

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Developer in accordance with the City's Standard Urban Stormwater Mitigation Plan (SUSMP). Provisions of the WQTR will focus on the protection of water resources from project-generated adverse impacts to surface runoff of the maximum extent practicable, identifying both construction and programmatic Best Management Practices (BMPs) as required. The WQTR will be commensurate with the level of effort required based on completion of the SUSMP Applicability Checklist. The WQTR will follow the required format as set forth in the City's Land Development Manual Storm Water Standards, including, but not limited to identification of the potential impacts (flows and pollutants), proper design of post construction BMPs based on standard design criteria presented in the SUSMP, implementation of construction and post-construction BMPs, and a maintenance agreement for the operation and maintenance of post-construction BMPs.</i></p> <p><i>Prior to issuance of a grading permit for any phase or unit of development within the proposed Project, the Developer will submit a Notice of Intent for construction in compliance with the NPDES Construction General Permit. As part of the application process, a project-specific SWPPP must be developed and implemented on site. (2006 EA, pp. 3.7-10 to 3.7-12.)</i></p> <p><u>Groundwater Resources</u></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Implementation of the proposed Project would require temporary dewatering during construction activities. Therefore, the Developer is required to enroll under RWQCB Order No. 2000-090. Enrollment under this Order will be required for any discharge of groundwater extracted and discharged into the San Diego Bay during construction activities, and effluent limitations will be subject to the terms and conditions of this Order. Under Order No. 2000-090, the Developer will be allowed only temporary dewatering during construction activity; no permanent groundwater extraction during project operations will be permitted.</i></p> <p><i>If infiltration into subterranean structures cannot be prevented through design and construction features, then extracted groundwater from permanent operations may be discharged into the City's sanitary sewer system. This option would require a permit from the City under SDMC 64.0500, Industrial Wastewater disposal.</i></p> <p><i>Implementation of these permit conditions would ensure compliance with the regulatory requirements set forth by federal, state, and local agencies. Compliance with the specified measures would reduce hydrology and water quality impacts from construction activities and operational impacts, including nonpoint and point-source discharges, to below a level of significance. (2006 EA, pp. 3.7-12 to 3.7-13.)</i></p>						
(b) Substantially increase impervious surfaces and associate runoff flow rates or					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
volumes? <i>The NBC site is essentially level, at street grade, and already covered with impervious surfaces. During storm events, surface water drainage flows to an existing network of subsurface storm drains located on and adjacent to the project site that discharge to the San Diego Bay. The proposed Project would require building demolition, subsurface excavations for building foundations and subterranean parking, and reconstruction of onsite storm drains. Implementation of the proposed Project could adversely affect hydrology and water quality conditions on the site and in the Project vicinity.</i> <i>However, because the Developer must comply with existing federal, state and local regulations, the proposed Project would not result in any significant water quality impacts.</i>						
9. LAND USE AND PLANNING						
(a) Physically divide an established community? <i>The Final EIR/EIS concluded that the NBC Project would be compatible with existing and planned surrounding land uses, and would not create any significant environmental effects associated with land use compatibility. (Final EIR/EIS, p. 4-12.) Implementation of the proposed Project would not divide an established community.</i>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>Much of the recent development in the neighborhoods surrounding the NBC has included high-rise structures with multi-family residential units, such as Electra and Grande at Santa Fe Place. The Little Italy neighborhood north of the site has been targeted for the majority of residential growth in the project vicinity, with nearly 5,000 units planned. The proposed action would contribute to a needed supply of commercial and retail uses that would support the surrounding residential development and waterfront uses. Therefore, consistent with the findings of the Final EIR/EIS and the Downtown Community Plan Final EIR, the proposed Project would not physically divide an existing community.</i>						
(b) Substantially conflict with the City's General Plan and Progress Guide, Downtown Community Plan or other applicable land use plan, policy, or regulation? <i>The Final EIR/EIS concluded that the NBC Project would be compatible with existing and planned surrounding land uses, and would not create any significant environmental effects associated with land use compatibility. (Final EIR/EIS, p. 4-12.)</i> <i>New planning documents that cover the NBC site have been adopted since the execution of the Development Agreement. The plans include the North Embarcadero Area Vision Plan (NEAVP) and the San Diego Downtown Community Plan. Both plans have assumed the NBC would be redeveloped by the Navy and its development partner as</i>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>defined in the Development Agreement.</i></p> <p><i>Implementation of the proposed Project would contribute 1,647,513 sf of new administrative office space to the Centre City region, which is well within the Downtown Community Plan estimates. The Downtown Community Plan identifies the Navy Broadway Complex as supporting waterfront and marine uses, including major tourist and local visitor attractions, trade, office, eating and drinking establishments, retail, parking, museum and cultural facilities, and hotels. The proposed Project would incorporate many of these uses on the site, including office, retail, parking, museums, and hotels, and would be compatible with adjacent land uses.</i></p> <p><i>The Downtown Community Plan's vision for the Columbia neighborhood, which includes a substantial portion of the NBC site, states that the NBC has significant development potential and that reuse of the site would offer the neighborhood a reinvigorated, connected waterfront. With the exception of Seaport Village, OPH, and the NBC, the Marina neighborhood is not expected to accommodate significant growth. Implementation of the proposed Project would complement the planning focus of completing the Marina neighborhood with needed retail, open space, as well as improved access to the San Diego Bay.</i></p> <p><i>Implementation of the Project would likewise be consistent with and enhance goals</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>identified in the NEAVP. Implementation of the Project would provide accessible bayfront, and public parks, as well as physical extension to the Bay.</i></p> <p><i>For these reasons, implementation of the proposed Project would not conflict with the City's General Plan and Progress Guide, Downtown Community Plan or other applicable land use plan, policy, or regulation. As such, this impact is less-than-significant.</i></p>						
<p>(c) Be substantially incompatible with surrounding land uses?</p> <p><i>The Final EIR/EIS concluded that the NBC Project would be compatible with existing and planned surrounding land uses, and would not create any significant environmental effects associated with land use compatibility. (Final EIR/EIS, p. 4-12.)</i></p> <p><i>The proposed Project is consistent with the NBC Development Agreement. The Project boundaries remain the same and all the components of the original project that were identified in the 1992 Final EIR/EIS and Development Agreement have been carried forward.</i></p> <p><i>Implementation of the Project would be compatible with surrounding land uses. The NBC is located in the Columbia and Marina neighborhoods of downtown San Diego,</i></p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>which have experienced substantial development since the execution of the Development Agreement. Implementation of the proposed Project would develop a mixed-use project including office, retail, hotel, public open space, new landscaping, upgraded public facilities, and new roadway improvements that would compliment adjacent uses in the surrounding areas.</i>						
10. MINERAL RESOURCES						
(a) Substantially reduce the availability of important mineral resources? <i>The Final EIR/EIS analyzed impacts to mineral resources and, based on information available from the U.S. Bureau of Land Management and the California Division of Oil and Gas, concluded that the Project site is not known to contain any extractable resources. As the Project site is not known to have any extractable resources such as oil, gas, or aggregate, and no resources are known to have been extracted from the site, no significant impacts will result. (Final EIR/EIS, pp. 147-148.)</i> <i>The proposed Project is intended to be consistent with the NBC Development Agreement and conform to the policies of the Downtown Community Plan. The Project boundaries remain the same and all the components of the original project have been carried forward that were identified in the 1992 Final EIR/EIS and Development Agreement. The Project will not result in any significant impacts to mineral resources.</i>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase 1 Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
11. NOISE						
(a) Substantial noise generation?			X	X		
<p><u>Short-Term Noise Impacts</u></p> <p>The Final EIR/EIS states that implementation of the Development Agreement could cause a short-term annoyance to noise-sensitive land uses in the surrounding area due to construction activities. (Final EIR/EIS, p. 4-181). According to the Final EIR/EIS, this impact would be mitigated to a less-than-significant level through compliance with the San Diego County Code, which requires that significant noise generating construction activities will be limited to Monday through Saturday, 7:00 a.m. to 7:00 p.m. (Final EIR/EIS, p. 4-186.)</p> <p>The City of San Diego noise ordinance, noise effects from construction activities on residential receptors are not to exceed 75 dBA, averaged over a 12-hour period. According to the 2006 NBC EA, the loudest construction noise associated with the Development Agreement would be from demolition of existing structures, concrete foundations, and parking areas. The nearest sensitive receptors to a demolition site are residents at Archstone Harborview, approximately 150 feet away. At this distance, the maximum noise level from demolition activities is calculated at 82 dBA and the average</p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>hourly noise level would be 77 dBA L_{eq} (EA 2006, p. 3.9-8.) Assuming a worst-case scenario of 8 hours of noise at 77 dBA level from demolition, the average noise level over 12 hours would be 75 dBA, which equals but does not exceed the limits of the City Noise Ordinance.</i></p> <p><i>Implementation of the proposed Project implements and is consistent with the Development Agreement. Nothing about the proposed Plan indicates that it would generate additional noise beyond that contemplated by the Development Agreement. Accordingly, short term noise impacts would remain less than significant.</i></p> <p><u>Long-Term Noise Impacts</u></p> <p><i>The NBC would include mechanical equipment that would generate noise that could be heard at receptors offsite. Equipment could include heating fans, ventilating, air conditioning, cooking, and laundry equipment and emergency generators. The City of San Diego noise ordinance limits the noise from these sources to 65 dBA Leq from 7:00 a.m. to 7:00 p.m. and 60 dBA Leq from 7:00 p.m. to 7:00 a.m. The Project does not include specific building designs that specify the types and locations of equipment, nor are such plans required at this stage of the planning process. At the time the Developer submits to the City Building Inspection Department approval plans showing the locations of noise-generating equipment, the Developer will be required to demonstrate</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>that the buildings will comply with the City noise ordinance. Compliance with the City's noise ordinance will ensure that noise generated from implementation of the proposed Project remains less-than-significant.</p> <p><u>Noise Generated Away From Project Site</u></p> <p>Following construction completion, noise would be generated offsite by vehicle traffic utilizing the proposed development. Traffic generated by the NBC Project as well as for other anticipated development in the area is included in the SANDAG 2030 forecasted volumes. Using these cumulative volumes, traffic noise was assessed for major roadways in the Project area. Observed speeds and vehicle mix from the August 2005 noise measurements were used in the model. The results showed that the noise increases from the existing condition to the 2030 condition, which includes traffic generated by the NBC Project as detailed in the Development Agreement, would be less than 3 dBA. (2006 EA, p. 3.9-10.) There is nothing about the proposed Project that suggests it would result in more noise than indicated in the Development Agreement.</p> <p>Thus, both the cumulative and direct noise impacts would be less than significant.</p>						
(b) Substantial interior noise within habitable rooms (e.g. levels in excess of 45 dB (A) CNEL)?			X			X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>The Final EIR/EIS states that, as in any downtown urban area characterized by dense development, future traffic noise levels are expected to be relatively high in the vicinity of the NBC. The hotels proposed in the Development Agreement and in the Project would be within the 65 dB CNEL contour of Pacific Highway. As stated in the Final EIR/EIS, this could result in noise levels in excess of 45 dB CNEL in hotel rooms, which would be a significant impact. (Final EIR/EIS, p. 4-181.)</i></p> <p><i>As required by Mitigation Measure 4.9-3 of the Final EIR/EIS, prior to the issuance of building permits for hotel structures under the proposed Project, building specifications for hotel structures describing the acoustical design features of the structures and evidence must be prepared by an acoustical consultant that sound attenuation measures will satisfy the interior noise standard of 45 dB CNEL must be submitted to the City Building Inspection Department for approval. Implementation of this measure will ensure that interior noise impacts remain less than significant.</i></p>						
12. POPULATION AND HOUSING						
<p>(a) Substantially induce population growth in an area?</p> <p><i>The 2006 Downtown Community Plan EIR analyzed implementation of the Downtown Community Plan on population and housing. According to the Downtown Community</i></p>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Plan Final EIR, CCDC projected a maximum population of 89,100 by the year 2030 under the Community Plan. Therefore, the existing population of 27,500 would more than quadruple as a result of the Downtown Community Plan.</i></p> <p><i>The Downtown Community Plan Final EIR concluded that the number of residential units under the Community Plan would reach a maximum of 53,100 by the year 2030, which means that the existing number of residential units would increase by approximately 360 percent. This year 2030 residential unit projection for the Community Plan is greater than that anticipated by the 2030 City/County Forecast. SANDAG's projected number of residential units in the downtown planning area is 34,284 by 2030. The difference between CCDC's estimate based on the Community Plan and the SANDAG forecast is 18,818 residential units. Therefore, the Community Plan EIR concluded that it would contribute additional housing to a region that is currently experiencing housing deficiencies and would have a beneficial effect on housing supply.</i></p> <p><i>In addition, according to the Final EIR/EIS employment growth associated with implementation of the Development Agreement could result in indirect housing demands and population growth through project-induced in-migration to the region. Given the substantial housing and population base in San Diego, however, the Final EIR/EIS concluded that new employees to the region associated with the NBC Project would be</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>absorbed without notable secondary effects. Because San Diego has grown to an even larger population base than the population in 1992 and because the proposed Project would not result in greater employment opportunities than the Development Agreement allows, impacts to population growth remain less than significant.</i>						
(b) Substantial displacement of existing housing units or people? <i>Housing units are not currently located on the NBC site nor do people reside on the site. Nor would the Project result in off-site housing or people to be displaced. Therefore, implementation of the proposed Project could not result in a substantial displacement of existing housing units or people.</i>					X	X
13. PUBLIC SERVICES AND UTILITIES						
(a) Substantial adverse physical impacts associated with the provision of new schools? <i>The NBC is located within the San Diego Unified School District. (SDUSD). According to the Final EIR/EIS, implementation of the Development Agreement would not directly contribute students to the elementary and secondary schools within the San Diego Unified School District because residential uses are not included within the Agreement.</i> <i>According to the 2006 Environmental Assessment prepared to consider implementation</i>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>of the Development Agreement, SDUSD enrollment has been declining since the 2000-2001 school year, when the student population reached a peak of 142,260. This was after more than 20 years of steady growth in the 1980s and 1990s. School enrollment within the overall SDUSD system is currently operating below capacity, serving a total student population of 129,580 as of September 2005. Generally, elementary schools are operating well below capacity, while secondary schools are generally operating closer to, but not exceeding, estimated occupancy levels. The SDUSD has forecast a decline in student enrollment through the 2013-2014 school year. Although the downtown region has experienced considerable residential growth in recent years, the increased residential development occurring in the area has thus far not generated a significant public school population. SDUSD staff is closely monitoring this situation and working with city staff to plan for new school facilities downtown should they be needed. (2006 EA, p. 3,4-7.)</i></p> <p><i>In July 1998, San Diego voters approved proposition MM, which allocates \$1.51 billion to fund modernization of the 161 then existing schools, construction of 12 new schools, and the rebuilding of 3 existing schools. The SDUSD utilizes fees under Proposition MM funding. While there are no current plans for construction of new schools that would specifically serve the NBC, Golden Hill Elementary and Laura G. Rodriguez Elementary are located near downtown San Diego. Golden Hill Elementary opened in January 2006 and Laura G. Rodriguez Elementary is expected to open September 2007.</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Proposition MM has resulted in the improvements of school facilities, as well as the addition of six new elementary and two new middle schools.</i></p> <p><i>Education Code Section 17620 (formerly known as Government Code Section 35080) authorizes school districts to levy a fee, charge, dedication, or other form of requirement against any development project for the construction or reconstruction of school facilities. The SDUSD prepared the District's Impact Fee Justification Study, dated January 2003, which concluded that it is necessary to implement the authority of Section 1782- to levy fees in the amount of:</i></p> <ul style="list-style-type: none"> <i>• \$2.14 per foot for construction of new residential buildings; and</i> <i>• \$.36 per square foot for commercial and industrial construction.</i> <p><i>The developer will pay the required impact fees of \$0.36 per square foot for the construction of new office, commercial, and hotel development in accordance with the MMP except for the Navy Office Building per the Development Agreement. Accordingly, there would not be significant impacts to schools associated with implementation of the proposed Project.</i></p>						
(b) Substantial adverse physical impacts associated with the provision of fire protection/emergency services?					X	X

