigation Framework

Archaeological Resources

The following mitigation measures would reduce potential impacts on historical resources from implementation of the SYCPU.

HIST-1: Prior to issuance of any permit for a future development project implemented in accordance with the SYCPU area that could directly affect an archaeological resource or tribal cultural resource, the City shall require the following steps be taken to determine: (1) the presence of archaeological or tribal cultural resources and (2) the appropriate mitigation for any significant resources which may be impacted by a development activity. Sites may include, but are not limited to, residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with prehistoric Native American activities.

Initial Determination

The environmental analyst will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g., Archaeological Sensitivity Maps, the Archaeological Map Book, and the City's "Historical Inventory of Important Architects, Structures, and People in San Diego") and conducting a site visit. If there is any evidence that the site contains archaeological or tribal cultural resources, then an archaeological evaluation consistent with the City Guidelines would be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City Guidelines.

Step 1:

Based on the results of the Initial Determination, if there is evidence that the site contains historical resources, preparation of a historic evaluation is required. The evaluation report would generally include background research, field survey, archaeological testing and analysis. Before actual field reconnaissance would occur, background research is required which includes a record search at the SCIC at San Diego State University and the San Diego Museum of Man. A review of the Sacred Lands File maintained by the NAHC must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums.

In addition to the record searches mentioned above, background information may include, but is not limited to: examining primary sources of historical information (e.g., deeds and wills), secondary sources (e.g., local histories and genealogies), Sanborn Fire Maps, and historic cartographic and aerial photograph sources; reviewing previous archaeological research in similar areas, models that predict site distribution, and archaeological, architectural, and historical site inventory files; and conducting informant interviews. The results of the background information would be included in the evaluation report.

Once the background research is complete, a field reconnaissance must be conducted by individuals whose qualifications meet the standards outlined in the City Guidelines. Consultants are encouraged to employ innovative survey techniques when conducting enhanced reconnaissance, including, but not limited to, remote sensing, ground penetrating radar, and other soil resistivity techniques as determined on a case-by-case basis. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties. If through background research and field surveys historical resources are identified, then an evaluation of significance, based on the City's Guidelines, must be performed by a qualified archaeologist.

Step 2:

Where a recorded archaeological site or Tribal Cultural Resource (as defined in the Public Relations Code) is identified, the City would be required to initiate consultation with identified California Indian tribes pursuant to provisions in Public Resources Code

21080.3.1 and 21080.3.2, in accordance with Assembly Bill 52. It should be noted that during the consultation process, tribal representatives will be directly involved in making recommendations regarding the significance of a tribal cultural resource which could also be a prehistoric archaeological site. A testing program may be recommended which requires reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). The archaeological testing program, if required, will include evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A thorough discussion of testing methodologies, including surface and subsurface investigations, can be found in the City Guidelines. Results of the consultation process will determine the nature and extent of any additional archaeological evaluation or changes to the proposed project.

The results from the testing program will be evaluated against the Significance Thresholds found in the Guidelines. If significant historical resources are identified within the Area of Potential Effect, the site may be eligible for local designation. However, this process would not proceed until such time that the tribal consultation has been concluded and an agreement is reached (or not reached) regarding significance of the resource and appropriate mitigation measures are identified. When appropriate, the final testing report must be submitted to Historical Resources Board staff for eligibility determination and possible designation. An agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. 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. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. 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 present in portions of the property that could not be tested, then mitigation monitoring is required.

Step 3:

Preferred mitigation for historical resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program is required, which includes a Collections Management Plan for review and approval. When tribal cultural resources are present and also cannot be avoided, appropriate and feasible mitigation will be determined through the tribal consultation process and incorporated into the overall data recovery program, where applicable or project specific mitigation measures incorporated into the project. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to

distribution of a draft CEQA document and shall include the results of the tribal consultation process. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as, but not limited to, existing development or dense vegetation.

A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground-disturbing activities, whenever a Native American tribal cultural resource or any archaeological site located on City property or within the Area of Potential Effect of a City project would be impacted. In the event that human remains are encountered during data recovery and/or a monitoring program, the provisions of California Public Resources Code Section 5097 must be followed. In the event that human remains are discovered during project grading, work shall halt in that area and the procedures set forth in the California Public Resources Code (Section 50987.98) and State Health and Safety Code (Section 7050.5), and in federal, state, and local regulations described above shall be undertaken. These provisions will be outlined in the MMRP included in a subsequent project-specific environmental document. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored.

Step 4:

Archaeological Resource Management reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of the Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation.

Specific types of historical resource reports are required to document the methods (see Section III of the Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources; to document the appropriate curation of archaeological collections (e.g., collected materials and the associated records); in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that would reduce the impacts to less than significant; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation "Archaeological Resource Management Reports: Recommended Contents and Format" (see Appendix C of the Guidelines), which will be used by Environmental staff in the review of archaeological resource reports. Consultants must ensure that archaeological resource reports are prepared consistent with this checklist. This requirement will standardize the content and format of all archaeological technical reports submitted to the City. A confidential appendix must be submitted (under separate cover) along with historical resources reports for archaeological sites and tribal

cultural resources containing the confidential resource maps and records search information gathered during the background study. In addition, a Collections Management Plan shall be prepared for projects which result in a substantial collection of artifacts and must address the management and research goals of the project and the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City. Appendix D (Historical Resources Report Form) may be used when no archaeological resources were identified within the project boundaries.

Step 5:

For Archaeological Resources: All cultural materials, including original maps, field notes, non-burial related artifacts, catalog information, and final reports recovered during public and/or private development projects must be permanently curated with an appropriate institution, one which has the proper facilities and staffing for insuring research access to the collections consistent with state and federal standards unless otherwise determined during the tribal cultural process. In the event that a prehistoric and/or historic deposit is encountered during construction monitoring, a Collections Management Plan would be required in accordance with the project MMRP. The disposition of human remains and burial related artifacts that cannot be avoided or are inadvertently discovered is governed by state (i.e., AB 2641 [Coto] and California Native American Graves Protection and Repatriation Act of 2001 [Health and Safety Code 8010-8011]) and federal (i.e., Native American Graves Protection and Repatriation Act [U.S.C. 3001-3013]) law, and must be treated in a dignified and culturally appropriate manner with respect for the deceased individual(s) and their descendants. Any human bones and associated grave goods of Native American origin shall be turned over to the appropriate Native American group for repatriation.

Arrangements for long-term curation of all recovered artifacts must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance. When tribal cultural resources are present, or non-burial-related artifacts associated with tribal cultural resources are suspected to be recovered, the treatment and disposition of such resources will be determined during the tribal consultation process. This information must then be included in the archaeological survey, testing, and/or data recovery report submitted to the City for review and approval. Curation must be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collection (dated May 7, 1993) and, if federal funding is involved, Title 36 of the Code of Federal Regulations, Part 79. Additional information regarding curation is provided in Section II of the Guidelines.

Historical Resources

HIST-2: Prior to issuance of any permit for a future development project implemented in accordance with the SYCPU that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure is historically significant. The evaluation of historic architectural resources shall be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in the Guidelines.

Preferred mitigation for historic buildings or structures shall be to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures shall include, but are not limited to:

- a) Conducting a Historic American Building Survey (HABS) and Historic American Engineering Record (HAER);
- b) Preparing a historic resource management plan;
- c) Designing new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);
- d) Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;
- e) Screening incompatible new construction from view through the use of berms, walls, and landscaping in keeping with the historic period and character of the resource; and
- f) Shielding historic properties from noise generators through the use of sound walls, double glazing, and air conditioning.

Specific types of historical resource reports, outlined in Section III of the HRG, are required to document the methods to be used to determine the presence or absence of historical resources, to identify potential impacts from a proposed project, and to evaluate the significance of any historical resources identified. If potentially significant impacts to an identified historical resource are identified these reports will also recommend appropriate mitigation to reduce the impacts to less than significant. If required, mitigation programs can also be included in the report.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to archaeological and historical resources would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation Measures HIST-1 and HIST-2 would be implemented prior to issuance of any permit for a future development project under the SYCPU that could directly affect either: (1) an archaeological resource; or (2) a building/structure in excess of 45 years of age that has been determined to be historically significant by the City. Responsibility for mitigation monitoring, enforcement and reporting related to archaeological and historical resources would be with the City of San Diego.

Religious and Sacred Resources

a. Impacts

As described in Section 5.7 of the PEIR, important religious or sacred resources are anticipated to occur within the SYCPU area. As a result, future development pursuant to the SYCPU could have a significant impact on important religious or sacred resources.

b. Mitigation Framework

Implementation of Mitigation Measure HIST-1, as described above under Archaeological and Historical Resources, would reduce significant impacts to religious and sacred resources.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to religious and sacred resources would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing and responsibilities for mitigation monitoring, enforcement and reporting related to religious and sacred resources would be the same as that described above under Archaeological and Historical Resources.

Human Remains

a. Impacts

As described in Section 5.7 of the PEIR, human remains could potentially occur within the SYCPU area. As a result, future development pursuant to the SYCPU could result in significant impacts to human remains.

b. Mitigation Framework

Implementation of Mitigation Measure HIST-1, as described above under Archaeological and Historical Resources, would reduce significant impacts to human remains.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to human remains would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing and responsibilities for mitigation monitoring, enforcement and reporting related to human remains would be the same as that described above under Archaeological and Historical Resources.

11.2.7 Paleontological Resources

11.2.7.1 Paleontological Resources

a. Impacts

As described in Section 5.16, *Paleontological Resources*, of the PEIR, the SYCPU area includes geologic formations with moderate (Lindavista Formation) or high (Bay Point, San Diego and Otay formations) potential for the occurrence of sensitive paleontological resources. As a result, future development pursuant to the SYCPU could have a significant impact on sensitive paleontological resources.

b. Mitigation Framework

The following mitigation measure would reduce potential impacts on paleontological resources from implementation of the SYCPU.

PALEO-1: Prior to the approval of subsequent development projects implemented in accordance with the CPUs, the City shall determine the potential for impacts to paleontological resources based on review of the project application submitted, and recommendations of a project-level analysis completed in accordance with the steps presented below. Future projects shall be sited and designed to minimize impacts on paleontological resources in accordance with the City's Paleontological Resources Guidelines and CEQA Significance Thresholds. Monitoring for paleontological resources required during construction activities shall be implemented at the project-level and shall provide mitigation for the loss of important fossil remains with future subsequent development projects that are subject to environmental review.

Prior to Project Approval

- A. The environmental analyst shall complete a project-level analysis of potential impacts on paleontological resources. The analysis shall include a review of the applicable USGS Quad maps to identify the underlying geologic formations, and shall determine if construction of a project would:
 - Require over 1,000 cubic yards of excavation and/or a 10-foot, or greater, depth in a high resource potential geologic deposit/formation/rock unit.
 - Require over 2,000 cubic yards of excavation and/or a 10-foot, or greater, depth in a moderate resource potential geologic deposit/formation/rock unit.
 - Require construction within a known fossil location or fossil recovery site. Resource potential within a formation is based on the Paleontological Monitoring Determination Matrix.

- B. If construction of a project would occur within a formation with a moderate to high resource potential, monitoring during construction would be required.
- Monitoring is always required when grading on a fossil recovery site or a known fossil location.
 - Monitoring may also be needed at shallower depths if fossil resources are present or likely to be present after review of source materials or consultation with an expert in fossil resources (e.g., the San Diego Natural History Museum).
 - Monitoring may be required for shallow grading (<10 feet) when a site has previously been graded and/or unweathered geologic deposits/formations/rock units are present at the surface.
 - Monitoring is not required when grading documented artificial fill. When it has been determined that a future project has the potential to impact a geologic formation with a high or moderate fossil sensitivity rating a Paleontological MMRP shall be implemented during construction grading activities.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to paleontological resources would be provided on a project-specific basis by the associated property owners and/or developers.

As noted in Mitigation Measure PALEO-1, applicable elements of this measure would be implemented prior to issuance of any construction permits, during construction, and post-construction. Responsibility for mitigation monitoring, enforcement and reporting related to paleontological resources would be with the City of San Diego.

11.3 SYHVSP

11.3.1 Transportation/Circulation

11.3.1.1 Roadway Segments

a. Impacts

Full implementation of the SYCPU and SYHVSP have a cumulatively significant impact on four roadway segments within the SYHVSP.

b. Mitigation Framework

The TIS identified improvements that would mitigate or reduce roadway segments impacts (Table 11.1). As discussed in the Findings, the mitigation measures which would mitigate segment impacts related to the SYHSVP are considered infeasible either because they would conflict with the smart growth and/or City of Villages Strategy, or are precluded by surrounding development.

c. Mitigation Funding, Timing, and Responsibility

Based on the program level of analysis for the SYHVSP and the Findings, there are no feasible mitigation measures for the four impacted roadway segments in the SYHVSP

11.3.1.2 Intersections

Roadway Segments

a. Impacts

Full implementation of the SYCPU and SYHVSP would have a significant impact on five intersections within the SYHVSP.

b. Mitigation Framework

The TIS identified improvements that would mitigate or reduce intersection impacts (Table 11.2). Mitigation Measures identified in Table 11.6, *Potential SYHVSP Intersection Mitigation Measures*, would apply to the SYHVSP.

**TABLE 11-6
POTENTIAL SYHVSP INTERSECTION MITIGATION MEASURES**

Mitigation Measure Number	Road Segment	Improvement
TRF-15	Smythe Crossing and Beyer Blvd	Install traffic signal. (High Priority CIP)
TRF-16	Beyer Blvd and Smythe Avenue	Install an exclusive WB right-turn lane, a SB left-turn lane and WB right-turn overlap phase.
TRF-17	W. Park Avenue/Alaquinas Drive and Beyer Blvd	Install an additional SB left-turn lane and an exclusive NB right-turn lane.
TRF-19	Smythe Avenue and Sunset Lane	Remove segment of Sunset Lane between South Vista Avenue and Smythe Avenue and close intersection of Sunset and Vista Lane.
TRF-34	Vista Lane and Smythe Crossing	Install traffic signal.

11.3.2 Air Quality

11.3.2.1 Conformance to Federal and State Ambient Air Quality Standards

a. Impacts

Based on the evaluation in Section 5.3 of the PEIR, *Air Quality*, the SYHVSP would result in emissions of air pollutants during both the construction phase and operational phase of future development. Operational emissions would be associated with vehicle trips generated by the SYHVSP development, along with area sources such as energy use and landscaping. Based on the evaluation of air emissions, the emissions would exceed the screening-level thresholds for volatile organic compounds (VOCs), carbon monoxide (CO), respirable particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀), and fine particulate matter with an aerodynamic diameter of 2.5 microns or less (PM_{2.5}), and would result in a significant impact for air quality.

b. Mitigation Framework

The following mitigation measures would reduce potential impacts related to conformance with State and federal air quality standards from implementation of the SYHVSP.

AQ-1: To identify potential impacts resulting from construction activities, proposed development projects that are subject to CEQA shall have construction-related air quality impacts analyzed using the latest available CalEEMod model, or other analytical method determined in conjunction with the City. The results of the construction-related air quality impacts analysis shall be included in the development project's CEQA documentation. If such analyses identify potentially significant regional or local air quality impacts based on

the emissions thresholds presented in Table 4, the City shall require the incorporation of appropriate mitigation to reduce such impacts. Examples of potential mitigation measures are provided in Mitigation Measure AQ-2, below.

- AQ-2** For individual construction project that would exceed daily emissions thresholds established by the City of San Diego, best available control measures/technology shall be incorporated to reduce construction emissions to the extent feasible. Best available control measures/technology include:
- f) Minimizing simultaneous operation of multiple pieces of construction equipment;
 - g) Use of more efficient, or low pollutant emitting equipment, e.g., Tier III or Tier IV rated equipment;
 - h) Use of alternative fueled construction equipment;
 - i) Dust control measures for construction sites to minimize fugitive dust, (e.g. watering, soil stabilizers, and speed limits); and/or
 - j) Minimizing idling time by construction vehicles.
- AQ-3** Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as a flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on and off site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.
- AQ-4** To identify potential impacts resulting from operational activities associated with future development, proposed development that are subject to CEQA shall have long-term operational-related air quality impacts analyzed using the latest available CalEEMod model, or other analytical method determined in conjunction with the City. The results of the operational-related air quality impacts analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis shall incorporate a CO hot spot analysis, or other appropriate analyses, as determined by the City. If such analyses identify potentially significant regional or local air quality impacts based on the thresholds presented in Table 2 or Table 4, the City shall require the incorporation of appropriate mitigation to reduce such impacts. Examples of potential measures include the following:
- Installation of electric vehicle charging stations;
 - Improve walkability design and pedestrian network;
 - Increase transit accessibility and frequency by incorporating Bus Rapid Transit routes included in the SANDAG Regional Plan; and

- Limit parking supply and unbundle parking costs. Lower parking supply below ITE rates and separate parking costs from property costs.

AQ-5 In order to reduce energy consumption from future development, applications (e.g., electrical plans, improvement maps) submitted to the City shall include the installation of energy-efficient street lighting throughout the project site where street lighting is proposed.

c. Mitigation Funding, Timing, and Responsibility

Funding for applicable elements of the described air quality mitigation measures would be provided on a project-specific basis by the associated property owner, developers, and/or construction contractors.

Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the SYHVSP, with mitigation for individual projects generally to be implemented prior to and during construction. Responsibility for mitigation monitoring, enforcement and reporting would be with the City of San Diego, with certain elements of these tasks to potentially be delegated to applicable parties as described above for roadway segments in Section 11.3.1, *Transportation/Circulation*.

11.3.2.2 Cumulatively Considerable Net Increase of Criteria Pollutants

a. Impacts

As described above in this section, the proposed SYHVSP would conflict with implementation of the RAQS and SIP, and operational regional emissions could result in significant impacts with respect to State and federal air quality standards. As a result, associated impacts related to conformance with State and federal AAQS would be cumulatively considerable and significant.

b. Mitigation Framework

Implementation of the mitigation measures identified above for conformance to State and federal ambient air quality standards (AQ-1 through AQ-4) would also reduce criteria pollutant emissions.

c. Mitigation Funding, Timing, and Responsibility

Funding, timing, and responsibility considerations for Mitigation Measures AQ-1 through AQ-4 would be the same as those described above for conformance to State and federal ambient air quality standards.

11.3.2.3 Impacts to Sensitive Receptors

a. Impacts

The analysis in Section 5.3 of the PEIR concludes that sensitive receptors/land uses would be subject to significant impacts related to CO hot spots, and exposure of sensitive land uses to DPM as a result of SYHVSP implementation.

b. Mitigation Framework

The following mitigation measure, in addition to Mitigation Measures AQ-3 and AQ-4, as described above in this section, would reduce potential impacts to sensitive receptors from SYHVSP-related exposure to CO hot spots and DPMs.

AQ-6: Prior to the issuance of building permits for any facility within the buffer area identified by CARB for TACs, a health risk assessment shall be prepared that demonstrates that health risks would be below the level of significance identified in Table 5.3-4.

c. Mitigation Funding, Timing, and Responsibility

Funding, timing, and responsibility considerations for Mitigation Measures AQ-3, AQ-4 and AQ-6 would be the same as those described above for Mitigation Measures AQ-1 through AQ-5 under the discussion of conformance to State and federal ambient air quality standards.

d. Mitigation Funding, Timing, and Responsibility

Funding, timing, and responsibility considerations for Mitigation Measures AQ-5 and AQ-6 would be the same as those described above for Mitigation Measures AQ-1 through AQ-4 under the discussion of conformance to State and federal ambient air quality standards.

11.3.3 Noise

11.3.3.1 Compatibility of Proposed Land Uses with City Noise Guidelines

a. Impacts

Traffic increases attributable to the implementation of the SYHVSP would result in traffic-related noise levels of over 60 CNEL along several major roadways. Where the design of existing or future residential development would be unable to achieve interior noise levels of less than 45 dBA, significant noise impacts would occur.

b. Mitigation Framework

Consistent with the General Plan Policy NE-A.4, the following measure would be required to ensure that noise-sensitive land uses are not exposed to noise levels in excess of City standards.

NOI-1: Where new development would expose people to noise exceeding normally acceptable levels, a site-specific acoustical analysis shall be performed prior to the approval of building permits for:

- Single-family homes, senior housing, and mobile homes where exterior noise levels range between 60 and 65 CNEL.
- Multi-family homes and mixed-use/commercial and residential, where exterior noise levels range between 65 and 70 CNEL.

- All land uses where noise levels exceed the conditionally compatible exterior noise exposure levels as defined in the City's Land Use/Noise Compatibility Guidelines.

The acoustical analysis shall be conducted to ensure that barriers, building design and/or location are capable of maintaining interior noise levels at 45 CNEL or less. Barriers may include a combination of earthen berms, masonry block, and Plexiglas. Building location may include the use of appropriate setbacks. Building design measures may include dual-pane windows, solid core exterior doors with perimeter weather stripping, and mechanical ventilation to allow windows and doors to remain closed.

As described in Section 5.5, *Noise*, of the PEIR, because the ability of future development to achieve applicable noise level standards through implementation of Mitigation Measure NOI-1 cannot be determined at the programmatic level, the associated noise impacts from SYHVSP implementation are considered potentially significant and unavoidable.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described noise mitigation would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the SYHVSP, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for noise-related mitigation monitoring, enforcement and reporting would be with the City of San Diego.

11.3.3.2 Vibration

a. Impacts

Potential sources of ground-borne vibration are the in the SYHVSP area include Trolley and freight train traffic, both of which utilize existing tracks that bisect the Community Plan area diagonally from northwest to southeast. As described in Section 5.5 of the PEIR, the FTA provides screening distances for land uses that may be subject to vibration impacts from a commuter rail. For Category 1 uses, such as vibration-sensitive equipment, the screening distance from the right-of-way is 600 feet. For Category 2 land uses, such as residences and buildings, where people would normally sleep, the screening distance is 200 feet. The screening distance for Category 3 land uses, such as institutional land uses, is 120 feet.

Land use designations proposed by the SYHVSP would allow land uses associated with Categories 1, 2, and 3. Therefore, future development pursuant to the SYHVSP has the potential to locate new vibration-sensitive land uses within the screening distance of the railroad tracks. Because new development proposed within the noted screening distances would require further analysis to assess vibration, potential impacts related to ground-borne vibration are considered potentially significant.

b. Mitigation Framework

The following mitigation measure would reduce potential vibration-related impacts from implementation of the SYHVSP.

- NOI-2** A site-specific vibration study shall be prepared for proposed land uses within FTA screening distances for potential vibration impacts related to train activity. Proposed development shall implement recommended measures within the technical study to ensure that vibration impacts meet the FTA criteria for vibration impacts.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described noise mitigation would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the SYHVSP, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for noise-related mitigation monitoring, enforcement and reporting would be with the City of San Diego.

11.3.4 Historical Resources

11.3.4.1 Archaeological and Historical Resources

a. Impacts

As described in Section 5.7, *Historical Resources*, of the PEIR, the SYHVSP area includes three structures designated as historically significant, and may also encompass subsurface (unknown) archeological resources. As a result, future development pursuant to the SYHVSP could have a significant impact on important historical or archeological resources.

b. Mitigation Framework

Archaeological Resources

The following mitigation measures would reduce potential impacts on historical resources from implementation of the SYHVSP.

- HIST-1:** Prior to issuance of any permit for a future development project implemented in accordance with the SYCPU area that could directly affect an archaeological resource or tribal cultural resource, the City shall require the following steps be taken to determine: (1) the presence of archaeological or tribal cultural resources and (2) the appropriate mitigation for any significant resources which may be impacted by a development activity. Sites may include, but are not limited to, residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with prehistoric Native American activities.

Initial Determination

The environmental analyst will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g., Archaeological Sensitivity Maps, the Archaeological Map Book, and the City's "Historical Inventory of Important Architects, Structures, and People in San Diego") and conducting a site visit. If there is any evidence that the site contains archaeological or tribal cultural resources, then an archaeological evaluation consistent with the City Guidelines would be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City Guidelines.

Step 1:

Based on the results of the Initial Determination, if there is evidence that the site contains historical resources, preparation of a historic evaluation is required. The evaluation report would generally include background research, field survey, archaeological testing and analysis. Before actual field reconnaissance would occur, background research is required which includes a record search at the SCIC at San Diego State University and the San Diego Museum of Man. A review of the Sacred Lands File maintained by the NAHC must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums.