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>The Final EIR/EIS concludes that existing fire protection/emergency facilities, manpower and equipment at the city and Federal fire departments are adequate to maintain a sufficient level of fire protection service to project site under the Development Agreement. The Final EIR/EIS therefore concluded that the impacts to fire protection associated with implementation of the Development Agreement are less-than-significant. (Final EIR/EIS, pp. 4-115 – 4.117.)</i></p> <p><i>The Final EIR/EIS explains that implementation of the Development Agreement would increase vehicular traffic on surrounding streets and arterials, which may increase the risk of traffic accidents. According to the Final EIR/EIS, however, implementation of the circulation improvements proposed to mitigate impacts from the NBC redevelopment and other area development, as discussed in Section 4.2.3, page 4-65 of the Final EIR/EIS would reduce this potential adverse effect to a level of less than significant.</i></p> <p><i>According to the Downtown Community Plan Final EIR, the San Diego Fire Department is in the process of securing sites for two new fire stations in the downtown area. As stated in the Community Plan Final EIR, while the two new fire stations, which may be built downtown, would result in physical impacts, their construction would not be directly related to the Community Plan. Furthermore, insufficient information exists to accurately determine the physical impacts which may occur from either of the proposed stations. As no site has been selected for a station west of Harbor Drive, no</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>evaluation can be made.</i></p> <p><i>As with the Development Agreement, development under the proposed Project would result in construction of new buildings and underground parking facilities that would be susceptible to fire hazards or would require emergency medical response. Pursuant to the Development Agreement, proposed development of the NBC will include sprinklers and other fire safety measures that would reduce fire impacts. Water flows of 9,463 liters per minute (2,500 gallons per minute) would be required with a sprinkler fire system to adequately serve the NBC site. (2006 EA, p. 3.4-5).</i></p> <p><i>According to the 2006 Environmental Assessment prepared for the Development Agreement, existing facilities, staffing, and equipment remain adequate to maintain a sufficient level of fire protection service to the project site. In addition, in response to the growth projections for the region not associated with the NBC Project, the San Diego Fire Department has secured a site for a new fire station, known as the Bayside Station, at the southeast corner of Cedar and Pacific Highway. The Federal Fire Station at 32nd Street would also continue to provide as-needed service to the site.</i></p> <p><i>In addition, as described by the Downtown Community Plan Final EIR, Policy 8.2-P-1 of the Downtown Community Plan calls for the collection of Development Impact Fees (DIF) for all development to help pay for needed fire facilities. The Project</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Developers will pay this fee in relation to development of the NBC, except for the Navy office building, per the Development Agreement.</i></p> <p><i>For these reasons, the proposed Project would not require additional fire or emergency protection beyond that analyzed in the 1992 Final EIR/EIS, the 2006 Downtown Community Plan Final EIR, or in the 2006 EA. Therefore, no significant impacts to fire protection/emergency services are anticipated with implementation of the proposed Project.</i></p>						
<p>(c) Substantial adverse physical impacts associated with the provision of law enforcement services?</p> <p><i>According to the 2006 EA, the potential law protection impacts remain the same as those identified by the Final EIR/EIS (i.e. an increased risk of traffic accidents due to increased vehicular traffic on surrounding streets and arterials and a potential for increased car prowls on parked vehicles as a result of the higher density use proposed by the project.) Like the Final EIR/EIS, the 2006 EA concluded that these impacts will be less than significant. As explained in the 2006 EA, in response to the future growth and development projected for the region not associated with the NBC project, the San Diego Police Department has recommended an increase in staff of 38 officers</i></p>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>downtown over the next 5 years, and a related increase in civilian staff. Any additional staff would be available to assist the site. In addition, Harbor Police would continue to serve the San Diego Bay waterfront, including the project site, in coordination with the San Diego Police Department. Navy Shore Patrol and Commander Navy Region Southwest Public Safety would also continue to provide safety responses to Navy-occupied buildings in support of the City and Harbor Police. (2006 EA, p. 3.4-3.)</i></p> <p><i>Implementation of the proposed Project would not affect the provision of law enforcement to serve the project area because the proposed uses and intensities are virtually identical to those outlined by the Development Agreement. Therefore, implementation of the proposed Project would not result in significant impacts to police services.</i></p>						
<p>(d) Substantial adverse physical impacts associated with the provision of water transmission or treatment facilities?</p> <p><i>The Final EIR/EIS concluded that because existing water facilities in the project vicinity are currently operating well within their service capacity, there would be no significant impacts to water service from implementation of the Development Agreement.</i></p> <p><i>According to the 2006 EA, implementation of the Development Agreement would</i></p>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>consume an addition 0.5 percent of current City water consumption rates per day. (2006 EA, p. 3.4-13.) This amount would likely be smaller under the proposed Project because the Project proposes less development than approved in the Development Agreement.</i></p> <p><i>San Diego Municipal Code 147.04 requires that all buildings, prior to a change in property ownership, be certified as having water-conserving plumbing fixtures in place. Though ownership of the property remains with the Navy, water-using elements of the proposed Project will comply with this ordinance. In addition, once detailed plans for the site under the Project have been approved, the developer will work with the City to determine detailed flow rates for the site.</i></p> <p><i>Water supply has been accounted for by the San Diego County Water Authority (SDCWA) in its 2000 Urban Water Management Plan (UWMP). (SDCWA). The UWMP uses a modeling program to assess future water demand and utilizes demographic data and regional growth forecasts from SANDAG to calculate projected water demand. Based on this information, there is expected to be sufficient supply to meet the demands of the project because development is accounted for in certified development plans and environmental documents.</i></p> <p><i>Finally, the existing water facilities in the project vicinity are currently operating within</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>their service capacity. Compliance with San Diego Municipal Code 147.04 would reduce the amount of water consumed by build-out of the proposed Project. In addition, ongoing upgrades to the Alvarado Water Treatment Plan have increased its capacity of treated water by 33 percent.</i></p> <p><i>Therefore, consistent with the conclusions of the Final EIR/EIS, no significant impacts to water service or water infrastructure are anticipated from the proposed Project.</i></p>						
<p>(e) Substantial adverse physical impacts associated with the provision of wastewater transmission or treatment facilities?</p> <p><i>According to the Final EIR/EIS, the NBC Project would significantly increase the amount of wastewater conveyed through existing sewer facilities. This would represent a substantial increase over existing uses and would result in significant impacts to sewer conveyance facilities. Mitigation Measure 4.4.6, requires the existing 15-inch diameter mains located in Pacific Highway and in Market Street to be upgraded by the developer, in coordination with the City of San Diego, to a capacity sufficient to serve future onsite development, as well as future upstream and tributary developments that would be linked to them. The Final EIR/EIS concludes that implementation of Mitigation Measure 4.4.6 would avoid impacts related to sewer facilities, and as such this impact is less than significant. (Final EIR/EIS, p. 4-126.) Pursuant to Mitigation</i></p>			X	X		