In addition to the record searches mentioned above, background information may include, but is not limited to: examining primary sources of historical information (e.g., deeds and wills), secondary sources (e.g., local histories and genealogies), Sanborn Fire Maps, and historic cartographic and aerial photograph sources; reviewing previous archaeological research in similar areas, models that predict site distribution, and archaeological, architectural, and historical site inventory files; and conducting informant interviews. The results of the background information would be included in the evaluation report.

Once the background research is complete, a field reconnaissance must be conducted by individuals whose qualifications meet the standards outlined in the City Guidelines. Consultants are encouraged to employ innovative survey techniques when conducting enhanced reconnaissance, including, but not limited to, remote sensing, ground penetrating radar, and other soil resistivity techniques as determined on a case-by-case basis. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties. If through background research and field surveys historical resources are identified, then an evaluation of significance, based on the City's Guidelines, must be performed by a qualified archaeologist.

Step 2:

Where a recorded archaeological site or Tribal Cultural Resource (as defined in the Public Relations Code) is identified, the City would be required to initiate consultation with identified California Indian tribes pursuant to provisions in Public Resources Code

21080.3.1 and 21080.3.2, in accordance with Assembly Bill 52. It should be noted that during the consultation process, tribal representatives will be directly involved in making recommendations regarding the significance of a tribal cultural resource which could also be a prehistoric archaeological site. A testing program may be recommended which requires reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). The archaeological testing program, if required, will include evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A thorough discussion of testing methodologies, including surface and subsurface investigations, can be found in the City Guidelines. Results of the consultation process will determine the nature and extent of any additional archaeological evaluation or changes to the proposed project.

The results from the testing program will be evaluated against the Significance Thresholds found in the Guidelines. If significant historical resources are identified within the Area of Potential Effect, the site may be eligible for local designation. However, this process would not proceed until such time that the tribal consultation has been concluded and an agreement is reached (or not reached) regarding significance of the resource and appropriate mitigation measures are identified. When appropriate, the final testing report must be submitted to Historical Resources Board staff for eligibility determination and possible designation. An agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. 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. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. 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 present in portions of the property that could not be tested, then mitigation monitoring is required.

Step 3:

Preferred mitigation for historical resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program is required, which includes a Collections Management Plan for review and approval. When tribal cultural resources are present and also cannot be avoided, appropriate and feasible mitigation will be determined through the tribal consultation process and incorporated into the overall data recovery program, where applicable or project specific mitigation measures incorporated into the project. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to

distribution of a draft CEQA document and shall include the results of the tribal consultation process. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as, but not limited to, existing development or dense vegetation.

A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground-disturbing activities, whenever a Native American tribal cultural resource or any archaeological site located on City property or within the Area of Potential Effect of a City project would be impacted. In the event that human remains are encountered during data recovery and/or a monitoring program, the provisions of California Public Resources Code Section 5097 must be followed. In the event that human remains are discovered during project grading, work shall halt in that area and the procedures set forth in the California Public Resources Code (Section 50987.98) and State Health and Safety Code (Section 7050.5), and in federal, state, and local regulations described above shall be undertaken. These provisions will be outlined in the MMRP included in a subsequent project-specific environmental document. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored.

Step 4:

Archaeological Resource Management reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of the Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation.

Specific types of historical resource reports are required to document the methods (see Section III of the Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources; to document the appropriate curation of archaeological collections (e.g., collected materials and the associated records); in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that would reduce the impacts to less than significant; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation "Archaeological Resource Management Reports: Recommended Contents and Format" (see Appendix C of the Guidelines), which will be used by Environmental staff in the review of archaeological resource reports. Consultants must ensure that archaeological resource reports are prepared consistent with this checklist. This requirement will standardize the content and format of all archaeological technical reports submitted to the City. A confidential appendix must be submitted (under separate cover) along with historical resources reports for archaeological sites and tribal

cultural resources containing the confidential resource maps and records search information gathered during the background study. In addition, a Collections Management Plan shall be prepared for projects which result in a substantial collection of artifacts and must address the management and research goals of the project and the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City. Appendix D (Historical Resources Report Form) may be used when no archaeological resources were identified within the project boundaries.

Step 5:

For Archaeological Resources: All cultural materials, including original maps, field notes, non-burial related artifacts, catalog information, and final reports recovered during public and/or private development projects must be permanently curated with an appropriate institution, one which has the proper facilities and staffing for insuring research access to the collections consistent with state and federal standards unless otherwise determined during the tribal cultural process. In the event that a prehistoric and/or historic deposit is encountered during construction monitoring, a Collections Management Plan would be required in accordance with the project MMRP. The disposition of human remains and burial related artifacts that cannot be avoided or are inadvertently discovered is governed by state (i.e., AB 2641 [Coto] and California Native American Graves Protection and Repatriation Act of 2001 [Health and Safety Code 8010-8011]) and federal (i.e., Native American Graves Protection and Repatriation Act [U.S.C. 3001-3013]) law, and must be treated in a dignified and culturally appropriate manner with respect for the deceased individual(s) and their descendants. Any human bones and associated grave goods of Native American origin shall be turned over to the appropriate Native American group for repatriation.

Arrangements for long-term curation of all recovered artifacts must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance. When tribal cultural resources are present, or non-burial-related artifacts associated with tribal cultural resources are suspected to be recovered, the treatment and disposition of such resources will be determined during the tribal consultation process. This information must then be included in the archaeological survey, testing, and/or data recovery report submitted to the City for review and approval. Curation must be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collection (dated May 7, 1993) and, if federal funding is involved, Title 36 of the Code of Federal Regulations, Part 79. Additional information regarding curation is provided in Section II of the Guidelines.

Historical Resources

HIST-2: Prior to issuance of any permit for a future development project implemented in accordance with the SYCPU that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure is historically significant. The evaluation of historic architectural resources shall be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in the Guidelines.

Preferred mitigation for historic buildings or structures shall be to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures shall include, but are not limited to:

- a) Conducting a Historic American Building Survey (HABS) and Historic American Engineering Record (HAER);
- b) Preparing a historic resource management plan;
- c) Designing new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);
- d) Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;
- e) Screening incompatible new construction from view through the use of berms, walls, and landscaping in keeping with the historic period and character of the resource; and
- f) Shielding historic properties from noise generators through the use of sound walls, double glazing, and air conditioning.

Specific types of historical resource reports, outlined in Section III of the HRG, are required to document the methods to be used to determine the presence or absence of historical resources, to identify potential impacts from a proposed project, and to evaluate the significance of any historical resources identified. If potentially significant impacts to an identified historical resource are identified these reports will also recommend appropriate mitigation to reduce the impacts to less than significant. If required, mitigation programs can also be included in the report.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to archaeological and historical resources would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation Measures HIST-1 and HIST-2 would be implemented prior to issuance of any permit for a future development project under the SYHVSP that could directly affect either: (1) an archaeological resource; or (2) a building/structure in excess of 45 years of age that has been determined to be historically significant by the City. Responsibility for mitigation monitoring, enforcement and reporting related to archaeological and historical resources would be with the City of San Diego.

Religious and Sacred Resources

a. Impacts

As described in Section 5.7, *Historical Resources*, of the PEIR, important religious or sacred resources may occur within the SYHVSP area. As a result, future development pursuant to the Specific Plan could have a significant impact on important religious or sacred resources.

b. Mitigation Framework

Implementation of Mitigation Measure HIST-1, as described above under Archaeological and Historical Resources, would reduce significant impacts to religious and sacred resources.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to religious and sacred resources would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing and responsibilities for mitigation monitoring, enforcement and reporting related to religious and sacred resources would be the same as that described above under Archaeological and Historical Resources.

Human Remains

a. Impacts

As described in Section 5.7 of the PEIR, human remains could potentially occur within the SYHVSP area. As a result, future development pursuant to the Specific Plan could result in significant impacts to human remains.

b. Mitigation Measures

Implementation of Mitigation Measure HIST-1, as described above under Archaeological and Historical Resources, would reduce significant impacts to human remains.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to human remains would be provided on a project-specific basis by the associated property owners and/or developers.

Mitigation timing and responsibilities for mitigation monitoring, enforcement and reporting related to human remains would be the same as that described above under Archaeological and Historical Resources.

11.3.5 Paleontological Resources

11.3.5.1 Paleontological Resources

a. Impacts

As described in Section 5.16, Paleontological Resources, of the PEIR, the SYHVSP area includes two geologic units with high potential for the occurrence of sensitive paleontological resources, the Bay Point and San Diego formations. While essentially the entire SYHVSP area has been previously disturbed and developed with existing urban uses, grading and excavation associated with future development activities could potentially encounter undisturbed portions of the noted formations and result in significant impacts to sensitive paleontological resources.

b. Mitigation Framework

The following mitigation measures would reduce potential impacts on paleontological resources from implementation of the SYCPU.

PALEO-1: Prior to the approval of subsequent development projects implemented in accordance with the CPUs, the City shall determine the potential for impacts to paleontological resources based on review of the project application submitted, and recommendations of a project-level analysis completed in accordance with the steps presented below. Future projects shall be sited and designed to minimize impacts on paleontological resources in accordance with the City's Paleontological Resources Guidelines and CEQA Significance Thresholds. Monitoring for paleontological resources required during construction activities shall be implemented at the project-level and shall provide mitigation for the loss of important fossil remains with future subsequent development projects that are subject to environmental review.

Prior to Project Approval

- A. The environmental analyst shall complete a project-level analysis of potential impacts on paleontological resources. The analysis shall include a review of the applicable USGS Quad maps to identify the underlying geologic formations, and shall determine if construction of a project would:
 - Require over 1,000 cubic yards of excavation and/or a 10-foot, or greater, depth in a high resource potential geologic deposit/formation/rock unit.
 - Require over 2,000 cubic yards of excavation and/or a 10-foot, or greater, depth in a moderate resource potential geologic deposit/formation/rock unit.
 - Require construction within a known fossil location or fossil recovery site. Resource potential within a formation is based on the Paleontological Monitoring Determination Matrix.
- B. If construction of a project would occur within a formation with a moderate to high resource potential, monitoring during construction would be required.

- Monitoring is always required when grading on a fossil recovery site or a known fossil location.
- Monitoring may also be needed at shallower depths if fossil resources are present or likely to be present after review of source materials or consultation with an expert in fossil resources (e.g., the San Diego Natural History Museum).
- Monitoring may be required for shallow grading (<10 feet) when a site has previously been graded and/or unweathered geologic deposits/formations/rock units are present at the surface.
- Monitoring is not required when grading documented artificial fill. When it has been determined that a future project has the potential to impact a geologic formation with a high or moderate fossil sensitivity rating a Paleontological MMRP shall be implemented during construction grading activities.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to paleontological resources would be provided on a project-specific basis by the associated property owners and/or developers.

As noted in Mitigation Measure PALEO-1, applicable elements of this measure would be implemented prior to issuance of any construction permits, during construction, and post-construction. Responsibility for mitigation monitoring, enforcement and reporting related to paleontological resources would be with the City of San Diego.

EXHIBIT B
CANDIDATE FINDINGS
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT
FOR THE
SAN YSIDRO COMMUNITY PLAN UPDATE AND SAN YSIDRO HISTORIC
VILLAGE SPECIFIC PLAN
PROJECT NUMBER 310690
SCH No. 2015111012

August 2016

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I. INTRODUCTION

A. Findings of Fact and Statement of Overriding Considerations

The following Candidate Findings are made for the San Ysidro Community Plan Update, as defined in the Final Program Environmental Impact Report (FEIR), and San Ysidro Historic Village Specific Plan (hereinafter respectively referred to as SYCPU and SYHVSP or the "Project"). Unless specifically indicated, these Findings apply to both the SYCPU and the SYHVSP. The environmental impacts of the Project are addressed in the FEIR dated August 2016 (State Clearinghouse No. 2015111012), which is incorporated by reference herein.

The California Environmental Quality Act (CEQA) (Pub. Res. Code §§21000, *et seq.*) and the State CEQA Guidelines (Guidelines) (14 Cal. Code Regs §§15000, *et seq.*) promulgated thereunder, require that the environmental impacts of a project be examined before a project is approved. In addition, once significant impacts have been identified, CEQA and the CEQA Guidelines require that certain findings be made before project approval. It is the exclusive discretion of the decision maker certifying the EIR to determine the adequacy of the candidate findings. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental impacts of the project unless the public agency makes one or more written findings for each of those significant impacts, 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 impact as identified in the Final EIR.
 - 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 considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (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 impacts. 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.

These requirements also exist in Section 21081 of the CEQA statute. The “changes or alterations” referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which avoid or substantially lessen the significant environmental impacts 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.

Should significant and unavoidable impacts remain after changes or alterations are applied to a project, a Statement of Overriding Considerations must be prepared. The statement provides the lead agency’s views on whether the benefits of a project outweigh its unavoidable adverse environmental impacts. Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region- wide or statewide environmental benefits, of a project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a project outweigh the unavoidable adverse environmental impacts, the adverse environmental impacts may be considered “acceptable.”

- (b) When the lead agency approves a project which will result in the occurrence of significant impacts which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed, and considered the FEIR for the San Ysidro Community Plan Update and San Ysidro Historic Village Specific Plan, State Clearinghouse No. 2015111012, as well as all other information in the record of proceedings on this matter, the following Findings are made by the City of San Diego (City) in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Project.

The following Findings have been prepared by the Planning Department as candidate findings to be made by the decision-making body.

B. Record of Proceedings

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

- The Notice of Preparation (NOP), dated November 4, 2015, and all other public notices issued by the City in conjunction with the Project;
- The Draft PEIR (DEIR), dated May 2016;
- The FEIR for the Project, dated August 2016;
- All written comments submitted by agencies or members of the public during the public review comment period on the DEIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the DEIR and included in the FEIR;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in Responses to Comments and/or in the FEIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the DEIR and the FEIR;

- Matters of common knowledge to the City, including but not limited to federal, state and local laws and regulations;
- Any documents expressly cited in these Findings and SOC; and
- Any other relevant materials required to be included in the record of proceedings pursuant to Public Resources Code Section 21167.6(e).

C. Custodian and Location of Records

The documents and other materials which constitute the administrative record for the City's actions related to the project are located at the City of San Diego, Planning Department, 1010 Second Avenue, 12th Floor, San Diego, CA 92101. The City Planning Department is the custodian of the administrative record for the Project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been, and will be available upon request at the offices of the City Planning Department. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

II. PROJECT SUMMARY

A. Project Location

The Project is located within San Diego County, in the southernmost part of the City and adjacent to the international border with Mexico. The SYCPU area encompasses a total of 1,863 acres, and is generally bounded by State Route (SR-) 905 and the Otay Mesa-Nestor community on the north, the Tijuana River Valley on the west, the Otay Mesa community on the east, and the international border with Mexico on the south. The SYCPU area is urbanized, and largely comprised of residential neighborhoods and commercial centers with the residential neighborhoods generally bounded by freeways and with the commercial uses closest to the international border. Major regional transportation corridors bisect the community, including Interstate (I-) 5, I-805, and SR-905, as well as the Blue Line of the San Diego Trolley.

The SYHVSP area encompasses approximately 112 acres within the SYCPU area, and is bounded by I-805 on the east, I-5 on the south, Smythe Avenue on the west, and West Foothill Road and parcels on the north side of Beyer Boulevard on the north. This area occurs within the geographic center of the SYCPU area, and is primarily comprised of older residential homes along with commercial and civic uses.

B. Project Description and Objectives

Project Objectives

The objectives of the SYCPU are as follows:

- Establish an attractive international border destination for residents, businesses, and visitors.
- Enhance and leverage bicultural and historic traditions and diversity.
- Provide a plan with a mix of land uses that serves residents, generates prosperity, and capitalizes on visitor traffic.
- Increase mobility for pedestrians, cyclists, transit, and automobiles through a border intermodal center, new linkages at key points, and a strong pedestrian focus.
- Identify locations for urban parks, plazas, promenades, and venues that support a variety of events and gatherings.
- Expand park and recreation opportunities, including trail options, and joint use opportunities, promoting a healthy, active community.
- Incorporate sustainability practices, policies, and design features that reduce greenhouse gas emissions, address environmental justice, and contribute to a strong economy.
- Provide a lively, pedestrian-friendly, healthy environment where kids can walk safely to school.
- Facilitate the development of the San Ysidro Historic Village.
- Craft a clear and practical implementation strategy.

Project Description

San Ysidro Community Plan Update

The proposed SYCPU is intended to further express General Plan policies within the San Ysidro community through the provision of site-specific recommendations that implement citywide goals and policies, address community needs, and guide zoning. The concurrent rezone would update zoning regulations within the plan area. An updated Impact Fee Study (IFS) would be adopted with the SYCPU to facilitate the implementation of the SYCPU. The SYCPU contains the following eight elements: Land Use; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services & Safety; Recreation; Conservation; and Historic Preservation. Each of these elements identifies a series of goals and policies intended to guide future development within the San Ysidro community.

The Land Use Element establishes the distribution and pattern of land uses throughout the community. The Land Use Element also contains community-specific policies for the future development of residential, commercial/mixed-use, institutional, and village-designated areas within the San Ysidro community. In general, the Land Use Element incorporates the concepts of smart growth by increasing the number of residential units around existing transit stations. In addition, it would increase the maximum number of residential units by 1,762 units.

The Mobility Element is intended to improve mobility throughout the community through the development of a balanced multi-modal transportation network, and sets forth goals and policies relating to complete streets, transit, and transportation demand management (TDM).

The Urban Design Element is intended to establish goals and policies that enhance the urban fabric of San Ysidro while retaining the historic elements that contribute to the overall character of the community. The Urban Design Element establishes direction for village design, neighborhoods, community gateways and linkages, streetscapes and pedestrian orientation.

The Economic Prosperity Element establishes goals focused on increasing opportunities for densification of residential and commercial development, while protecting the existing strong neighborhoods.

The Public Facilities, Services, and Safety Element addresses the capacity and needs for future services. It also contains policies related to fire-rescue, police, storm water, water and sewer infrastructure, waste management, libraries, schools, and public utilities.

The Recreation Element is intended to assure that the recreational needs of the community are met. It establishes goals and policies for population-based parks, resource-based parks, recreation facilities, and open space within the community.

The Conservation Element contains policies on how to meet the City's sustainable development goals in areas that have been identified as suitable for development. Water is identified as a critical issue, as well as the need for urban runoff management techniques.

The Historic Preservation Element contains specific recommendations to address the history and cultural resources, unique to San Ysidro, in order to encourage protection and appreciation of these resources.

San Ysidro Historic Village Specific Plan

The SYHVSP is a comprehensive planning document that will implement the vision for the SYCPU for this Specific Plan Area. The overall goal of the Specific Plan is to create an attractive, intensified urban environment with a mix of land uses surrounding the Beyer Trolley Station and along San Ysidro Boulevard, while preserving the low-scale single- and multi-family character of the residential areas. The Specific Plan Area contains the following five land use designations: Low-Medium Density Residential, Medium Density Residential, Community Commercial (Residential Permitted), Institutional, and Park. The Specific Plan sets forth a number of policies and guidelines to promote mobility including enhanced sidewalks, pedestrian crossings, and bikeways.

III. SUMMARY OF IMPACTS

Significant But Mitigated

The FEIR identifies the following direct and/or cumulatively significant impacts associated with the Project which are considered **significant but will be reduced to less than significant** with implementation of the community plan goals and policies in combination with mitigation measures identified in the FEIR:

- Biological Resources (excludes SYHVSP)
 - Sensitive Species (Direct)
 - Sensitive Habitats (Direct)
 - Wetlands (Direct)
- Geology and Soils (Excludes SYHVSP)
 - Geologic Hazards (Direct)
- Historical Resources
 - Archaeological Resources (Direct)
 - Tribal Cultural Resources (Direct)
- Noise
 - Noise Levels (Direct)
 - Vibration (Direct)
- Paleontological Resources
 - Paleontological Resources (Direct)

Significant and Unavoidable

The FEIR identifies the following direct and/or cumulatively significant impacts associated with the SYCPU and SYHVSP which are considered **significant and unavoidable because feasible mitigation measures do not exist or are not sufficient to reduce impacts to less than significant**.

- Transportation Circulation
 - Roadway Segments (Cumulative)

- Intersections (Cumulative)
- Freeway Segments (Cumulative)
- Air Quality
 - Construction Emissions (Direct and Cumulative)
 - Operation Emissions (Direct and Cumulative)
 - Cumulative Emissions (Direct and Cumulative)
 - Toxic Air Contaminants (Direct and Cumulative)
- Historical Resources
 - Historical Resources (Direct and Cumulative)

Less Than Significant

The FEIR concludes that the SYCPU will have **no significant (direct or cumulative) impacts**, and require no mitigation measures with respect to the following issues:

- Agriculture and Forestry Resources
- Air Quality
 - Regional Air Quality Plan Conformance
- Biological Resources
 - Sensitive Species (Cumulative)
 - Sensitive Habitats (Cumulative)
 - Wetlands (Cumulative)
 - Wildlife Movement (Direct and Cumulative)
- Conservation Planning (Direct and Cumulative)
 - Edge Effects (Direct and Cumulative)
 - Policy Conformance (Direct and Cumulative)
 - Invasive Species (Direct and Cumulative)
- Geology and Soils
 - Geologic Hazards (Cumulative)

- Erosion and Sedimentation (Direct and Cumulative)
 - Geologic Stability (Direct and Cumulative)
- Historical Resources
 - Archaeological Resources (Cumulative)
 - Tribal Cultural Resources (Cumulative)
- Energy Conservation
- Greenhouse Gas Emissions
- Human Health/Public Safety/Hazardous Materials
- Hydrology, Water Quality, and Drainage
- Land Use
- Mineral Resources
- Noise
 - Regulatory Conformance (Direct and Cumulative)
 - Noise Levels (Cumulative)
 - Vibration (Cumulative)
 - Construction Noise (Direct and Cumulative)
 - Airport Noise (Direct and Cumulative)
- Paleontological Resources
 - Paleontological Resources (Cumulative)
- Population and Housing
- Public Services
- Public Utilities
- Transportation/Circulation
 - Roadway Segments (Direct)
 - Intersections (Direct)

- Freeway Segments (Direct)
- Alternative Transportation (Direct and Cumulative)
- Visual Effects and Neighborhood Character

IV. FINDINGS REGARDING SIGNIFICANT IMPACTS

A. Findings Regarding Impacts That Will be Mitigated to Below a Level of Significance (CEQA §21081(a)(1) and CEQA Guidelines §15091(a)(1))

The City, having independently reviewed and considered the information contained in the FEIR and the public record for the Project, finds, pursuant to Public Resource Code §21081(a)(1) and State CEQA Guidelines §15091(a)(1), that changes or alterations have been required in, or incorporated into, the Project which will mitigate or avoid the significant impacts on the environment related to the following issues:

NOISE

Compatibility of Land Uses with City Noise Regulations (Issue 1)

Significant Impact

A potentially significant impact will occur if future development, in accordance with the Project, occurs within areas where noise levels will exceed standards established by the General Plan and/or the Noise Ordinance.

Facts in Support of Finding

The potentially significant impacts will be mitigated to below a level of significance with implementation of the Mitigation Measure NOI-1, identified in Section 5.5 of the FEIR. Implementation of this mitigation measure will require a site-specific acoustical analysis be performed prior to the approval of building permits for new development where people will be exposed to noise exceeding normally acceptable levels. This acoustical analysis shall be performed for the following land uses: single-family homes, senior housing, and mobile homes (where exterior noise levels range between 60 and 65 CNEL); multi-family homes and mixed-use/commercial and residential (where exterior noise levels range between 65 and 70 CNEL); and all land uses where noise levels exceed the conditionally compatible exterior noise exposure levels, as defined in the City's Land Use/Noise Compatibility Guidelines. The acoustical analysis shall be conducted to ensure that barriers, building design, and/or location are capable of maintaining interior noise levels at 45 CNEL or less. Barriers may include a combination of earthen berms, masonry block, and Plexiglas. Building location may include the use of appropriate setbacks. Building design measures may include dual-pane windows, solid core exterior doors with perimeter weather stripping, and mechanical ventilation to allow windows and doors to remain closed.

Rationale and Conclusion

Mitigation Measure NOI-1 assures that future development that may expose noise sensitive land uses will comply with City standards. The mitigation measure, along with implementation of local, state, and federal noise control laws, will reduce potentially significant impacts related to noise to less than significant for future development.

NOISE

Vibration Impacts (Issue 3)

Significant Impact

A potentially significant impact will occur if future development, in accordance with the Project, occurs within areas exposed to unacceptable levels of ground-borne vibration.