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Measure 4.4.6, the developer of the proposed Project will work with the City to upgrade the existing 15-inch diameter mains located in Pacific Highway and in Market Street. Given this measure, significant impacts of the Superseding Master Plan related to sewer facilities will be avoided.</i></p> <p><i>According to the 2006 EA, implementation of the Development Agreement would increase flows at Point Loma Water Treatment plant (PLWTP) by less than .2 percent. The proposed Project would likely increase flows to even less than that projected for the Development Agreement because the amount of square footage dedicated to Navy and/or private use is less than what was originally approved. Given that PLWTP Since 1992 when the Final EIR/EIS was certified, there has not been an increase in the amount of effluent and PLWTP is operating at 73 percent of design capacity, additional plant improvements would not be required to accommodate these additional flows;</i></p> <p><i>Prior to execution of the Development Agreement, both the City and the RWQCB stated that the additional wastewater generated by implementation of the Development Agreement would not significantly affect the quality of water discharged from the outfall, nor would it affect the City's ability to provide secondary treatment of wastewater, nor would it significantly affect the capacity of the wastewater treatment system. (2007 EA, p. 3.4-16.) Since that time, there has been an increase in the amount of effluent discharge and PLWTP has increased its capacity to meet that demand and</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>has a remaining capacity of 27 percent.</i>						
<i>For the reasons provided above, impacts to wastewater treatment associated with implementation of the proposed Project would remain less-than-significant.</i>						
(f) Substantial adverse physical impacts associated with the provision of landfill facilities? <i>According to the Final EIR/EIS, based on the City's plans to develop new landfills or expand existing ones to serve the city's future disposal requirements, no significant impacts to solid waste disposal would result from the Development Agreement. (Final EIR/EIS, p. 4-128.)</i> <i>In addition, to reduce the amount of waste material entering landfills, as well as to meet the recycling goals established by the City and mandated by California AB 939 (1989) the City requires individual redevelopment activities of at least 50 residential units or 40,000 sf of commercial space to submit a Waste Management Plan to limit construction and demolition waste. Pursuant to this requirement, construction demolition debris will be sent to the newly opened construction demolition inert recycling facility, approximately 9 miles from the NBC, to reduce landfill waste associated with demolition of the existing structures.</i>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Redevelopment activities meeting the 50 residential unit threshold would also be required by San Diego Municipal Code to manage long-term solid waste generated after construction. Development under the proposed Project will be required to have as many recycling bins as trash bins on the premises and provide adequate interior and exterior refuse and recycling storage space. (EA 2006, p. 3,4-19.) Conformance with the Municipal Code would reduce long-term solid waste generation rates, and the County's two future landfill expansion plans will expand the long-term capacity available for solid waste and disposal.</i></p> <p><i>Accordingly, for the reasons provided above, solid waste impacts associated with the proposed Project would be less than significant.</i></p>						
14. PARKS AND RECREATIONAL FACILITIES						
<p>(a) Substantial increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</p> <p><i>The adopted Recreation Element of the City's Progress Guide and General Plan sets forth a series of goals and guidelines for the provision of recreation opportunities in both existing and new communities. "Population-based facilities ideally constitute 1.0 to 3.9 acres of land per 1000 residents depending on proximity to schools and the</i></p>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>residential densities of their service areas. Resource-based parks should provide between 15 and 17 acres/1000. Open space lands, sports fields, plazas, and landscaped areas should constitute approximately 1.1 to 2.0 acres/1000 residents. These figures are norms or abstract concepts, however, and should not be rigidly applied throughout the City." (San Diego Progress Guide and General Plan, p. 165.)</i>						
<i>The proposed Project includes 1.9 acres of formal open space/park area at the corner of Broadway and Harbor Drive. These spaces are expected to adequately serve the demand for parks that the Project may generate. The use of these 1.9 acres is expected to off-set any demand for already existing parks. As such, implementation of the proposed Project would not result in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.</i>						
15. TRANSPORTATION/TRAFFIC						
(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street and highway system (e.g., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	X		

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>The Final EIR/EIS concluded that there are no roadway segments or intersections where unavoidable adverse impacts would occur after implementation of the mitigation measures provided in section 4.2 of the EIR/EIS. (Final EIR/EIS, pp. 4-70, 4-73.)</i></p> <p><i>Because traffic conditions have changed since the Final EIR/EIS was certified, the 2006 EA prepared for the NBC Project examined existing conditions and compared those conditions to buildout of the NBC Project as set forth in the Development Agreement. Because the Project implements the Development Agreement, the EA's analysis is relevant to and relied upon by this Initial Study. The following summarizes the traffic analysis performed by the 2006 EA.</i></p> <p><i>LOS information for streets adjacent to the NBC site is included in the Downtown Community Plan EIR Transportation, Circulation and Access Study. Existing LOS within the study area includes all intersections expected to be affected by the redevelopment of the NBC. (See 2006 EA, p. 3.2-2) All studied intersections, except for Grape Street and North Harbor Drive in the p.m. peak hour operate at LOS C or better. The intersection of Grape Street and North Harbor Drive operates at LOS E during the p.m. peak hour. Table 3.2-2 of the 2006 EA summarizes the existing LOS for roadway segments adjacent to the NBC. All roadway segments operate at LOS D or better.</i></p> <p><i>The 2006 EA analyzes trip generation rates associated with land uses assumed in the</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Development. Using trip generation rates from the 1990 City of San Diego Trip Generation Manual, the land uses assumed in the Development Agreement, would generate 39,731 ADTs on the downtown circulation network. Based on the conclusions regarding potential traffic impacts presented in the 1991 ROD, the Development Agreement identified specific transportation improvements that will be incorporated into the proposed Project, as discussed below.</i></p> <p><i>The recent traffic analysis completed for the Downtown Community Plan EIR also addressed the potential traffic impacts that would result from implementation of the proposed action and other cumulative projects in the downtown area. The Community Plan EIR utilized the current City of San Diego trip generation rates for downtown San Diego; these rates for individual land uses are lower than the rest of the city because of the high use of public transit and because the density and proximity of land uses downtown reduces the need for multiple automobile trips.</i></p> <p><i>The 2006 EA concluded that the Development Agreement is estimated to generate approximately 27,130 ADT. This represents a 32 percent reduction (12,601 ADT) from the number of trips assumed in the Development Agreement. This large reduction in ADT is due mainly to the reduced trip generation rates identified by the City that best reflect greater use of public transportation in the downtown area. According to the 2006 EA, the 32 percent reduction in number of trips would lessen the potential traffic</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>impacts that were assumed when the Navy and the City entered into the Development Agreement. The proposed Project is consistent with the Development Agreement and is virtually the same in terms of use and intensity as the Development Agreement.</i></p> <p><i>All of the following transportation improvements in the Development Agreement will be implemented by the City and the developer, as indicated in the MMP during construction of the project as proposed by the Project:</i></p> <ul style="list-style-type: none"> <i>E, F, and G streets shall be extended to allow for continuous vehicular and pedestrian access between Pacific Highway and North Harbor Drive;</i> <i>G Street shall provide enhanced access between the Marina neighborhood and the G Street Mole by extending G Street as a major pedestrian promenade;</i> <i>Pacific Highway shall be widened and improved along the frontage adjacent to the NBC; and</i> <i>A Long-Term Travel Demand Management (TDM) Program shall be implemented.</i> <p><i>The substantial reduction in ADTs calculated in the updated traffic analysis confirms the conclusions of the Development Agreement and the Final EIR/EIS that the agreed-</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>upon traffic improvements would be sufficient to mitigate potential traffic impacts in today's conditions.</i>						
<p>(b) Create an average demand for parking that would exceed the average available supply?</p> <p><i>The Final EIR/EIS concludes that the Development Agreement would accommodate 80 percent of the parking demand, without Travel Demand Management measures (TDMs). The Final EIR/EIS concludes that the successful application of TDM to the Development Agreement would reduce the level of vehicular traffic by increasing transit and ridesharing use as has been documented in San Diego. Accordingly, there would be no reliance on offsite parking to meet the project's demands.</i></p> <p><i>When the Development Agreement was signed in 1992 and the Final EIR/EIS certified, the City had no minimum or maximum parking requirements for development in the Centre City area. Instead, parking supply ratios were based on surveys of other Centre City projects. The Development Agreement utilized the maximum parking rates for the proposed Development Plan as follows:</i></p> <ul style="list-style-type: none"> <i>• Navy Administration Space: 1.00 spaces per 1,000 sf plus 0.23 per 1,000 sf for official fleet vehicles;</i> <i>• Commercial Office: 1.00 spaces per 1,000 sf</i> 					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <ul style="list-style-type: none"> • Hotel: 0.75 spaces per guest room • Retail: 4.00 spaces per 1,000 sf. <p><i>These requirements are vested in the 1992 Agreement and are not superseded by subsequent zoning regulations adopted within the Centre City Planned District Ordinance (PDO). The Agreement establishes maximum parking ratios for the development based on land uses. The Final EIR/EIS acknowledged that, at the time of the Agreement's approval, there were no minimum or maximum parking requirements in the Centre City area. The Final EIR/EIS, however, evaluated parking demand for the project and concluded that with the availability of transit in the downtown area and the adoption of the Transportation Demand Management Plan (required for each phase of the project), the development would provide an adequate amount of on-site parking and there would be no reliance on off-site parking facilities to meet parking demand.</i></p> <p><i>The Final EIR/EIS identified a need for 3,105 parking spaces. The proposed Project is not deficient in that the 3,105 spaces evaluated in the Final EIR/EIS were based on a different size project. The 3,105 sf of parking identified by the Final EIR/EIS, assumed 3.25 million sf of development in the project area. The parking proposed for hotel uses under the Project is based on hotel room count, rather than square footage, which is a more accurate reflection of actual parking demands associated with buildout of the NBC Project. Although there is a difference in parking spaces provided compared to</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>those analyzed by the Final EIR/EIS, these changes to the Project do not rise to the level of substantial changes requiring major revisions to the Final EIR/EIS or other Environmental Document examined in this Initial Study.</i>						
<p>(c) Substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded?</p> <p><i>The Downtown Planning area has an abundance of alternative transportation choices including the Coaster, Trolley, and bus lines. The proposed Project does not include components that would substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded.</i></p> <p><i>Additionally, SANDAG has indicated that transit facilities should be sufficient to serve the downtown population, including persons associated with the NBC project, without exceeding capacity. Therefore, no impact will occur associated with transit or alternative modes of transportation.</i></p>					X	X
16. MANDATORY FINDINGS OF SIGNIFICANCE						
(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p> <p><i>As indicated above, due to the highly urbanized nature of the downtown area, no sensitive plant or animal species, habitats, or wildlife migration corridors are located in the Project area. Furthermore, the Project would not eliminate important examples of major periods of California history or prehistory. No aspects of the Project would substantially degrade the environment.</i></p> <p><i>Consistent with the findings of the Final EIR/EIS, because the proposed Project will conform to the requirements of the Development Agreement and is virtually identical in terms of use and intensity, there would be no significant transportation impacts.</i></p>						
<p>(b) Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?</p> <p><i>Effects of the proposed Superseding Master plan on land use and applicable plans; aesthetics and viewshed; public services and utilities; and other issues would not be</i></p>		X				

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>significant and would not incrementally contribute to a significant cumulative impact associated with other planned projects for the downtown area nor the applicable planning documents for the area. Potential cumulative effects of the proposed Project and other foreseeable projects are not expected to be significant.</i></p> <p><u>Land Use and Applicable Plans</u></p> <p><i>There are a number of projects in the vicinity of the Project that are listed in the Downtown Community Plan and which have been analyzed at a program level in the Downtown Community Plan Final EIR. The Downtown Community Plan Final EIR identified increased development activities downtown would combine with those expected in surrounding neighborhoods to displace homeless populations, encouraging them to move into less active areas in surrounding neighborhoods. (Downtown Community Plan Final EIR, p. 6-8.) As concluded by the Downtown Community Plan Final EIR, existing programs offered to the homeless have not proven completely effective in meeting the needs of the homeless population. As there are no other measures identified in the EIR/EIS or the Downtown Community Plan Final EIR, this impact is inmitigable. However, unless related to an impact on the physical environment, a social or economic impact, such as homeless population displacement, is not a significant effect on the environment. (Pub. Resources Code, §§ 21090 subd. (e)(2), 21092.2 subd. (c); CEQA Guidelines § 15064, subd. (e).) As such, this impact is</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>not a significant environmental effect requiring preparation of an Environmental Impact Report.</i></p> <p><u><i>Aesthetics and Viewshed</i></u></p> <p><i>Downtown San Diego is experiencing rapid development and future downtown projects, especially those along the San Diego Bay waterfront, could result in potential impacts to important view corridors. Cumulative projects located along the waterfront in the vicinity of the proposed NBC project, include projects identified in the NEAVP, Land Field, County Waterfront Park, Bosa Pacific Highway at Ash, Seaport Village Expansion, Electra, the Columbia Commons, and Central Park and Old Police Headquarters. Although a substantial amount of development is occurring along the visually sensitive waterfront, Centre City Community Plan recognizes the importance of view corridors and contains policies to avoid substantial degradation of designated views.</i></p> <p><i>The Development Agreement specifies design measures to avoid aesthetic effects on surrounding areas, including height limits, setbacks, opening of public streets and related view corridors, and design guidelines to improve the appearance of the developed project at the NBC. The proposed Project is consistent with the requirements of the Development Agreement. The proposed Plan would not have an adverse aesthetic</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>effect, and the design measures incorporated into the proposed Project, as required by the Development Agreement, ensure that the project is compatible with surrounding development. Therefore, the proposed action would not contribute to cumulative aesthetics impacts.</i></p> <p><u>Public Services and Utilities</u></p> <p><i>The Development of projects listed above, as well as future projects anticipated in planning documents, would result in an increased demand on police and fire services. To meet anticipated demand for police services, the San Diego Police Department would need additional resources such as personnel, equipment, and training. The need for a new police substation has not been identified at this time and would be subject to independent environmental review. In response to increased development the San Diego Fire Department has secured a site for the construction of the new fire station. The proposed Project would not cumulatively contribute to the demand for additional services. Additionally, as indicated, the proposed Project would have no impact to the provision of schools in the area</i></p> <p><i>Under buildout conditions proposed in the Downtown Community Plan, the demand for treated water downtown would increase from approximately 8.62 million gpd to approximately 18.89 million gpd. The additional demand would not, however, represent</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>a substantial increase in the requirement to meet the anticipated demand for water within the SDCWA service area. (Downtown Community Plan EIR, pp. 5.4-13 – 5.4-14.) To meet the anticipated demand for improved water infrastructure, the city of San Diego Water Department would systematically replace or upsize deteriorating and undersized pipes through its Capital Improvement Projects program. Similarly, to meet anticipated sewer demands, the San Diego Metropolitan Wastewater Department would continue to replace deteriorating and undersized pipes through its Capital improvement Projects program. (Ibid.) Therefore, no significant cumulative impacts to water or sewer would occur.</i></p> <p><u>Population and Housing</u></p> <p><i>SANDAG provides projections of population, housing, and employment growth based on growth trends, land use patterns, and general plan land use designations. The SANDAG projections are cumulative in nature and are based on mixed-use development of the NBC site, as designated in the City of San Diego General Plan. In addition, the San Diego Downtown Community Plan acknowledges redevelopment of the NBC site. Development of the proposed Project would be consistent with regional growth projections for the site. Therefore, the proposed Project would not adversely affect cumulative socioeconomic projections.</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><u>Geology, Seismicity, and Soils</u></p> <p><i>Potential geologic and seismic effects for the proposed Project are site specific and would not be affected by, nor contribute to, cumulative impacts. In addition, the proposed Project would reduce the potential for seismic impacts onsite, as it would include earthquake-safe buildings, replacing the existing buildings that do not meet current earthquake standard requirements. Because all applicable codes and regulations would be met, impacts associated with geologic and seismic hazards, as well as from soil instability, would not be considered cumulatively significant.</i></p> <p><u>Hydrology and Water Quality</u></p> <p><i>Water quality in the vicinity of the project site is affected by pollution associated with urban runoff, mainly from impervious surfaces such as parking lots. Development downtown, including the NBC project as detailed by the Project, as well as other development guided by local plans, would increase pollution-generating activities and could subsequently result in additional water quality impacts to San Diego Bay. Most future development projects in downtown would be subject to NPDES regulations requiring BMPs to control potential effects on water quality. Both the Port District and the City have adopted Urban Runoff Management Programs that aim to reduce storm water pollution from downtown area. In addition, the NBC is located on a site that is</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>currently urban in nature and developed mainly with impervious surfaces; therefore, redevelopment of the site would not incrementally increase areas of impervious surface within the surrounding area. Compliance with regulations set forth by the SWRCB, RWQCB, Port District, and the City would reduce potential impacts to below a level of significance and ultimately improve the quality of runoff leaving the NBC site. The proposed Project would not, therefore, contribute to cumulative impacts to water resources.</i></p> <p><u><i>Air Quality</i></u></p> <p><i>The cumulative impacts analysis of the Final EIR/EIS concluded that implementation of the Development Agreement would incrementally contribute to the region's non-attainment of ozone and carbon monoxide standards, which is a cumulatively significant unmitigated impact. As indicated, because the San Diego Air Basin already is impacted, any new development would have a significant cumulative impact on regional air quality. Thus, implementation of the proposed Project would result in a significant cumulative air quality impact. Although the cumulative impact would be significant, the proposed Project would concentrate development in an area which is well served by transit and offers a variety of opportunities to work and live in the same area. This conclusion is consistent with the conclusions of the Final EIR/EIS.</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><u>Noise</u></p> <p><i>Noise, by definition, is a localized phenomenon and drastically reduces in magnitude as distance from the source increases. As a result, only projects and growth due to occur in the immediate vicinity of the proposed action would be likely to contribute to cumulative noise impacts. Construction activities associated with the proposed Superseding Master Plan would likely contribute to cumulative noise impacts. Construction activities would be short term and would comply with County Noise Ordinance construction standard and thus, would not result in an incremental significant effect to noise levels in the area. The addition of traffic associated with the proposed Project would contribute to increases in noise along roads, most notably along North Harbor Drive. Although these increases would be potentially noticeable from adjacent receivers, the street segments surrounding the NBC site are highly urbanized, and therefore elevated noise levels are expected. In addition, compliance with Title 24 of the California Code of Regulations would mitigate vehicular noise impacts that would exceed the interior significant thresholds for most development. Therefore, the proposed Project's contribution to noise impacts would not be cumulatively considerable.</i></p> <p><u>Historical Resources</u></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>As explained by the Final EIR/EIS, unless the NBC Project would affect a historic district, cultural/historical resources impacts from NBC development are considered site specific. (Final EIR/EIS, p. 5-3.) The area surrounding the site is not a historic district; therefore development on the site under the proposed Project would not create cumulative historical resource impacts.</i></p> <p><u>Public Health and Safety</u></p> <p><i>As described in the Final EIR/EIS, public health (i.e. hazardous waste) and safety (i.e. proximity to an airport) impacts are site specific and would not be affected by other development.</i></p>						
<p>(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p> <p><i>As described elsewhere in this study, the proposed project would result in significant impacts. However, these impacts would not be greater than those assumed in the Final EIR/EIS. Implementation of the mitigation measures identified in the Final EIR/EIS, as well as those required by the Downtown Community Plan Final EIR, would mitigate many, but not all, of the significant impacts. The proposed project would result in</i></p>		X				

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>significant project level and/or cumulative impacts related to air quality. Other significant direct impacts associated with implementation of the proposed Project would be mitigated to a level less than significant with incorporation of mitigation measures identified in the Final EIR/EIS as well as applicable Mitigation Measures identified in the Final EIR for the Downtown Community Master Plan.</i>						

RESOLUTION 2007-01

A RESOLUTION OF THE
CENTRE CITY DEVELOPMENT CORPORATION
REGARDING A CONSISTENCY DETERMINATION ON THE
SUPERSEDING MASTER PLAN
FOR THE NAVY BROADWAY COMPLEX PROJECT

WHEREAS, in 1992, the City of San Diego ("City") entered into an Agreement with the United States of America by and through the Southwest Division, Naval Facilities Engineering Command ("Navy") adopting a Development Plan and Urban Design Guidelines for redevelopment of the Navy Broadway Complex Project ("NBC Project") site, which document was recorded in the San Diego County Recorder's Office as Document #1992-0802775 ("NBC Agreement"), and was amended in December 2001 and in January 2003.

WHEREAS, in 1992 the City certified a project-level Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") for the NBC Project and adopted a Mitigation Monitoring Plan to govern the implementation of mitigation measures adopted for the project to be developed pursuant to the NBC Agreement.

WHEREAS, pursuant to Section 5.2 of the NBC Agreement, Centre City Development Corporation ("CCDC") is required to undertake a determination of the proposed NBC Project's consistency with the Development Plan and Urban Design Guidelines set forth in the Agreement.

WHEREAS, by or about June 30, 2006, Manchester Financial Group ("Manchester"), the developer selected by the Navy to develop the NBC Project, filed a complete application for a consistency determination as to its proposed Navy Broadway Complex Master Plan and Navy Administration Building.

WHEREAS, at a duly noticed public meeting held on October 25, 2006, the CCDC Board adopted Resolution 2006-03, pursuant to which it adopted the October 19, 2006 "CEQA Consistency Analysis for Navy Broadway Complex" issued by the City's Development Services Department ("DSD") pursuant to the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21166, and the determination by DSD based on such analysis that no further

environmental review is warranted for the NBC Project pursuant to Public Resources Code section 21166.

WHEREAS, at a duly noticed public meeting held on October 25, 2006, the CCDC Board of Directors considered the Manchester application for a consistency determination as to its proposed Navy Broadway Complex Master Plan and the Navy Administration Building and adopted Resolution 2006-04, pursuant to which it adopted the October 19, 2006 "CEQA Consistency Analysis for Navy Broadway Complex" (CEQA Consistency Analysis") prepared by the City's Development Services Department ("DSD") in accordance with California Environmental Quality Act ("CEQA"), California Public Resources Code section 21166, which delineated the determination by DSD that no further environmental review was warranted for the First Master Plan adopted for NBC Project, and by which it also approved a determination that said First Master Plan was consistent with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement, subject to limited modifications and additions to the staff recommendation as set forth in CCDC Resolution 2006-04.

WHEREAS, in its CEQA Consistency Analysis, DSD concluded that the First Master Plan for NBC project was substantially the same as the project analyzed in the 1992 NBC Project EIS/EIR, and assumed for full build-out in the 1992 Final Master EIR for the Centre City Redevelopment Project, the 1999 Final Subsequent EIR for the Ballpark and Ancillary Development Projects, the 2000 North Embarcadero Visionary Plan Final EIR, and the 2006 Downtown Community Plan Final EIR (collectively, the "Environmental Documents), all of which updated the impacts analyses for potentially affected resource areas, such as transportation and parking, air quality, land uses, cultural resources, and others, such that the none of the conditions listed in Public Resources Code section 21166 which require subsequent or supplemental environmental review were present or were triggered by the First Master Plan for the NBC Project and that therefore no further environmental documentation was required.

WHEREAS, Manchester submitted a Superseding Master Plan and Basic Concept/Schematic Drawings for Buildings 2A, 2B, 3A and 3B on July 2, 2007.

WHEREAS, CCDC staff has evaluated the Superseding Master Plan and has concluded that it is substantially similar to the First Master Plan proposed for the NBC Project and that, with conditions, it is consistent with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto, and based thereon has concluded that DSD's CEQA Consistency Analysis for Navy Broadway Complex continues to be adequate for the proposed Superseding Master Plan.

WHEREAS, CCDC staff has concluded that no Subsequent or Supplemental EIR is required because no substantial changes have been proposed to the NBC Project which will require major revision to previous EIRs, no substantial changes have occurred with respect to the circumstances under which the NBC Project is now being undertaken, and that no new information, which was not known and could not have been known at the time the Environmental Documents were certified as complete, has become available.

WHEREAS, CCDC staff has recommended that the Board find that, with conditions, no further environmental review is needed, that the Superseding Master Plan is consistent with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto, and that the Superseding Master Plan replace the initial approved Master Plan in its entirety.

WHEREAS, at a duly noticed public meeting held on July 25, 2007, the CCDC Board of Directors considered the Manchester application for a consistency determination as to its proposed Navy Broadway Complex Superseding Master Plan.