Facts in Support of Finding

The potentially significant impact will be mitigated to below a level of significance with implementation of the Mitigation Measure NOI-2, as identified in Section 5.5 of the FEIR. Implementation of this mitigation measure will require that a site-specific vibration study be prepared for vibration-sensitive, land uses within the screening distances defined by the Federal Transit Administration (FTA) for potential vibration impacts related to train activity. Development will be required to implement recommended measures within the technical study to ensure that vibration levels meet the FTA criteria.

Rationale and Conclusion

Mitigation Measure NOI-2 will assure that vibration levels will be below a level of significance for future vibration-sensitive development. Implementation of actions pursuant to Mitigation Measure NOI-2 will reduce impacts related to vibration to less than significant for future development.

BIOLOGICAL RESOURCES

Sensitive Species (Issue 1)

Significant Impact

Implementation of the SYCPU has the potential to significantly impact sensitive plant and wildlife species directly through the loss of habitat or indirectly by placing development adjacent to a Multi Habitat Planning Area (MHPA).

As no sensitive species occur within the SYHVSP area, no significant impacts would occur from this component of the Project.

Facts in Support of Finding

Sensitive Plant Species

The potentially significant impact to sensitive plant species will be mitigated to below a level of significance with implementation of the Mitigation Measure BIO-1, as identified in Section 5.6 of the FEIR. Implementation of Mitigation Measure BIO-1 requires a qualified biologist survey for sensitive plants in the spring of a year with adequate rainfall, prior to initiating construction activities in a given area. If a survey cannot be conducted due to inadequate rainfall, then the project applicant shall consult with the City and Wildlife Agencies (where applicable) to determine if construction may begin based on site-specific vegetation mapping, and potential to occur analysis, or whether construction must be postponed until spring rare plant survey data is collected.

Sensitive Wildlife Species

The potentially significant impact to sensitive wildlife species will be mitigated to below a level of significance with implementation of the Mitigation Measures BIO-2 through 9, as identified in Section 5.6 of the FEIR. Prior to the construction of future development in the Project area, protocol surveys and habitat assessments will be conducted to confirm the presence or suitability of habitat for sensitive species. If the presence of a specific sensitive species is determined, then the corresponding mitigation for the respective species will be followed.

Mitigation Measure BIO-8 will be implemented to protect nesting birds from construction impacts, and will require site-specific biological resources surveys be conducted in accordance with the City Biology Guidelines and Wildlife Agency protocol. Nesting season avoidance and/or pre-grading surveys and mitigation will be required to comply with the federal Endangered Species Act, Migratory Bird Treaty Act (MBTA), California Fish and Game Code, Multiple Species Conservation Plan (MSCP), and/or Environmentally Sensitive Lands (ESL) Regulations. Construction will not be allowed until it can be demonstrated that activities will not result in noise levels exceeding 60 dBA L_{EQ} at the edge of habitat occupied by sensitive birds during their respective breeding seasons.

Mitigation Measure BIO-9 will be implemented for impacts to other wildlife species and will require site-specific biology surveys be conducted to identify any other sensitive or MSCP-Covered species present on a future development within the Project area. Impacts to most sensitive and MSCP-Covered species will be mitigated by habitat-based mitigation, as established by the City's Biology Guidelines, unless a rare circumstance requires additional species-specific mitigation. In this case, the project-level biological survey report will define additional species-specific mitigation. For MSCP-Covered species, conditions from the MSCP Subarea Plan will be implemented where applicable.

Rationale and Conclusion

Implementation of actions pursuant to Mitigation Measures BIO-1 through BIO-9, combined with SYCPU policies promoting the preservation of significant resources and compliance with

the City's MSCP, will reduce impacts to sensitive species to less than significant for future development.

BIOLOGICAL RESOURCES

Sensitive Habitats (Issue 2)

Significant Impact

Implementation of the SYCPU could have a substantial adverse impact on Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats, as identified in the Biology Guidelines of the Land Development manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS.

As no sensitive species occur within the SYHVSP area, no significant impacts would occur from this component of the Project.

Facts in Support of Finding

Implementation of the SYCPU has the potential to impact up to approximately 3.8 acres of wetland communities and 98.4 acres of Tier I, II, and IIIB habitats. These impacts could occur directly through removal or indirectly by placing development adjacent to sensitive vegetation communities. Construction of the extension of Calle Primera to Camino de la Plaza will be responsible for most, if not all, of the potential impacts to wetlands associated with implementation of the SYCPU.

The potentially significant impact on sensitive habitats will be mitigated to below a level of significance with implementation of the Mitigation Measures BIO-10 and BIO-11, as identified in Section 5.6 of the FEIR. Implementation of these mitigation measures will require that, wherever feasible, wetland impacts shall be avoided. If avoidance is infeasible, wetland impacts shall be mitigated to achieve no net loss of wetland function and value. Mitigation for wetland vegetation community impacts will likely include habitat acquisition/preservation, restoration, and/or creation. Also, wherever feasible, impacts to sensitive upland vegetation communities shall be avoided. Where avoidance is not feasible, sensitive upland vegetation communities shall be mitigated through habitat acquisition/preservation, restoration, and/or creation. For individual project impacts that will not exceed 5 acres (in some cases up to 10 acres), an in-lieu contribution may be made to the City's Habitat Acquisition Fund.

Rationale and Conclusion

Implementation of actions pursuant to Mitigation Measures BIO-10 and BIO-11, combined with SYCPU policies promoting the preservation of significant resources and compliance with the City's MSCP, will assure that future development requires site-specific environmental review, analysis of potential impacts of biological resources, and implementation of appropriate mitigation to reduce impacts to sensitive habitat to less than significant.

BIOLOGICAL RESOURCES

Wetlands (Issue 3)

Significant Impact

Implementation of the SYCPU could have a substantial adverse effect on wetlands through direct removal, filling, hydrological interruption, or other means.

As no wetlands occur within the SYHVSP area, no significant impacts would occur from this component of the Project.

Facts in Support of Finding

The potentially significant impact will be mitigated to below a level of significance with implementation of the Mitigation Measures BIO-10, as identified in Section 5.6 of the FEIR. Implementation of this mitigation measure will require that, wherever feasible, wetland impacts shall be avoided. If avoidance is infeasible, wetland impacts shall be mitigated to achieve no net loss of wetland function and value. Mitigation for wetland vegetation community impacts will include habitat acquisition/preservation, restoration, and/or creation.

There are seven vegetation communities in the SYCPU area that are likely jurisdictional wetlands (southern arroyo willow riparian forest, riparian scrub, mule fat scrub, freshwater marsh, tamarisk scrub, disturbed wetland, and unvegetated basin). Additionally, the National Wetlands Inventory shows areas mapped as “riverine,” which may be jurisdictional non-wetland waters.

Implementation of the SYCPU has the potential to impact wetlands (and non-wetland waters) directly through their loss or indirectly by placing development adjacent to them in the MHPA. These impacts will be associated with construction of the extension of Calle Primera. These impacts will be significant because these resources are regulated by the City, CDFW, USACE, RWQCB, and USFWS (if listed species are present).

Rationale and Conclusion

Implementation of the Mitigation Measure BIO-10 requiring the avoidance of wetlands where feasible, and where avoidance is infeasible, the mitigation for loss of wetlands will reduce impacts of the SYCPU on wetlands to less than significant.

HISTORICAL RESOURCES

Archaeological or Tribal Cultural Resources Impacts (Issue 1)

Significant Impact

The implementation of the Project could result in significant impacts to historical or archaeological resources resulting from the alteration, including the adverse physical or aesthetic effects and/or the destruction, of an archaeological, tribal, and/or historical resource or human remains.

Facts in Support of Finding

Archaeological Resources

The potentially significant impact to archaeological resources will be mitigated to less than significant with implementation of the Mitigation Measure HIST-1, as identified in Section 5.7 of the FEIR. Implementation of this mitigation measure will require that prior to issuance of any permit for a future development that could directly affect an archaeological resource, the City shall require a survey by a qualified archaeologist to determine the presence of archaeological resources, and define appropriate mitigation for any significant resources which may be impacted by the development activity.

Arrangements for long-term curation will be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance, and must be included in the archaeological survey, testing, and/or data recovery report submitted to the City for review and approval. Curation will be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collection (dated May 7, 1993) and, if federal funding is involved, 36 Code of Federal Regulations 79 of the Federal Register.

Tribal Cultural Resources

The potentially significant impact to tribal resources will be mitigated to less than significant with implementation of the Mitigation Measure HIST-1, as identified in Section 5.7 of the FEIR. Implementation of this mitigation measure will require consultation with native tribes and mitigation of any resources determined to be significant tribal resources.

Rationale and Conclusion

Archaeological Resources

Implementation of actions pursuant to Mitigation Measure HIST-1, combined with SYCPU policies promoting the identification and preservation of significant resources and compliance with CEQA and Public Resources Code Section 21080.3.1 requiring tribal consultation, will reduce impacts to archaeological or tribal cultural resources to less than significant for future development.

HISTORICAL RESOURCES

Religious or Sacred Impacts (Issue 2)

Significant Impact

Implementation of the Project could result in significant impacts to existing religious or sacred uses related to future development within the Project area.

Facts in Support of Finding

The potentially significant impacts will be mitigated to below a level of significance with implementation of the Mitigation Measure HIST-1, as described above.

Rationale and Conclusion

Implementation of actions pursuant to Mitigation Measure HIST-1, combined with SYCPU policies promoting the identification and preservation of significant resources and compliance with CEQA and Public Resources Code Section 21080.3.1 requiring tribal consultation, will reduce impacts to less than significant.

HISTORICAL RESOURCES

Human Remains (Issue 3)

Significant Impact

Implementation of the Project could result in significant impacts to human remains resulting from excavation associated with new development.

Facts in Support of Finding

The potentially significant impact to human remains will be mitigated to less than significant with implementation of the Mitigation Measure HIST-1, as identified in Section 5.7 of the FEIR. This mitigation measure identifies specific actions to be taken if human remains are encountered.

Rationale and Conclusion

Implementation of actions pursuant to Mitigation Measure HIST-1 will reduce impacts to less than significant.

PALEONTOLOGICAL RESOURCES

Paleontological Resources (Issue 1)

Significant Impact

Implementation of the Project could result in significant impacts to areas where soil formations have a moderate to high potential for containing important paleontological deposits.

Facts in Support of Finding

The potentially significant impact will be mitigated to below a level of significance with implementation of the Mitigation Measure PALEO-1, as identified in Section 5.16 of the FEIR. Implementation of this mitigation measure will require that, prior to the approval of subsequent development, the City shall determine the potential for impacts to paleontological resources based on review of the project application submitted, and recommendations of a project-level analysis. If the potential for significant paleontological resources exists, the mitigation measure requires monitoring of disturbance to fossil-bearing formations and recovery of significant fossils which are encountered.

Rationale and Conclusion

Mitigation Measure PALEO-1 assures that future development will be required to recover any significant paleontological resources encountered and will reduce impacts to less than significant.

GEOLOGY AND SOILS

Geologic Hazards (Issue 1)

Significant Impact

Significant public safety risks could affect future development in areas along the eastern portion of the SYCPU area that exhibit moderate to high landslide risk.

As no landslide risk areas exist within the SYHVSP, no geologic hazards would occur.

Facts in Support of Finding

The potentially significant impact will be mitigated to less than significant with implementation of Mitigation Measure GEO-1. This mitigation measure will require that, prior to issuance of the first building permit on vacant land located within geologic hazard categories 21 or 22, a comprehensive geotechnical investigation will be conducted to address all vacant land within these categories. The geotechnical investigation will characterize the limit/extent of the slide areas, the engineering characteristics of the soil material and the hydrogeologic conditions. The results of the investigation will be adequate to develop a 3-dimensional model of the slide, and

perform slope stability analyses. The investigation will also evaluate the impact of the development on the stability of the adjoining properties.

The investigation will identify remedial measures necessary to stabilize slopes to factor of safety of 1.5 or greater. Measures will include, but not be limited to: removal/replacement of unstable deposits, installation of stabilizing features such as buttress fills or shear pins, and/or the use of protective barriers. As required by the City Engineer, these remedial measures will be implemented prior to issuance of the first building permit within the affected area. Subsequent development will demonstrate that the necessary remedial measures have been completed, or demonstrate that the development will implement equivalent remedial measures, to the satisfaction of the City Engineer, to reduce landslide effects to less than significant based on subsequent geotechnical analysis.