NOW, THEREFORE, the CCDC Board does hereby resolve as follows:

1. That the foregoing recitals are true and correct;
2. That based on all of the information in the record, the DSD CEQA Consistency Analysis for the NBC Project continues to be adequate with respect to the Superseding Master Plan;

3. That no Subsequent or Supplemental EIR is required for the NBC Project because no substantial changes have been proposed to the NBC Project which will require major revision to previous EIRs, no substantial changes have occurred with respect to the circumstances under which the NBC Project is now being undertaken, and no new information, which was not known and could not have been known at the time the Environmental Documents were certified as complete, has become available;
4. That the CCDC staff recommendation on the consistency determination for the Superseded Master Plan is incorporated herein as though set forth in full, and that, with conditions, no further environmental review is needed, that the Superseded Master Plan is found to be consistent with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto, and hereby supersedes and replaces the initial approved Master Plan in its entirety;
5. The following requirement is included as a condition of this consistency determination:

Indemnification:

That Manchester Pacific Gateway ("DEVELOPER") shall protect, defend, indemnify, and hold the Centre City Development Corporation ("CCDC"), its appointed officials, officers, representatives, agents and employees, harmless from and against any and all claims asserted or liability established which arise out of or are in any manner directly or indirectly connected with the consistency determination issued by CCDC for development of the Navy Broadway Complex Master Plan and Navy Administration Building, located within the Marina and Columbia Sub Areas of the Centre City Redevelopment Project, in the City of San Diego. Such indemnification shall include all costs and expenses of investigating and defending against same, including without limitation, attorney fees and costs, provided, however, that DEVELOPER'S duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence, or sole willful misconduct of CCDC, its appointed officials, officers, representatives, agents and employees.

CCDC may, at its election, conduct the defense or participate in the defense of any claim related in any way to this indemnification. If CCDC chooses at its own election to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification, developer shall pay all of the costs related thereto, including without limitation, reasonable attorney fees and costs. This indemnification shall survive all applicable statutes of limitation.

CCDC Resolution 2007-01
Superseding Master Plan Consistency Determination
Navy Broadway Complex Project
July 25, 2007
Page -5-

We hereby certify that the foregoing Resolution was passed and adopted by the Board of Directors for the Centre City Development Corporation, at its meeting of July 25, 2007, by the following vote:

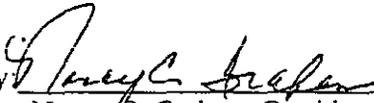
AYES: Directors Maas, McNeely, LeSar and Brown

NOES: Directors Cruz

ABSENT: Directors Raffesberger and Kilkenny

CENTRE CITY DEVELOPMENT CORPORATION

By: 
Fredric J. Maas, Chairman, Board of Directors

By: 
Nancy C. Graham, President and Chief Operating Officer

Approved:

Lounsbury Ferguson Altona & Peak

By: 
Helen Holmes Peak, Corporation Counsel

RESOLUTION 2007-02

A RESOLUTION OF THE
CENTRE CITY DEVELOPMENT CORPORATION
REGARDING A CONSISTENCY DETERMINATION
ON BASIC CONCEPT/SCHEMATIC DRAWINGS FOR
BUILDING 2A OF THE NAVY BROADWAY COMPLEX PROJECT

WHEREAS, in 1992, the City of San Diego ("City") entered into an Agreement with the United States of America by and through the Southwest Division, Naval Facilities Engineering Command ("Navy") adopting a Development Plan and Urban Design Guidelines for redevelopment of the Navy Broadway Complex Project ("NBC Project") site, which document was recorded in the San Diego County Recorder's Office as Document #1992-0802775 ("NBC Agreement"), and was amended in December 2001 and in January 2003.

WHEREAS, in 1992 the City certified a project-level Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") for the NBC Project and adopted a Mitigation Monitoring Plan to govern the implementation of mitigation measures adopted for the project to be developed pursuant to the NBC Agreement.

WHEREAS, pursuant to Section 5.2 of the NBC Agreement, Centre City Development Corporation ("CCDC") is required to undertake a determination of the proposed NBC Project's consistency with the Development Plan and Urban Design Guidelines set forth in the Agreement.

WHEREAS, by or about June 30, 2006, Manchester Financial Group ("Manchester"), the Developer selected by the Navy to develop the NBC Project, filed a complete application for a consistency determination as to its proposed Navy Broadway Complex Master Plan and Navy Administration Building.

WHEREAS, at a duly noticed public meeting held on October 25, 2006, the CCDC Board adopted Resolution 2006-03, pursuant to which it adopted the October 19, 2006 "CEQA Consistency Analysis for Navy Broadway Complex" issued by the City's Development Services Department ("DSD") pursuant to the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21166, and the determination by DSD based on such analysis that no further environmental review is warranted for the NBC Project pursuant to Public Resources Code section 21166.

CCDC Resolution 2007-02
Basic Concept/Schematic Drawings Consistency Determination
Building 2A - Navy Broadway Complex Project
July 25, 2007
Page -2-

WHEREAS, at a duly noticed public meeting held on October 25, 2006, the CCDC Board of Directors considered the Manchester application for a consistency determination as to its proposed Navy Broadway Complex Master Plan and the Navy Administration Building and adopted Resolution 2006-04, by which it approved a determination that said First Master Plan was consistent with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement, subject to limited modifications and additions to the staff recommendation as set forth in CCDC Resolution 2006-04.

WHEREAS, Manchester submitted a Superseding Master Plan and Basic Concept/Schematic Drawings for Buildings 2A, 2B, 3A and 3B on July 2, 2007.

WHEREAS, CCDC staff has evaluated the Basic Concept/Schematic Drawings submitted by Manchester, and has recommended that the Board find that the Building 2A Basic Concept/Schematic Drawings are consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto.

WHEREAS, CCDC staff has recommended that the Board find the Building 2A Basic Concept/Schematic Drawings submission consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto.

WHEREAS, at a duly noticed public meeting held on July 25, 2007, the CCDC Board of Directors considered the Manchester application for a consistency determination as to its Building 2A Basic Concept/Schematic Drawings submission.

NOW, THEREFORE, the CCDC Board does hereby resolve as follows:

1. That the foregoing recitals are true and correct;
2. That CCDC Resolution 2007-1 regarding the Superseding Master Plan for the Navy Broadway Complex Project, the recitals and findings contained therein, and the attachments thereto, are incorporated herein by reference as though set forth in full;
3. That the CCDC staff recommendation on the consistency determination for Basic Concept/Schematic Drawings for Building 2A of the Navy Broadway Complex Project is approved and incorporated herein as though set forth in full, and that based thereon,

CCDC Resolution 2007-02
Basic Concept/Schematic Drawings Consistency Determination
Building 2A - Navy Broadway Complex Project
July 25, 2007
Page -3-

the Board hereby finds that the Building 2A Basic Concept/Schematic Drawings submission is consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto;

4. The following requirement is included as a condition of this consistency determination:
Indemnification:

That Manchester Pacific Gateway ("DEVELOPER") shall protect, defend, indemnify, and hold the Centre City Development Corporation ("CCDC"), its appointed officials, officers, representatives, agents and employees, harmless from and against any and all claims asserted or liability established which arise out of or are in any manner directly or indirectly connected with the consistency determination issued by CCDC for development of the Navy Broadway Complex Master Plan and Navy Administration Building, located within the Marina and Columbia Sub Areas of the Centre City Redevelopment Project, in the City of San Diego. Such indemnification shall include all costs and expenses of investigating and defending against same, including without limitation, attorney fees and costs, provided, however, that DEVELOPER'S duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence, or sole willful misconduct of CCDC; its appointed officials, officers, representatives, agents and employees.

CCDC may, at its election, conduct the defense or participate in the defense of any claim related in any way to this indemnification. If CCDC chooses at its own election to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification, developer shall pay all of the costs related thereto, including without limitation, reasonable attorney fees and costs. This indemnification shall survive all applicable statutes of limitation.

CCDC Resolution 2007-02
Basic Concept/Schematic Drawings Consistency Determination
Building 2A - Navy Broadway Complex Project
July 25, 2007
Page -4-

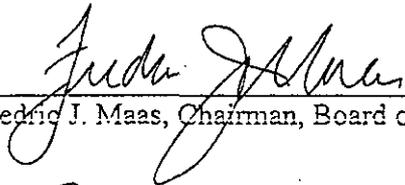
We hereby certify that the foregoing Resolution was passed and adopted by the Board of Directors for the Centre City Development Corporation, at its meeting of July 25, 2007, by the following vote:

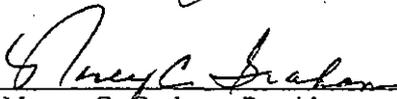
AYES: Directors Maas, McNeely, LeSar and Brown

NOES: Directors Cruz

ABSENT: Directors Raffesberger and Kilkenny

CENTRE CITY DEVELOPMENT CORPORATION

By: 
Fredric J. Maas, Chairman, Board of Directors

By: 
Nancy C. Graham, President and Chief Operating Officer

Approved:

Lounsbery Ferguson Altona & Peak

By: 
Helen Holmes Peak, Corporation Counsel

RESOLUTION 2007-03

A RESOLUTION OF THE
CENTRE CITY DEVELOPMENT CORPORATION
REGARDING A CONSISTENCY DETERMINATION
ON BASIC CONCEPT/SCHEMATIC DRAWINGS FOR
BUILDING 2B OF THE NAVY BROADWAY COMPLEX PROJECT

WHEREAS, in 1992, the City of San Diego ("City") entered into an Agreement with the United States of America by and through the Southwest Division, Naval Facilities Engineering Command ("Navy") adopting a Development Plan and Urban Design Guidelines for redevelopment of the Navy Broadway Complex Project ("NBC Project") site, which document was recorded in the San Diego County Recorder's Office as Document #1992-0802775 ("NBC Agreement"), and was amended in December 2001 and in January 2003.

WHEREAS, in 1992 the City certified a project-level Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") for the NBC Project and adopted a Mitigation Monitoring Plan to govern the implementation of mitigation measures adopted for the project to be developed pursuant to the NBC Agreement.

WHEREAS, pursuant to Section 5.2 of the NBC Agreement, Centre City Development Corporation ("CCDC") is required to undertake a determination of the proposed NBC Project's consistency with the Development Plan and Urban Design Guidelines set forth in the Agreement.

WHEREAS, by or about June 30, 2006, Manchester Financial Group ("Manchester"), the Developer selected by the Navy to develop the NBC Project, filed a complete application for a consistency determination as to its proposed Navy Broadway Complex Master Plan and Navy Administration Building.

WHEREAS, at a duly noticed public meeting held on October 25, 2006, the CCDC Board adopted Resolution 2006-03, pursuant to which it adopted the October 19, 2006 "CEQA Consistency Analysis for Navy Broadway Complex" issued by the City's Development Services Department ("DSD") pursuant to the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21166, and the determination by DSD based on such analysis that no further environmental review is warranted for the NBC Project pursuant to Public Resources Code section 21166.

CCDC Resolution 2007-03
Basic Concept/Schematic Drawings Consistency Determination
Building 2B - Navy Broadway Complex Project
July 25, 2007
Page -2-

WHEREAS, at a duly noticed public meeting held on October 25, 2006, the CCDC Board of Directors considered the Manchester application for a consistency determination as to its proposed Navy Broadway Complex Master Plan and the Navy Administration Building and adopted Resolution 2006-04, by which it approved a determination that said First Master Plan was consistent with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement, subject to limited modifications and additions to the staff recommendation as set forth in CCDC Resolution 2006-04.

WHEREAS, Manchester submitted a Superseding Master Plan and Basic Concept/Schematic Drawings for Buildings 2A, 2B, 3A and 3B on July 2, 2007.

WHEREAS, CCDC staff has evaluated the Basic Concept/Schematic Drawings submitted by Manchester, and has recommended that the Board find that the Building 2B Basic Concept/Schematic Drawings are consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto.

WHEREAS, CCDC staff has recommended that the Board find the Building 2B Basic Concept/Schematic Drawings submission consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto.

WHEREAS, at a duly noticed public meeting held on July 25, 2007, the CCDC Board of Directors considered the Manchester application for a consistency determination as to its Building 2B Basic Concept/Schematic Drawings submission.

NOW, THEREFORE, the CCDC Board does hereby resolve as follows:

1. That the foregoing recitals are true and correct;
2. That CCDC Resolution 2007-01 regarding the Superseding Master Plan for the Navy Broadway Complex Project, the recitals and findings contained therein, and the attachments thereto, are incorporated herein by reference as though set forth in full;

CCDC Resolution 2007-03
Basic Concept/Schematic Drawings Consistency Determination
Building 2B - Navy Broadway Complex Project
July 25, 2007
Page -3-

3. That the CCDC staff recommendation on the consistency determination for Basic Concept/Schematic Drawings for Building 2B of the Navy Broadway Complex Project is approved and incorporated herein as though set forth in full, and that based thereon, the Board hereby finds that the Building 2B Basic Concept/Schematic Drawings submission is consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto;
4. The following requirement is included as a condition of this consistency determination:
Indemnification:

That Manchester Pacific Gateway ("DEVELOPER") shall protect, defend, indemnify, and hold the Centre City Development Corporation ("CCDC"), its appointed officials, officers, representatives, agents and employees, harmless from and against any and all claims asserted or liability established which arise out of or are in any manner directly or indirectly connected with the consistency determination issued by CCDC for development of the Navy Broadway Complex Master Plan and Navy Administration Building, located within the Marina and Columbia Sub Areas of the Centre City Redevelopment Project, in the City of San Diego. Such indemnification shall include all costs and expenses of investigating and defending against same, including without limitation, attorney fees and costs, provided, however, that DEVELOPER'S duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence, or sole willful misconduct of CCDC, its appointed officials, officers, representatives, agents and employees.

CCDC may, at its election, conduct the defense or participate in the defense of any claim related in any way to this indemnification. If CCDC chooses at its own election to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification, developer shall pay all of the costs related thereto, including without limitation, reasonable attorney fees and costs. This indemnification shall survive all applicable statutes of limitation.

CCDC Resolution 2007-03
Basic Concept/Schematic Drawings Consistency Determination
Building 2B - Navy Broadway Complex Project
July 25, 2007
Page -4-

We hereby certify that the foregoing Resolution was passed and adopted by the Board of Directors for the Centre City Development Corporation, at its meeting of July 25, 2007, by the following vote:

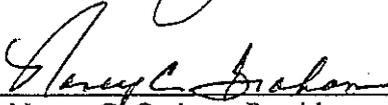
AYES: Directors Maas, McNeely, LeSar and Brown

NOES: Directors Cruz

ABSENT: Directors Raffesberger and Kilkenny

CENTRE CITY DEVELOPMENT CORPORATION

By: 
Fredric J. Maas, Chairman, Board of Directors

By: 
Nancy C. Graham, President and Chief Operating Officer

Approved:

Lounsbery Ferguson Altona & Peak

By: 
Helen Holmes Peak, Corporation Counsel

RESOLUTION 2007-04

A RESOLUTION OF THE
CENTRE CITY DEVELOPMENT CORPORATION
REGARDING A CONSISTENCY DETERMINATION
ON BASIC CONCEPT/SCHEMATIC DRAWINGS FOR
BUILDING 3A OF THE NAVY BROADWAY COMPLEX PROJECT

WHEREAS, in 1992, the City of San Diego ("City") entered into an Agreement with the United States of America by and through the Southwest Division, Naval Facilities Engineering Command ("Navy") adopting a Development Plan and Urban Design Guidelines for redevelopment of the Navy Broadway Complex Project ("NBC Project") site, which document was recorded in the San Diego County Recorder's Office as Document #1992-0802775 ("NBC Agreement"), and was amended in December 2001 and in January 2003.

WHEREAS, in 1992 the City certified a project-level Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") for the NBC Project and adopted a Mitigation Monitoring Plan to govern the implementation of mitigation measures adopted for the project to be developed pursuant to the NBC Agreement.

WHEREAS, pursuant to Section 5.2 of the NBC Agreement, Centre City Development Corporation ("CCDC") is required to undertake a determination of the proposed NBC Project's consistency with the Development Plan and Urban Design Guidelines set forth in the Agreement.

WHEREAS, by or about June 30, 2006, Manchester Financial Group ("Manchester"), the Developer selected by the Navy to develop the NBC Project, filed a complete application for a consistency determination as to its proposed Navy Broadway Complex Master Plan and Navy Administration Building.

WHEREAS, at a duly noticed public meeting held on October 25, 2006, the CCDC Board adopted Resolution 2006-03, pursuant to which it adopted the October 19, 2006 "CEQA Consistency Analysis for Navy Broadway Complex" issued by the City's Development Services Department ("DSD") pursuant to the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21166, and the determination by DSD based on such analysis that no further

CCDC Resolution 2007-04
Basic Concept/Schematic Drawings Consistency Determination
Building 3A - Navy Broadway Complex Project
July 25, 2007
Page -2-

environmental review is warranted for the NBC Project pursuant to Public Resources Code section 21166.

WHEREAS, at a duly noticed public meeting held on October 25, 2006, the CCDC Board of Directors considered the Manchester application for a consistency determination as to its proposed Navy Broadway Complex Master Plan and the Navy Administration Building and adopted Resolution 2006-04, by which it approved a determination that said First Master Plan was consistent with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement, subject to limited modifications and additions to the staff recommendation as set forth in CCDC Resolution 2006-04.

WHEREAS, Manchester submitted a Superseding Master Plan and Basic Concept/Schematic Drawings for Buildings 2A, 2B, 3A and 3B on July 2, 2007.

WHEREAS, CCDC staff has evaluated the Basic Concept/Schematic Drawings submitted by Manchester, and has recommended that the Board find that the Building 3A Basic Concept/Schematic Drawings are consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto.

WHEREAS, CCDC staff has recommended that the Board find the Building 3A Basic Concept/Schematic Drawings submission consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto.

WHEREAS, at a duly noticed public meeting held on July 25, 2007, the CCDC Board of Directors considered the Manchester application for a consistency determination as to its Building 3A Basic Concept/Schematic Drawings submission.

NOW, THEREFORE, the CCDC Board does hereby resolve as follows:

1. That the foregoing recitals are true and correct;

CCDC Resolution 2007-04
Basic Concept/Schematic Drawings Consistency Determination
Building 3A - Navy Broadway Complex Project
July 25, 2007
Page -3-

2. That CCDC Resolution 2007-1 regarding the Superseding Master Plan for the Navy Broadway Complex Project, the recitals and findings contained therein, and the attachments thereto, are incorporated herein by reference as though set forth in full.
3. That the CCDC staff recommendation on the consistency determination for Basic Concept/Schematic Drawings for Building 3A of the Navy Broadway Complex Project is approved and incorporated herein as though set forth in full, and that based thereon, the Board hereby finds that the Building 3A Basic Concept/Schematic Drawings submission is consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto.
4. The following requirement is included as a condition of this consistency determination:
Indemnification:

That Manchester Pacific Gateway ("DEVELOPER") shall protect, defend, indemnify, and hold the Centre City Development Corporation ("CCDC"), its appointed officials, officers, representatives, agents and employees, harmless from and against any and all claims asserted or liability established which arise out of or are in any manner directly or indirectly connected with the consistency determination issued by CCDC for development of the Navy Broadway Complex Master Plan and Navy Administration Building, located within the Marina and Columbia Sub Areas of the Centre City Redevelopment Project, in the City of San Diego. Such indemnification shall include all costs and expenses of investigating and defending against same, including without limitation, attorney fees and costs, provided, however, that DEVELOPER'S duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence, or sole willful misconduct of CCDC, its appointed officials, officers, representatives, agents and employees.

CCDC may, at its election, conduct the defense or participate in the defense of any claim related in any way to this indemnification. If CCDC chooses at its own election to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification, developer shall pay all of the costs related thereto, including without limitation, reasonable attorney fees and costs. This indemnification shall survive all applicable statutes of limitation.

001760

CCDC Resolution 2007-04
Basic Concept/Schematic Drawings Consistency Determination
Building 3A - Navy Broadway Complex Project
July 25, 2007
Page -4-

We hereby certify that the foregoing Resolution was passed and adopted by the Board of Directors for the Centre City Development Corporation, at its meeting of July 25, 2007, by the following vote:

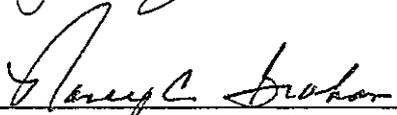
AYES: Directors Maas, McNeely, LeSar and Brown

NOES: Directors Cruz

ABSENT: Directors Raffesberger and Kilkenny

CENTRE CITY DEVELOPMENT CORPORATION

By: 
Fredric J. Maas, Chairman, Board of Directors

By: 
Nancy C. Graham, President and Chief Operating Officer

Approved:

Lounsbery Ferguson Altona & Peak

By: 
Helen Holmes Peak, Corporation Counsel

RESOLUTION 2007-05

A RESOLUTION OF THE
CENTRE CITY DEVELOPMENT CORPORATION
REGARDING A CONSISTENCY DETERMINATION
ON BASIC CONCEPT/SCHEMATIC DRAWINGS FOR
BUILDING 3B OF THE NAVY BROADWAY COMPLEX PROJECT

WHEREAS, in 1992, the City of San Diego ("City") entered into an Agreement with the United States of America by and through the Southwest Division, Naval Facilities Engineering Command ("Navy") adopting a Development Plan and Urban Design Guidelines for redevelopment of the Navy Broadway Complex Project ("NBC Project") site, which document was recorded in the San Diego County Recorder's Office as Document #1992-0802775 ("NBC Agreement"), and was amended in December 2001 and in January 2003.

WHEREAS, in 1992 the City certified a project-level Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") for the NBC Project and adopted a Mitigation Monitoring Plan to govern the implementation of mitigation measures adopted for the project to be developed pursuant to the NBC Agreement.

WHEREAS, pursuant to Section 5.2 of the NBC Agreement, Centre City Development Corporation ("CCDC") is required to undertake a determination of the proposed NBC Project's consistency with the Development Plan and Urban Design Guidelines set forth in the Agreement.

WHEREAS, by or about June 30, 2006, Manchester Financial Group ("Manchester"), the Developer selected by the Navy to develop the NBC Project, filed a complete application for a consistency determination as to its proposed Navy Broadway Complex Master Plan and Navy Administration Building.

WHEREAS, at a duly noticed public meeting held on October 25, 2006, the CCDC Board adopted Resolution 2006-03, pursuant to which it adopted the October 19, 2006 "CEQA Consistency Analysis for Navy Broadway Complex" issued by the City's Development Services Department ("DSD") pursuant to the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21166, and the determination by DSD based on such analysis that no further environmental review is warranted for the NBC Project pursuant to Public Resources Code section 21166.

WHEREAS, at a duly noticed public meeting held on October 25, 2006, the CCDC Board of Directors considered the Manchester application for a consistency determination as to its proposed Navy Broadway Complex Master Plan and the Navy Administration Building and adopted Resolution 2006-04, by which it approved a determination that said First Master Plan was consistent with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement, subject to limited modifications and additions to the staff recommendation as set forth in CCDC Resolution 2006-04.

WHEREAS, Manchester submitted a Superseding Master Plan and Basic Concept/Schematic Drawings for Buildings 2A, 2B, 3A and 3B on July 2, 2007.

WHEREAS, CCDC staff has evaluated the Basic Concept/Schematic Drawings submitted by Manchester, and has recommended that the Board find that the Building 3B Basic Concept/Schematic Drawings are consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto.

WHEREAS, CCDC staff has recommended that the Board find the Building 3B Basic Concept/Schematic Drawings submission consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto.