Rationale and Conclusion

Mitigation Measure GEO-1 will assure that impacts from landslides will be reduced to less than significant.

B. Findings Regarding Mitigation Measures Which are the Responsibility of Another Agency (CEQA §21081(a)(2)) and CEQA Guidelines §15091(a)(2))

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, finds pursuant to CEQA §21081(a)(2) and CEQA Guidelines §15091(a)(2) that there are changes or alterations which could reduce significant impacts that are within the responsibility and jurisdiction of another public agency.

TRANSPORTATION

Freeways (Issue 1)

Significant Impact

Implementation of the Project will result in cumulatively significant impacts to the following freeways within the Project area: I-5, I-805 and SR-905.

Facts in Support of Finding

Improvements identified in the Regional Plan (RP) prepared by the San Diego Association of Government (SANDAG) would reduce freeway segment impacts associated with the Project. However, implementation of these improvements are outside the City's control. Caltrans is responsible for approving and implementing improvements to the state freeway system. Thus, mitigation for freeway impacts are the responsibility of Caltrans.

Rationale and Conclusion

As mitigation for freeway impacts is the primary responsibility of Caltrans, impacts to freeways are considered significant and unavoidable.

AIR QUALITY

Criteria Pollutants (Cumulative) (Issue 2)

Significant Impact

Implementation of the Project will result in a cumulatively significant impact as a result emissions during construction and operation of the future development that will contribute to criteria pollutant levels within the San Diego Air Basin that currently exceed state and federal levels.

Facts in Support of Finding

Implementation of the Regional Air Quality Strategy (RAQS) prepared by the San Diego Air Pollution Control District (APCD) is the primary means for reducing the cumulative impacts of future development within the San Diego Air Basin (SDAB). While the City has the ability through its Climate Action Plan (CAP), its General and Community Plans, and CEQA authority to reduce criteria pollutants generated by future development, the City does not have the ability to enforce criteria pollutant reduction measures on sources within the San Diego Basin that are beyond its jurisdiction.

Rationale and Conclusion

As the City is unable to enforce regional air quality controls needed to mitigate impacts, cumulative impacts of the project related to criteria pollutant levels within the SDAB are considered significant and unavoidable.

C. Findings Regarding Infeasible Mitigation Measures (CEQA §21081(a)(3) and CEQA Guidelines §15091(a)(3))

In addition to the significant unavoidable impacts which are cited in the “B” Findings, above, the Project will have significant and unavoidable impacts in the following issue areas:

HISTORICAL RESOURCES

Historical (Built Environment) Impacts (Issue 1)

Significant and Unavoidable Impact

Implementation of the SYCPU could result in unavoidable significant impacts related to the alteration of historical resources resulting from new development.

Facts in Support of Finding

Implementation of actions pursuant to Mitigation Measure HIST-2, as listed in Section 5.7.3 of the FEIR, will reduce impacts to historic buildings, structures, and objects. Implementation of this mitigation measure will require that, prior to issuance of any permit for a future development that will directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure is historically significant. The evaluation of historic architectural resources shall be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in the City's Historical Guidelines. Preferred mitigation for historic buildings or structures shall be to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken.

While the implementation of this mitigation measure will reduce historical resources impacts, the ability of this measure to adequately protect significant historic structures cannot be assured at the program level. Thus, potential significant impacts to important historical resources are considered significant and unavoidable at the program level.

Rationale and Conclusion

Although the City will implement Mitigation Measure HIST-2 and apply relevant goals and objectives of the SYCPU to reduce impacts to historic resources, the ability of these measures to fully mitigate potential impacts to significant historical resources cannot be determined at this time. Thus, historical resource impacts are determined to be significant and unavoidable at the program level.

TRANSPORTATION

Roadway Segments and Intersections (Issue 1)

Significant Impact

Traffic associated with the Project will result in significant cumulative impacts on selected roadway segments and intersections by raising traffic volumes to an unacceptable level of service.

Facts in Support of Finding

Tables 5.2-12 through 5.2-15 of the FEIR identify a number of improvements that would reduce impacts of the Project on local roadway segments and intersections. Improvements within Tables 5.2-12 and 5.2-13 are included in the IFS, and will be implemented based on funding generated by development fees and other funding sources. Other improvements are identified in Tables 5.2-14 and 5.2-15 but are not included in the IFS because they were determined to be infeasible for other reasons (smart growth consistency or insufficient right-of-way). While implementation of the improvements identified in Tables 5.2-12 through 5.2-15 would reduce impacts on roadway segments and intersections to acceptable levels, the City cannot assure that these improvements would be implemented for one or more of the following reasons:

- Full funding and construction cannot be assured at the time the improvement is needed;
- Implementation of the improvement is contrary to the overall goal of promoting smart growth and alternative forms of transportation in the community; or
- Sufficient right-of-way does not exist to construct the improvement.

Funding and Construction Timing

As discussed earlier, many of the roadway and intersection improvements are included in the IFS. While it is the City's intent to apply development impact fees and other funding sources toward constructing these improvements, the improvements would not be constructed until sufficient funds have been collected. As a result, the improvements may not be constructed coincident with the need, or may not be constructed at all if sufficient funds are not available. Although Mitigation Measures TRF-1 through 9, and 11 through 35 are included in the IFS and are included in the MMRP, they are considered unable to assure mitigation to a less than significant level due to funding and timing issues.

Implementation of Mitigation Measure TRF-40 is even more tenuous because this improvement is not included in the IFS and, thus, has no reliable source of funds. Such improvements were not included in the IFS because they were determined to be infeasible for other reasons (smart growth consistency or insufficient right-of-way).

Smart Growth Consistency

One of the primary principles of smart growth is to encourage the use of alternative forms of transportation by discouraging reliance on the private automobile. As the improvements identified in Tables 5.2-12 through 5.2-15 would reduce traffic congestion and encourage the automobile use, several of the mitigation measures are considered inconsistent with the overall goals of the City's General Plan, SYCPU, and Climate Action Plan. Additionally, roadway and intersection widening could impact existing or proposed sidewalks or bicycle facilities, which would discourage walking and bicycling. As such, the following mitigation measures are considered infeasible due to inconsistency with adopted City policies: TRF-10, 36, 37, 39, 42, 46, 50, and 56.

Insufficient Right-of-Way

Due the degree of development adjacent to some of the improvements identified in Tables 5.2-12 through 5.2-15, construction of those improvements is considered technically and physically infeasible due to the impact on the adjacent development and the high cost of acquiring additional right-of-way. These measures include TRF-38, 41, 43 through 45, 47, 49, and 51 through 55. Furthermore, demolition of existing buildings would generate additional environmental impacts associated with air quality, noise, GHGs, and solid waste.

Rationale and Conclusion

Although improvements are identified in the FEIR that would reduce impacts to local roadways and intersections, the City is unable to rely on these measures to reduce the impacts to less than significant levels for three reasons. First, adequate funding for the construction of improvements cannot be guaranteed; nor can the timing of construction relative to the need (the mitigation is feasible but the timing necessary to ensure less than significant impacts is infeasible). Second, although some of the identified improvements would reduce traffic congestion, their implementation would be contrary to achieving the smart growth goals of the General Plan, SYCPU, and Climate Action Plan. Lastly, surrounding development restricts the ability to obtain sufficient right-of-way to construct some of the identified improvements. Thus, impacts of the Project on local roadway segments and intersections will be significant and unavoidable.

D. Findings Regarding Alternatives (CEQA §21081(a)(3) and CEQA Guidelines §15091(a)(3))

Because the Project will cause one or more unavoidable significant environmental impacts, the City must make findings with respect to the alternatives to the Project considered in the FEIR, evaluating whether these alternatives could feasibly avoid or substantially lessen the Project's unavoidable significant environmental impacts while achieving most of its objectives (listed in Section II.E above and Section 3.3 of the FEIR).

The City, having reviewed and considered the information contained in the FEIR and the Record of Proceedings, and pursuant to Public Resource Code §21081(a)(3) and State CEQA Guidelines §15091(a)(3), makes the following findings with respect to the alternatives identified in the FEIR.

Background

The FEIR evaluated the following alternatives:

- No Project Alternative (Adopted Community Plan);
- Lower-Density Alternative;
- Higher-Density Alternative; and
- No Calle Primera Extension.

These project alternatives are summarized below, along with the findings relevant to each alternative.

No Project Alternative (Adopted Community Plan)

Under the No Project Alternative, the Adopted Community Plan would continue to guide development in San Ysidro. Unlike the proposed SYCPU, the Adopted Community Plan does not embrace the principles of smart growth or the City of Villages Strategy. As a result,

development in accordance with the Adopted Community Plan would not include the SYHVSP concept, nor would it focus new development on the San Diego Trolley stations within the community plan area. The Adopted Community Plan would result in 1,762 fewer residential units than the proposed SYCPU, and would eliminate all of the mixed-use commercial/residential areas included in the SYCPU.

Potentially Significant Impacts

Significant impacts of the No Project Alternative are summarized below.

- Air Quality
 - Construction Emissions (Direct and Cumulative)
 - Operation Emissions (Direct and Cumulative)
 - Cumulative Emissions (Direct and Cumulative)
 - Toxic Air Contaminants (Direct and Cumulative)
- Greenhouse Gas Emissions
 - Plan Inconsistency (Cumulative)
- Biological Resources
 - Sensitive Species (Direct)
 - Sensitive Habitats (Direct)
 - Wetlands (Direct)
- Geology and Soils (Excludes SYHVSP)
 - Geologic Hazards (Direct)
- Historical Resources
 - Archaeological Resources (Direct)
 - Tribal Cultural Resources (Direct)
- Noise
 - Noise Levels (Direct)
 - Vibration (Direct)

- Paleontological Resources
 - Paleontological Resources (Direct)
- Traffic Circulation
 - Roadway Segments (Cumulative)
 - Intersections (Cumulative)
 - Freeway Segments (Cumulative)
 - Alternative Transportation (Direct and Cumulative)
- Historical Resources
 - Historical Resources (Direct and Cumulative)

Finding and Supporting Facts

Development pursuant to the No Project Alternative would not eliminate any of the significant impacts associated with the Project. In fact, it would result in an additional significant impact related to alternative transportation in light of the fact that the Adopted Community Plan does not include the smart growth principles of the Project.

The estimated reduction of 1,762 residential units, associated with the No Project Alternative, would result in a proportionate reduction in criteria pollutants and GHG emissions, and the number of new residences potentially exposed to traffic noise and train vibration. However, these benefits would be offset by the increase in traffic anticipated to occur without the application of smart growth principles. It would also be inconsistent with the City’s Climate Action Plan as it would not focus development in Transit Priority Areas. The FEIR concluded that even though the development potential would be reduced in comparison with the Project, the number of daily automobile trips would increase by nearly 34,000 daily trips without inclusion of the smart growth principles. This increase in traffic would offset the reduction in criteria pollutants and GHG emissions related to the reduction in the number of residential units expected at buildout of the community.

The No Project Alternative would not achieve several key General Plan policies designed to encourage the City of Villages Strategy, and therefore, would not be consistent with the Climate Action Plan. Specifically, it would not achieve Policy LU-A.7 which encourages community plans to “Achieve transit-supportive density and design, where such density can be adequately served by public facilities and services.” Given the presence of two trolley stations and bus service in the community, San Ysidro is well suited to achieve this goal. Secondly, Policy LU-A.8 encourages the City to “determine at the community plan level where commercial uses should be intensified within villages and other areas served by transit, and where commercial uses should be limited or converted to other uses.” San Ysidro’s two TPAs offer opportunities to achieve this goal.

The No Project Alternative would also be contrary to Policy ME-B.9 of the General Plan Mobility Element which strives to “Make transit planning an integral component of long range planning documents and the development review process.” With less residential units, the No Project Alternative would not promote the goals of the Housing Element to increase the number and types of housing available.

Lastly, the No Project Alternative would not include the SYHVSP. Without the SYHVSP, future development within the historic area of the community will not be enhanced through a comprehensive set of development criteria and polices intended to guide future development to promote the concepts of smart growth while preserving the historic character of the area.