WHEREAS, at a duly noticed public meeting held on July 25, 2007, the CCDC Board of Directors considered the Manchester application for a consistency determination as to its Building 3B Basic Concept/Schematic Drawings submission.

NOW, THEREFORE, the CCDC Board does hereby resolve as follows:

1. That the foregoing recitals are true and correct;
2. That CCDC Resolution 2007-01 regarding the Superseding Master Plan for the Navy Broadway Complex Project, the recitals and findings contained therein, and the attachments thereto, are incorporated herein by reference as though set forth in full;
3. That the CCDC staff recommendation on the consistency determination for Basic

Concept/Schematic Drawings for Building 3B of the Navy Broadway Complex Project is approved and incorporated herein as though set forth in full, and that based thereon, the Board hereby finds that the Building 3B Basic Concept/Schematic Drawings submission is consistent, with conditions, with the Development Plan and Urban Design Guidelines as defined in the NBC Agreement and attached thereto;

4. The following requirement is included as a condition of this consistency determination:
Indemnification:

That Manchester Pacific Gateway ("DEVELOPER") shall protect, defend, indemnify, and hold the Centre City Development Corporation ("CCDC"), its appointed officials, officers, representatives, agents and employees, harmless from and against any and all claims asserted or liability established which arise out of or are in any manner directly or indirectly connected with the consistency determination issued by CCDC for development of the Navy Broadway Complex Master Plan and Navy Administration Building, located within the Marina and Columbia Sub Areas of the Centre City Redevelopment Project, in the City of San Diego. Such indemnification shall include all costs and expenses of investigating and defending against same, including without limitation, attorney fees and costs, provided, however, that DEVELOPER'S duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence, or sole willful misconduct of CCDC, its appointed officials, officers, representatives, agents and employees.

CCDC may, at its election, conduct the defense or participate in the defense of any claim related in any way to this indemnification. If CCDC chooses at its own election to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification, developer shall pay all of the costs related thereto, including without limitation, reasonable attorney fees and costs. This indemnification shall survive all applicable statutes of limitation.

CCDC Resolution 2007-05
Basic Concept/Schematic Drawings Consistency Determination
Building 3B - Navy Broadway Complex Project
July 25, 2007
Page -4-

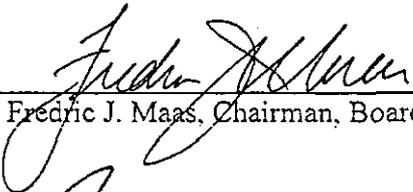
We hereby certify that the foregoing Resolution was passed and adopted by the Board of Directors for the Centre City Development Corporation, at its meeting of July 25, 2007, by the following vote:

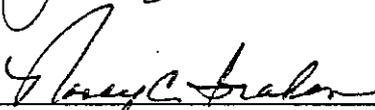
AYES: Directors Maas, McNeely, LeSar and Brown

NOES: Directors Cruz

ABSENT: Directors Raffesberger and Kilkenny

CENTRE CITY DEVELOPMENT CORPORATION

By: 
Fredric J. Maas, Chairman, Board of Directors

By: 
Nancy C. Graham, President and Chief Operating Officer

Approved:

Lounsbery Ferguson Altona & Peak

By: 
Helen Holmes Peak, Corporation Counsel

CITY OF SAN DIEGO
M E M O R A N D U M

DATE: October 19, 2006

TO: James T. Waring, Deputy Chief of Land Use and Economic Development

FROM: Robert Manis, Assistant Deputy Director, Development Services

SUBJECT: CEQA Consistency Analysis for Navy Broadway Complex

The Development Services Department (DSD) was asked to conduct a CEQA consistency analysis on the proposed Navy Broadway Complex (NBC) for CCDC. The review is limited to consideration of CEQA issues associated with the project and previously certified applicable environmental documents. This review was done pursuant to Section 21166 of CEQA. The NBC project is subject to a Development Agreement between the City of San Diego and the Navy and an EIR/EIS prepared in 1990 (The City prepared and certified the EIR pursuant to CEQA and the Navy prepared the EIS pursuant to NEPA). The City was the lead agency on the EIR and retains CEQA responsibilities as outlined in the Development Agreement. CCDC is responsible for reviewing the project for consistency with the Development Plan and the Design Guidelines.

For purposes of conducting the CEQA consistency analysis, DSD considered the proposed NBC project components. It was found that the proposed Navy Broadway Complex (NBC) project is consistent with the project described in the 1990 EIR/EIS in terms of uses and intensity. The 1990 NBC project included a total of 2,950,000 square feet of office, retail and hotel uses plus 300,000 square feet of above grade parking and 3,105 total parking spaces (including Navy fleet parking). The proposed NBC project is slightly smaller at 2,936,050 square feet of office, retail, and hotel uses and includes a total of 2,961 parking spaces. The layouts of the two projects are similar and CCDC will be reviewing the project for consistency with the adopted Design Guidelines.

DSD's CEQA consistency analysis for the proposed NBC project considered several environmental documents, described below, that have been certified since 1990 in the downtown area.

- **Navy Broadway Complex Project Environmental Impact Report/Environmental Impact Statement (Joint CEQA/NEPA document, October 1990).** Certified by the City of San Diego on October 20, 1992. This document fully analyzed the NBC project at the project level and assumed that build out of the downtown area would occur consistent with the adopted land use plans. The NBC project EIR/EIS also indicates that the precise mix and location (by block) of land uses would be determined by market conditions. As such, it was anticipated that possible changes to the site plan from what was approved in 1992

would incorporate all relevant mitigation measures identified for transportation/circulation/parking, air quality, cultural resources, noise, etc.

- **Final Master Environmental Impact Report (MEIR) for the Centre City Redevelopment Project.** Certified by the Redevelopment Agency (Resolution #2081) and City Council (Resolution #279875) on April 28, 1992. The 1992 MEIR specifically identified the NBC project within the Land Use section on Page 4.A-17 as follows: "...redevelopment of 1 million square feet of Navy offices; up to 2.5 million mixed commercial, office, and hotel uses, and a plaza at Broadway and Harbor Drive." The MEIR assumed development of the NBC project in the Land Use Impact analysis and anticipated mitigation associated with Transportation/Circulation/Parking, Air Quality, Cultural Resources and other project specific measures necessary to reduce potential impacts to below a level of significance.
- **Final Subsequent Environmental Impact Report (SEIR) to the 1992 Final Master Environmental Impact Report Addressing the Centre City Community Plan and Related Documents for the Proposed Ballpark and Ancillary Development Projects and Associated Plan Amendments.** Certified by the Redevelopment Agency (Resolution #03058) and the City Council (Resolution #292363) on October 26, 1999. The NBC project is not specifically called out as a project under the Land Use or Cumulative discussion sections of the SEIR. However, in order to determine the short-term and longer-term cumulative impacts with or without the Ballpark and Ancillary development projects, the SEIR assumed build out of the Redevelopment Project Area as defined in the 1992 MEIR which includes the NBC project. In addition, projected land use data in the 2002 SANDAG traffic model was modified to include additional CCDC build out developments consistent with the 1992 MEIR. Since the 1992 MEIR included the NBC project, the same and/or similar intersection, ramp and roadway segment impacts were assumed in the SEIR traffic analysis. Mitigation included an Event Transportation Management Plan, Freeway Deficiency Plan, Parking Management Plan and Transit improvements (all significant/mitigated, unless necessary freeway improvements are not made, resulting in a cumulatively significant and unmitigated impact).

Air Quality was analyzed using the Regional Air Quality Standards (RAQS) for the San Diego Air Basin. Regional impacts from increased traffic would remain significant and unmitigated; however, with proximity to public transit, air emissions would be reduced with implementation of RAQS controls. Potential significant unmitigated, long-term impacts were identified associated with freeway onramp congestion. Recommendation's to implement the Freeway Deficiency Plan were required, but could not be guaranteed.

- **North Embarcadero Visionary Plan Environmental Impact Report.** Certified by the Board of Port Commissioners of the San Diego Unified Port District in March 2000. This EIR assumed development of the NBC project in the Executive Summary and the Land Use discussions. The Visionary Plan Area incorporates the NBC project site, but

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did not include it in the calculation of square footage for the existing and proposed Visionary Plan uses (Table 3.3-1, Page 3-5). The Visionary Plan EIR references the NBC project as an existing entitled project for comprehensive planning purposes and cumulative analysis. The Visionary Plan EIR assumes near-term as 2005 and long-term build out as 2020 for the traffic analysis. A significant unmitigated and cumulative impact was identified for Freeway I-5 and I-5 ramps from 1st to 6th Avenues; impacts to ramp capacity and ramp meters were also identified and mitigable with implementation of SANDAG I-5 Freeway Corridor Study, which addresses deficiencies on the freeway and associated ramps. The Visionary Plan EIR also anticipated mitigation associated with Parking, Air Quality, Cultural Resources and other project specific measures necessary to reduce potential impacts to below a level of significance. The Visionary Plan EIR incorporated development and improvements included in the NBC project, but did not consider the project in the cumulative analysis for Urban Design/Visual Quality. Overall, the Visionary Plan adequately addressed the NBC project and is therefore consistent with the certified EIR/EIS.

- **Downtown Community Plan Environmental Impact Report in Conjunction with a new Downtown Community Plan, new Centre City Planned District Ordinance and Tenth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.** Certified by the Redevelopment Agency and City Council on February 28, 2006. The Downtown Community Plan EIR assumed development of the NBC project in the Project Description and incorporated anticipated land uses and building square footages into the figures and impact analysis. The Community Plan EIR also anticipated mitigation for direct impacts associated with Transportation/Circulation/Parking, Air Quality, Cultural Resources and other project specific measures necessary to reduce potential impacts to below a level of significance, as well as cumulative impacts to Air Quality and Transportation; however, the impacts from implementation of the proposed Community Plan and Planned District Ordinance on parking, grid streets and surrounding streets is considered significant and unmitigable.

One issue identified and evaluated with the CEQA consistency review was on-site parking relative to the minor modifications to square footage in the proposed NBC project compared to the 1990 NBC project. While the total square footage of the proposed NBC project represents a small reduction from the 1990 NBC project, the total number of proposed parking spaces has been reduced from 3,105 to 2,961. The analysis determined that the 3,105 spaces included 230 Navy fleet car spaces, leaving 2,875 spaces for general use. The Navy has indicated that there is currently a need for only 54 fleet spaces. With a total of 2,961 spaces proposed, that leaves 2,907 spaces for general use, more than with the 1990 NBC project.

In conclusion, DSD noted that the proposed NBC project is substantially the same as the 1990 NBC project. The EIR/EIS done for the 1990 NBC project analyzed the project in detail, assuming build out of the surrounding area consistent with the land use plans and identified mitigation for impacts resulting from the project. Subsequent environmental documents in the downtown area, while not analyzing the NBC project at the project level, did reference the NBC project and assumed it would build out in accordance with the 1990 NBC project. Most recently,

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in 2006, the EIR for the Downtown Community Plan Update addressed community-wide policy/land use issues and again, assumed build out of the NBC.

Section 21166 of CEQA states that when an EIR has been prepared for a project, no subsequent or supplemental EIR shall be required unless one or more of three events occur. These events are:

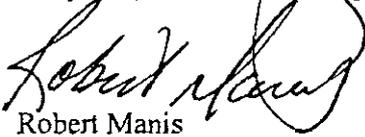
1. Substantial changes are proposed in the project
2. Substantial changes occur with respect to circumstances under which the project is being undertaken
3. New information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available

As stated earlier, there are no substantial changes to the NBC project from the 1990 NBC project. Project uses and intensity are virtually the same. It is acknowledged that the Ballpark and Ancillary Development projects, located in the East Village were not identified in the 1992 CCDC MEIR or the 1990 NBC EIR/EIS and therefore not considered in the cumulative impact analysis for the NBC project. However, because these projects were not anticipated, CCDC required the preparation of a Subsequent EIR which incorporated by reference the NBC EIR/EIS and assumed the same build out land uses adopted for the community plan at that time, which were ultimately used to analyze transportation/circulation impacts, and address regional and local air quality issues. Since these projects were ultimately analyzed with consideration of the NBC project, DSD does not consider this to be a substantial change in circumstances. There is no new information available that was not part of the original EIR/EIS and/or considered with subsequent environmental reviews of other projects. It was and continues to be assumed that the downtown area, including the NBC site, would build out according to adopted land use plans. When the Downtown Community Plan was changed earlier this year, new land use policies were put into place but the assumptions for the NBC site remained.