Rationale and Conclusion

The No Project Alternative is rejected as infeasible because it would not eliminate or substantially reduce any of the significant impacts associated with the Project, and, in fact, would result in an additional significant transportation impact by failing to encourage the use of transportation alternatives. Furthermore, without implementation of the City of Villages Strategy, the No Project Alternative would actually result in more automobile trips and greater GHG emissions despite the reduced number of residential units. The increase in automobile trips would proportionately increase the emission of criteria pollutants and GHG emissions. Lastly, the No Project Alternative would fail to meet the General Plan’s goals to increase housing within the City.

Further, the No Project Alternative is infeasible because it will not meet the General Plan policy regarding preparation of community plan updates. Specifically, Policy LU-C.1 requires that the update process “establish each community plan as an essential and integral component of the City’s General Plan with clear implementation recommendations and links to General Plan goals and policies.” It further states that community plan updates are important to “maintain consistency between community plans and General Plan, as together they represent the City’s comprehensive plan.”

Lower-Density Alternative

The Lower-Density Alternative is focused on reducing traffic and related impacts associated with criteria pollutants, GHG emissions, and noise in comparison with the Project. Reductions in traffic would be accomplished by reducing the number of residential units and commercial space since these two uses are the highest traffic generators. To reduce the number of residential units, the Lower-Density Alternative would eliminate the emphasis placed on increasing mixed-use residential/commercial areas, thereby eliminating the 1,558 residential units proposed in the mixed-use commercial designations with the Project. Without the emphasis on mixed-use in commercial areas, the Lower-Density Alternative would not accommodate a specific plan area along the lines of the SYHVSP. In addition, the Lower-Density Alternative would retain the land currently designated for industrial development which would decrease the amount of commercial land included in the proposed Project by 18 acres.

Potentially Significant Impacts

Significant impacts of the Lower-Density Alternative are summarized below.

- Air Quality
 - Construction Emissions (Direct and Cumulative)
 - Operation Emissions (Direct and Cumulative)
 - Cumulative Emissions (Direct and Cumulative)
 - Toxic Air Contaminants (Direct and Cumulative)
- Greenhouse Gas Emissions
 - Plan Inconsistency (Cumulative)
- Biological Resources (excludes SYHVSP)
 - Sensitive Species (Direct)
 - Sensitive Habitats (Direct)
 - Wetlands (Direct)
- Geology and Soils (Excludes SYHVSP)
 - Geologic Hazards (Direct)
- Historical Resources
 - Archaeological Resources (Direct)
 - Tribal Cultural Resources (Direct)
- Noise
 - Noise Levels (Direct)
 - Vibration (Direct)
- Paleontological Resources
 - Paleontological Resources (Direct)
- Traffic Circulation
 - Roadway Segments (Cumulative)

- Intersections (Cumulative)
- Freeway Segments (Cumulative)
- Alternative Transportation (Direct and Cumulative)
- Historical Resources
 - Historical Resources (Direct and Cumulative)

Finding and Supporting Facts

Development pursuant to the Lower-Density Alternative would not eliminate any of the significant impacts associated with the Project. In fact, as with the No Project Alternative, it would result in an additional significant impact related to alternative transportation in light of the fact that the alternative would not promote the smart growth principles of the Project.

The estimated reduction of 1,558 residential units, associated with the Lower-Density Alternative, would result in a proportionate reduction in criteria pollutants and GHG emissions, and the number of new residences exposed to traffic noise and train vibration. However, as with the No Project Alternative, these benefits would be offset by the increase in traffic anticipated to occur without the application of smart growth principles to future development in the community. It would also be inconsistent with the City’s Climate Action Plan as it would not focus development in Transit Priority Areas. This increase in traffic will offset the reduction in criteria pollutants and GHG emissions related to the reduction in the number of residential units expected at buildout of the community.

As with the No Project Alternative, the Lower Density Alternative would not achieve several key General Plan policies designed to encourage the City of Villages Strategy including LU-A.7, LU-A.8 and ME-B.9, and therefore, would not be consistent with the Climate Action Plan. With less residential units, this alternative would not promote the goals of the Housing Element to increase the number and types of housing available. Lastly, the No Project Alternative would not include the SYHVSP to enhance future development within the central part of the community while preserving the historic character.

Rationale and Conclusion

The Lower-Density Alternative is rejected as infeasible because it would not eliminate or substantially reduce any of the significant impacts associated with the Project, and, in fact, would result in an additional significant transportation and GHG impacts by failing to encourage the use of transportation alternatives. Furthermore, without implementation of the City of Villages Strategy, the Lower-Density Alternative would actually result in more automobile trips despite the reduced number of residential units. The increase in automobile trips would proportionately increase the emission of criteria pollutants and GHG emissions. Lastly, the Lower-Density Alternative would fail to meet the General Plan’s goals to increase housing within the City.

Higher-Density Alternative

The Higher-Density Alternative represents additional development intensity that was considered during the initial formulation of the Project. The Higher-Density Alternative includes more residential and commercial development as well as more park land. The alternative maximizes opportunities for residential, commercial and related development, and further promotes the principles of mixed-use development, smart growth, and the City of Villages Strategy. This alternative also includes designated specific plan areas similar to the Project which provide mixed-use areas with high-density residential development in proximity to existing/proposed transit facilities. Unlike the No Project and Lower-Density Alternatives, the emphasis on smart growth would avoid a significant impact related to transportation alternatives and GHG emissions.

Potentially Significant Impacts

Significant impacts of the Higher-Density Alternative are summarized below.

- Air Quality
 - Construction Emissions (Direct and Cumulative)
 - Operation Emissions (Direct and Cumulative)
 - Cumulative Emissions (Direct and Cumulative)
 - Toxic Air Contaminants (Direct and Cumulative)
- Biological Resources (excludes SYHVSP)
 - Sensitive Species (Direct)
 - Sensitive Habitats (Direct)
 - Wetlands (Direct)
- Geology and Soils (Excludes SYHVSP)
 - Geologic Hazards (Direct)
- Historical Resources
 - Archaeological Resources (Direct)
 - Tribal Cultural Resources (Direct)
- Noise
 - Noise Levels (Direct)

- Vibration (Direct)
- Paleontological Resources
 - Paleontological Resources (Direct)
- Traffic Circulation
 - Roadway Segments (Cumulative)
 - Intersections (Cumulative)
 - Freeway Segments (Cumulative)
- Historical Resources
 - Historical Resources (Direct and Cumulative)

Finding and Supporting Facts

Development pursuant to the Higher-Density Alternative would not eliminate or substantially reduce any of the significant impacts associated with the Project. Although, like the Project, this alternative would promote the City of Villages Strategy, the anticipated increase in the number of residential units and commercial development would generate more automobile trips than the Project. Consequently, this alternative will increase the intensity of impacts on traffic circulation, criteria pollutants, and GHG emissions with respect to the Project (although it would also be consistent overall with the Climate Action Plan). Similarly, the increase in the number of residential units associated with the Higher-Density Alternative will increase the number of sensitive receptor exposed to traffic noise and train vibration.

Rationale and Conclusion

The Higher-Density Alternative is rejected as infeasible because it would increase environmental impacts with respect to the Project without offering sufficient benefits to offset the increased level of impact.

No Calle Primera Extension Alternative

Under the No Calle Primera Extension Alternative, proposed land use designation/zoning changes, related policies, and other associated project elements would be identical to the Project, except that the extension of Calle Primera would not be included.

Potentially Significant Impacts

Significant impacts of the No Calle Primera Extension Alternative are summarized below.

- Air Quality
 - Construction Emissions (Direct and Cumulative)
 - Operation Emissions (Direct and Cumulative)
 - Cumulative Emissions (Direct and Cumulative)
 - Toxic Air Contaminants (Direct and Cumulative)
- Biological Resources (excludes SYHVSP)
 - Sensitive Species (Direct)
 - Sensitive Habitats (Direct)
 - Wetlands (Direct)
- Geology and Soils (Excludes SYHVSP)
 - Geologic Hazards (Direct)
- Historical Resources
 - Archaeological Resources (Direct)
 - Tribal Cultural Resources (Direct)
- Noise
 - Noise Levels (Direct)
 - Vibration (Direct)
- Paleontological Resources
 - Paleontological Resources (Direct)
- Traffic Circulation
 - Roadway Segments (Cumulative)
 - Intersections (Cumulative)
 - Freeway Segments (Cumulative)
- Historical Resources
 - Historical Resources (Direct and Cumulative)

Finding and Supporting Facts

The No Calle Primera Extension Alternative would reduce impacts to several issues related to biological resources, historical resources, noise, and paleontological issues compared to the Project. Specifically, this alternative would eliminate impacts to MHPA wetlands and associated direct/indirect effects to sensitive species (including the endangered least Bell's vireo). Eliminating this roadway connection would also reduce the increase in traffic noise that would be experienced by residences that would be located along streets with higher traffic volumes due to the extension.

Rationale and Conclusion

While the No Calle Primera Alternative is the environmentally superior alternative, this alternative would not meet the most basic project objectives outlined in Section 3.1.4 of the FEIR. Furthermore, the removal of this road, while it reduces some impacts related to biological resources, historical resources, noise, and paleontological resources, there would be an increase in impacts related to traffic/circulation, GHG emissions, and public services. Although it would reduce the impacts to biological resources, it would not enhance traffic flow within the community. Without the extension, motorists would be required to continue to travel longer distances to reach the regional transportation routes (e.g., I-5 and I-805). This increase in vehicle miles travelled would result in greater GHG emissions, and would be inconsistent with the policies related to circulation. This alternative would also remove a means for additional police and fire access to the commercial uses on Calle Primera and the residential uses in the San Ysidro South Neighborhood.

EXHIBIT C

STATEMENT OF OVERRIDING CONSIDERATIONS (PUBLIC RESOURCES CODE
§21081(b))

REGARDING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

FOR THE SAN YSIDRO COMMUNITY PLAN UPDATE
AND
SAN YSIDRO HISTORIC VILLAGE SPECIFIC PLAN UPDATE
PROJECT NO. 310690

SCH NO. 2015111012

August 2016

**STATEMENT OF OVERRIDING CONSIDERATIONS
(PUBLIC RESOURCES CODE §21081(b))**

Pursuant to Section 21081(b) of CEQA and CEQA Guidelines §15093 and 15043, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the San Ysidro Community Plan Update (CPU), and San Ysidro Historic Village Specific Plan (hereinafter respectively referred to as SYCPU and SYHVSP or the "Project"), as defined in the Final Program Environmental Impact Report (FEIR). As set forth in the Findings, the Project will result in unavoidable adverse direct impacts related to air quality and historical resources, and unavoidable adverse cumulative impacts related to air quality, historical resources, and transportation/circulation.

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

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

A. FINDINGS FOR STATEMENT OF OVERRIDING CONSIDERATIONS

1. The Community Plan Update will provide a comprehensive guide for growth and development in the San Ysidro community.

The CPU provides a comprehensive guide for future growth and development within the San Ysidro community, and implements the vision developed by community stakeholders during the update process. The overarching guiding principal includes focusing future growth and development into distinct village areas; thereby preserving the surrounding established low-density residential neighborhoods and designated open space areas. This strategy provides a blueprint for future development that strengthens the San Ysidro community's established character as diverse urban neighborhoods through the creation of appropriate land uses, sufficient public facilities, and development policies as a component of the City of San Diego's General Plan.

The CPU includes goals and policies that will: (1) facilitate development of residential, commercial/mixed-use, institutional, and village-designated areas; (2) improve mobility throughout the community through the development of a balanced multi-modal transportation network and locate additional housing near transit, (3) establish direction for village design, neighborhoods,

community gateways and linkages, streetscapes and pedestrian orientation, and other unique San Ysidro attributes; a variety of housing types to meet the housing demands in the; a diversify of commercial and industrial uses that serve local, community and regional needs; and adequate public facilities and institutional resources that serve the needs of the community. The Community Plan Public Facilities, Safety, and Services Element includes policies that support the development of infrastructure to support future growth.

The CPU also contains more detailed land use guidance for defined areas known as Specific Plans to further assure that the increased land use intensities proposed in these areas will be appropriately designed. In addition, the CPU is accompanied by an Impact Fee Study (IFS) that will assure that funds are collected and available in a timely manner to implement the infrastructure needed to support future development with the overall San Ysidro community as well as the specific plan areas.

2. The Community Plan implements the General Plan's City of Villages Strategy by providing balanced land use plans that meet the needs of the San Ysidro community.

One of the primary goals of the City's General Plan is to implement the City of Villages Strategy on the community plan level by directing new development into already urbanized areas which promotes the integration of housing, employment, civic, and transit uses. The CPU is consistent with the City of Villages Strategy. It places an emphasis on directing population growth into mixed-use activity centers (villages) that are pedestrian-friendly and linked to an improved regional transit system. The CPU identifies two village areas: San Ysidro Historic Village, and Border Village. The village area land uses, goals, and policies focus future growth and development in close proximity to transit nodes and commercial corridors in accordance with the City of Villages Strategy.

The CPU policies related to villages are reinforced by the rezoning effort to apply citywide base zones that have a pedestrian focus. In addition, the CPU includes detailed planning and design policies for the San Ysidro Historic Village through the inclusion of a Specific Plan. The Specific Plan will contain a mix of uses, with higher density allowed near the high frequency transit stops as well as promote new commercial, residential, and mixed-use development throughout the Village area.

The CPU also implements the City of Villages Strategy by encouraging new housing on remnant vacant and underutilized parcels designated for multifamily. The CPU also encourages alternative housing options, such as collaborative housing in which residents actively participate and live cooperatively, senior housing, granny flats, and multi-generational housing. New ideas for creating affordable senior-friendly housing and retrofitting existing structures with multi-units are encouraged.

3. Plan adoption and implementation will support the City of Villages strategy through the implementation of additional housing and mixed uses near job/employment centers.

In comparison with the existing Community Plan, the CPU would allow for up to an additional 1,762 residential units to be developed within the community and contribute to the ability of the City to meet the overall demand for future housing. As discussed earlier, these additional residential units would be located in the Village areas to allow residents to take advantage for transit and improved mobility. Furthermore, the CPU provides affordable single- and multi-family housing throughout the

proposed community area, thus enabling a wide range of economic levels and age groups to live within these communities.

Section 2.2 of the CPU Land Use Element includes housing policies designed to develop housing that responds to the surrounding neighborhoods, preserves and rehabilitates existing single-family homes and assures adequate services including schools, parks and shopping. The policies also incorporate the goal of the City's General Plan Housing Element to ensure the development of sufficient new housing for all income groups and significantly increase the number of affordable housing opportunities.

4. The Community Plan provides a more effective means to protect and enhance character and function than existing land use controls.

The Community Plan area are largely urbanized and built out. The Community Plan builds upon the adopted *Community Plan's* goal for respecting the existing character of the communities while strengthening linkages and connectivity, improving the built environment, creating mixed-use walkable neighborhoods and preserving open space. The Community Plan seeks to encourage an urban form that reflects the existing and evolving character and provides an attractive built environment.

Development completed in accordance with the Community Plan would occur in an existing urbanized area with established public transportation infrastructure, which may reduce vehicle trips and miles traveled and support walking as a transportation choice. In addition, implementation of the policies contained in the Land Use, Mobility, Urban Design, and Recreation Elements would improve mobility, including access to recreation areas through the development of a balanced, multi-modal transportation network. Implementation of proposed Land Use policies in Section 2.5, Village Areas, support the integration of transit within mixed use residential and employment areas and encourages the creation of safe and direct bicycle and pedestrian connections to provided multi-modal access, while preserving the low-scale single- and multi-family character of the surrounding neighborhoods.

The Land Use Element defines Village Areas and key corridors where future growth is targeted within both communities in order to fulfill the General Plan's City of Villages strategy. The Specific Plan area incentivizes reinvestment through supplemental development regulations including additional height allowance, reduced parking requirements while also ensuring character enhancements and pedestrian access by requiring "paseos", pedestrian pathways between private properties, in order to build from the existing pedestrian network of alleys and cut through. These supplemental regulations can be found in the Land Use chapter of the Specific Plan and are intended to spur development flexibility and create an attractive, intensified urban environment with a mix of land uses surrounding the Beyer Boulevard Trolley Station and along San Ysidro Boulevard, while preserving the character of the residential areas and highlighting the unique public spaces in the area.

The Recreation and Conservation Elements contain policies aimed at improving public access and active recreational opportunities through the creation of bicycle and pedestrian pathways linkages to the existing park system in San Ysidro and the adjacent Tijuana River Valley community plan area. The intent of the Mobility Element is to provide a cohesive transportation network, the Element specifically address transit services and facilities, including highlighting the presence of trolley stations, improving

the environment surrounding bus and trolley stops and focuses on the community infrastructure to access the transit by walking and biking. Urban Design Element encourages pedestrian-oriented design, multi-modal connections, a comprehensive wayfinding, and streetscape design that will promote walkability and support both the village concepts.

The Community Plan provides for growth and development through the assumed buildout year of 2035 by providing a foundation for development that builds on established character as reinvestment occurs in the urbanized areas. These specific factors support the decision to approve the project despite the significant unavoidable impacts identified in the FEIR.

5. The CPU promotes the City's Complete Streets policy by restoring a more balanced street environment that prioritizes public transit, walking, and bicycling over private vehicle movement.

Effective January 1, 2011, state law requires that cities address complete streets upon revisions to their general plan circulation elements. The specific requirement is to "plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan." The City's General Plan Mobility Element as adopted in 2008 meets this requirement. In fact, the Mobility Element is cited as an example of a general plan that has multi-modal goals and policies, and the City's Street Design Manual is listed as an example of a multi-modal transportation implementation document in the "Update to the General Plan Guidelines: Complete Streets and the Circulation Element," published by the State Office of Planning & Research (December 2010).

The CPU's Mobility Element promotes the concept of "complete streets," in which roadways are designed and operated to enable safe, attractive, and comfortable access and travel for all users including pedestrians, bicyclists, motorists, and public transport users. The Mobility Element include the following multi-modal goals; Pedestrian-friendly facilities throughout the community with emphasis on the San Ysidro Historic Village and Border Village areas in order to minimize or reduce pedestrian/ vehicles conflicts; a complete, safe, and efficient bicycle network that connects community destinations and links to surrounding communities and the regional bicycle network; high-quality public transit as the preferred transportation mode for employees and residents centered on transit oriented development and individuals using the border crossing; and a circulation system that provides for complete streets and adequate capacity and improved regional access for vehicle traffic.

Recommended improvements in the Mobility Element were developed with the consideration of implementing complete streets on the community's existing roadways. Policies that address pedestrian mobility include Policies 3.2.1 through 3.2.14. Additional pedestrian related policies may be found in Sections 4.5 and 4.6 of the CPU. Policy UD-A-9 regarding transit integration and UD-D-3 regarding pedestrian-orientated design focus on integrating development towards the street and creating and improving pedestrian access to trolley stations and bus stops to capitalize on access to transit, boost transit ridership, and reduce reliance on single occupancy vehicle driving.

The CPU supports, refines, and implements the City's Bicycle Master Plan. This includes the provision of a Class I Bike Path from the Port of Entry through the Border Village, San Ysidro Historic Village to

the Beyer Blvd Trolley Station and north along Beyer towards Otay-Mesa Nestor. Class II bikeways would be provided along Camino de la Plaza connecting to the Port of Entry to the Tijuana River Valley and Otay-Mesa Nestor community to the north and Otay Mesa community to the east. The bike routes for a community network that ultimately will connect to the regional bike network, including the Border Access Corridor. The Community Plan also encourages bikeways within the village areas to connect to trail heads, recreation areas, schools, activity centers and services.

The Community Plan provides for the use of street design and traffic calming/management solutions to improve pedestrian safety and also includes an Urban Design Element, which encourages the village design to be both pedestrian and transit-oriented with goals and policies for activating vibrant village cores with attractive streetscaping, public art, architecture, and public facilities.

6. The Community Plan implements the City's goal to incorporate its General Plan policies and goals into its neighborhoods as part of its long term community plan update process.

The Community Plan is superior in meeting the General Plan's Guiding Principles and the goals generated by the community planning group and stakeholders because it maintains established low density neighborhoods, provides employment lands, and increases residential development opportunities along the existing transit corridors to densities that support transit. The zones that have been identified for commercial uses allow for transit supportive floor area ratios (FARs) and residential densities.

The San Ysidro Historic Village concentrates on two areas of intensification: the area around the Beyer Trolley Station and the commercial corridor along San Ysidro Boulevard. The Border Village District centers on the commercial business along East San Ysidro Boulevard, and is within walking distance of the San Ysidro Transit Center Trolley Station and the international Port of Entry. The Community Plan implements the major goals of the City's General Plan Housing Element with the provision of sufficient housing for all income groups and providing affordable housing opportunities consistent with a land use pattern which promotes infill development and socioeconomic equity, while facilitating compliance with all applicable federal, state, and local laws and regulations.

The increased residential density included in the preferred land use plan will assist in meeting the City's affordable housing needs and implement the Community Plan housing policies, found in the Land Use Element's Section 2.2 and the General Plan's Land Use Element policies in Section H, Balanced Communities and Equitable Development, for a mix of housing types and the integration of affordable housing within village areas. The villages are consistent with the General Plan's guiding principles, the City of Villages strategy, and the Community Plan policies for diverse, balanced, compact, and walkable mixed-use villages that are linked to public facilities, to recreation opportunities, and to employment centers by walkways, bikeways, transit, roadways, and freeways.

The Community Plan's Urban Design Element and the General Plan's Urban Design Element policies UD-A.1 – UD-A.17 contained in Section A General Urban Design, policies UD-B.1 – UD-B.8 in Section B Distinctive Neighborhoods and Residential Design, and policies UB-C.1- UD-C.8 in Section C Mixed-Use Villages and Commercial Areas provide policy direction for village areas, streetscape improvements, building character, street trees, and sustainability features, gateways, and view corridors that respect

the community's natural setting, strengthens linkages and connectivity, improves the built environment, and creates mixed-use walkable villages.

These fundamental recommendations that are based on the General Plan policies cited not only will create diverse new housing near job/employment centers with transit opportunities; but will maintain the existing low density neighborhoods and historic districts, preserve open space resources while intensifying the nodes surrounding the transit stations and along the transit corridors in San Ysidro. Therefore, the Community Plan is consistent with the General Plan's Guiding Principles and each Community Plan's land use goals that were generated with the community during the update process. These specific factors support the decision to approve the project despite the significant unavoidable impacts identified in the FEIR.

7. The Community Plan implements strategies in the Climate Action Plan.

The Climate Action Plan (CAP) is intended to ensure the City of San Diego achieves Greenhouse Gas (GHG) reductions through local action. The CAP identifies five primary strategies implemented by a number of targets and actions, which together will meet GHG reduction target for 2020, as well as an interim target set for 2035 that is on the trajectory to the 2050 statewide goal established in former Governor Arnold Schwarzenegger's Executive Order S-3-05.

One of the five primary strategies identified in the CAP is to implement bicycling, walking, transit and land use strategies that promote increased capacity for transit-supportive residential and employment densities and provide more walking and biking opportunities in these areas. These concepts are consistent with the General Plan's Mobility Element and the City of Villages Strategy, and include a focus on increased capacity in Transit Priority Areas (TPAs).

The CPU and San Ysidro Historic Village Specific Plan provide site-specific recommendations consistent with these land use and mobility strategies. The Community Plan identifies neighborhood villages within Transportation Planning Areas (TPAs), and the land use and zoning associated with the CPU increases the capacity for transit-supportive residential densities in the villages, and identifies sites suitable to accommodate mixed-use village development, as defined in the General Plan.

The CPU includes two Neighborhood Villages, the San Ysidro Historic Village and the Border Village District. The San Ysidro Historic Village, implemented by the Specific Plan, concentrates on two areas of intensification: the area around the Beyer Trolley Station and the commercial corridor along San Ysidro Boulevard. The Border Village District centers on the commercial business along East San Ysidro Boulevard, and is within walking distance of the San Ysidro Transit Center Trolley Station. Densities range from 22 du/ac to 44 du/ac.

The CPU includes a section on Street Trees in the Conservation Element and a Street Tree Plan in Appendix A. The Street Tree Plan provides for a wide variety of tree types to enhance streetscapes in the community. Plan policies require new development to retain significant and mature trees, where feasible and supports public outreach efforts to educate business owners, residents, and school children on the care of, and environmental benefits of, shade-producing street trees and develops strategies for contributing to the canopy goal outlined in the CAP.

I. CONCLUSION

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

Passed by the Council of The City of San Diego on NOV 15 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 28 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 [Signature], Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 310803