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Because none of the three events have occurred, DSD does not find a need to conduct additional environmental review for the proposed NBC project. The proposed NBC project is adequately addressed in the prior environmental documents that were certified for the 1990 NBC project and for other projects in the vicinity. Project impacts are adequately addressed and appropriate mitigation has been identified.



Robert Manis

RM/pdh

cc: Marcela Escobar-Eck, Development Services Director
Kelly Broughton, Deputy Director, Development Services
Nancy Graham, President, CCDC
Eli Sanchez, Project Manager, CCDC
Myra Herrmann, Senior Environmental Planner

INITIAL STUDY

PROJECT TITLE: Superseding Master Plan and Phase I Buildings for the Navy Broadway Complex (NBC) Project, herein known as the "Project".

APPLICANT: Manchester Financial Group and Manchester Pacific Gateway, LLC

PREPARER OF THE INITIAL STUDY

Centre City Development Corporation
225 Broadway, Suite 1100
San Diego, CA 92101
Attn: Eli Sanchez

PROJECT LOCATION: The Project is located in the City of San Diego, California within the downtown area, in the western area of the City near the San Diego Bay waterfront and is bounded by Broadway on the north, Pacific Highway on the east, and Harbor Drive on the south and west.

PROJECT DESCRIPTION: See Project Description on page 4 of this Initial Study.

PROJECT SETTING: The 1992 Final EIR/EIS for the Navy Broadway Complex (NBC) describes the existing setting of the NBC. This description is hereby incorporated by reference.

The 14.7-acre NBC site houses the Commander, Navy Region Southwest (CNRSW), the Navy Fleet Industrial Supply Center (FISC), and several other Navy administrative uses, and is central to other military installations, including Naval Base Point Loma, Naval Base Coronado, and Naval Station San Diego. Constructed between 1921 and 1944, the Complex currently has 860,678 sf of administrative and warehouse space that is located in two large and six smaller buildings. The southern and eastern parts of the property were previously developed with many structures that have since been demolished, and nearly half of the site is presently used for parking.

Downtown San Diego has a diverse mix of land uses, including working port activities, industrial complexes, cultural facilities, retail stores, offices, residences

and civic buildings. The NBC is adjacent to the San Diego Bay waterfront and is surrounded by a mix of urban uses, including the USS Midway, several piers, a cruise ship terminal, and a landscaped embarcadero promenade to the west; a large public parking lot to the north, known as Lane Field and planned for redevelopment with hotel and retail uses; hotel, residential, commercial, and retail uses to the east; and Seaport Village, a retail destination, to the south. The San Diego Convention Center is located to the southeast of Seaport Village. NAVFEC Southwest is located on the Pacific Highway, approximately 1,300 feet north of the NBC, and the surrounding neighborhoods have experienced residential development recently, including both mid-rise buildings and high-rise towers.

RELEVANT ENVIRONMENTAL REVIEW DOCUMENTS:

Since the Project was originally approved in 1992, the City has approved several large scale planning and development proposals for the Downtown area that relate to and incorporate buildout of the Project. Specifically, the Project has been considered or was assumed in the 1992 NBC Project EIR/EIS, the 1992 Final Master EIR for the Centre City Redevelopment Project, the 1999 Final Subsequent EIR for the Ballpark and Ancillary Development Projects, the 2000 North Embarcadero Visionary Plan EIR, and the 2006 Downtown Community Plan Final EIR (collectively, the "Environmental Documents") In addition, in 2006, the U.S. Navy prepared an Environmental Assessment that considered the environmental effects of implementing the Development Agreement, pursuant to the Navy's obligations under federal environmental law (National Environmental Policy Act). Each of the documents identified below is hereby incorporated by reference into this Initial Study.

*Navy Broadway Complex Final Environmental Impact Report
(EIR)/Environmental Impact Statement (EIS) (Joint CEQA/NEPA
Document)*

In 1990, a Draft Environmental Impact Statement/Environmental Impact Report (EIR/EIS) for the Navy Broadway Complex Project by the U.S. Navy and the City of San Diego. The documents were circulated simultaneously and incorporated each other by reference. The Final EIR/EIS was certified in 1992 and included an evaluation of potential impacts of development of the NBC Project as proposed by the Development Agreement between the City of San Diego and the U.S. Navy. The Final EIR/EIS included an evaluation of potential impacts of the NBC Development Agreement, including evaluations of Land Use, Transportation/Circulation, Aesthetics and Viewshed, Public Services and Utilities, Socioeconomic (i.e., population, housing, and employment), Geology

Navy Broadway Complex Project Development Agreement and Superseding Master Plan and Phase I Buildings

and Seismicity, Hydrology, Biological Resources, Air Quality, Noise, Cultural Resources, Public Health and Safety and Cumulative Impacts and Growth Inducing Impacts.

Final Master Environmental Impact Report (MEIR) for the Centre City Redevelopment Project

The Centre City Redevelopment Project involved an update of the then-existing Centre City Community Plan and adoption of related ordinances, including the Centre City Parking Ordinance, the Centre City Transit Ordinance, the Centre City Streetscape Manual, and the approval of a corresponding amendment to the City's Local Coastal Program. The Project area encompasses approximately 1,540 acres and covers four sub areas: Columbia Sub Area, Marina Sub Area, Gaslamp Quarter Sub Area, and the Expansion Sub Area. The Community Plan encompasses approximately 1,538 acres. The Community Plan provided overall standards, criteria, and objectives for development in the Centre City Area.

On April 8, 1992, the Redevelopment Agency and the City Council certified the Final Master Environmental Impact Report (MEIR) for the Centre City Redevelopment Project and adopted a Mitigation, Monitoring and Reporting Plan for the Project. The 1992 MEIR specifically identified the NBC Project within the Land Use section on Page 4.A-17 as follows: "...redevelopment of 1 million square feet of Navy offices; up to 2.5 million mixed commercial, office, and hotel uses, and a plaza at Broadway and Harbor Drive." The MEIR assumed development of the NBC Project in the Land Use Impact analysis and anticipated mitigation associated with Transportation/Circulation/Parking, Air Quality, Cultural Resources and other Project specific measures necessary to reduce potential impacts to a less than significant level.

Final Subsequent Environmental Impact Report (SEIR) to the 1992 Final Master Environmental Impact Report Addressing the Centre City Community Plan and Related Developments for the Proposed Ballpark and Ancillary Development Projects

The Ballpark and ancillary development projects proposed to redevelop approximately 75 acres within the East Village south of Market Street adjacent to the Gaslamp Quarter and across from the Convention Center. The project includes redevelopment surrounding the ballpark, such as residential lofts, restaurants, shops, entertainment, cultural activities, and conference facilities. The ballpark represents the central element of the Ballpark Project and covers approximately 15

acres. The ballpark provides fixed seating for approximately 42,500 fans, plus an additional capacity of 3,500 in the "Park at the Park." The ballpark includes two "garden buildings." These buildings are connected to the ballpark through bridges and walkways and include concessions, retail uses, ticket offices, business offices, and parking, amounting to a total of 259,000 sf. Other facilities include a 3,000-sf auditorium and 3,000-sf Hall of Fame/Interactive Learning Center. A series of parking facilities, one parking structure and four surface lots, will provide approximately 2,383 parking spaces.

The Redevelopment Agency and the City Council certified a Final Subsequent Environmental Impact Report (SEIR) on October 26, 1999, as a supplement to the MEIR, addressing the Centre City Community Plan and Related Documents for the proposed Ballpark and ancillary development projects. The SEIR incorporated by reference the NBC EIR/EIS. The SEIR did not specifically identify the NBC Project as a project under its Land Use or Cumulative discussion sections. However, to determine the short-term and longer-term cumulative impacts with or without the Ballpark and ancillary development projects, the SEIR assumed buildout of the Redevelopment Project Area as defined in the 1992 Master Environmental Impact Report (MEIR) for the Centre City Redevelopment Project, which included the NBC project.

Because the 1992 MEIR included the NBC project, the same and/or similar intersection, ramp and roadway segment impacts were assumed in the SEIR's traffic analysis. Additionally, the SEIR analyzed air quality using the Regional Air Quality Standards (RAQS) for the San Diego Air Basin. Mitigation included an Event Transportation Management Plan, Freeway Deficiency Plan, Parking Management Plan and Transit improvements.

North Embarcadero Visionary Plan Environmental Impact Report

In 1997, CCDC, along with the City, the County of San Diego, the San Diego Unified Port District and the Navy, formed the Embarcadero Alliance to draft, endorse and adopt a new plan for the waterfront area west of the railroad right-of-way and Laurel Street to the north, and Harbor Drive to the south. The plan area covers approximately 295 acres and includes both land and water areas. The resultant North Embarcadero Visionary Plan ("Visionary Plan") has two main objectives: to install a variety of public improvements to beautify the area to encourage new development and to prescribe regulatory standards that contribute a unified development pattern to the waterfront. The Visionary Plan and the NBC Development Agreement are similar in substance and intent, in part because the Visionary Plan is also based on the Central Bayfront Design Principles.

In March 2000, the Board of Port Commissioners of the San Diego Unified Port District certified the Environmental Impact Report for the Visionary Plan. The Visionary Plan EIR evaluated, on a programmatic level, impacts associated with implementation of the Visionary Plan, and project-specific analysis for subsequent projects proposed under the Visionary Plan. The Visionary Plan EIR was intended as a type of first-tier EIR to be used to streamline the CEQA process for subsequent projects that are proposed under a larger programmatic action. The Visionary Plan EIR identifies the NBC Project as an exiting entitled project for comprehensive planning purposes and cumulative analysis.

Downtown Community Plan Environmental Impact Report in Conjunction with the new Downtown Community Plan, new Centre City Planned District Ordinance and Tenth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.

In February 2006, the San Diego City Council adopted an update to the Downtown Community Plan. The Downtown Community Plan replaces the Centre City Community Plan, adopted in 1992. The Community Plan is part of the City's Progress Guide and General Plan and provides an overall framework for development by defining land use types and building intensities, the transportation system, recreational opportunities and urban design. In order to reflect the changes contained in the Downtown Community Plan, the Centre City Redevelopment Plan was also amended for consistency. The primary revisions resulted from replacing descriptions of land use districts to be consistent with the Downtown Community Plan, and to revise estimates of residential population and number of residential units in the Redevelopment Area.

The Redevelopment Agency and the City Council certified the Downtown Community Plan EIR on February 28, 2006. The Community Plan EIR assumed development of the NBC Project in the Project Description and incorporated anticipated land uses and building square footage into the figures and impact analysis. The EIR also anticipated mitigation for direct impacts associated with Transportation/Circulation/Parking, Air Quality, Cultural Resources and other project specific measures necessary to reduce potential impacts to below a level of significance, as well as cumulative impacts to Air Quality and Transportation.

2006 Environmental Assessment for Navy Broadway Complex

In 2006, the United States Navy prepared an Environmental Assessment (EA) for the Navy Broadway Complex in accordance with the Council on

Environmental Quality (CEQ) regulations, 40 C.F.R. Part 1500; the National Environmental Policy Act (NEPA), 42 USC § 4321; and other environmental regulations pertinent to the Navy. (See 2006 EA, p. ES-1.) The purpose of the EA was to consider the environmental effects of the implementation of the Development Agreement because, unlike in the early 1990s, market conditions in 2006 were favorable to the types of development contemplated by the Development Agreement. (2006 EA, p. ES-3.) Although the EA is a NEPA document, and not a CEQA document, the EA provides recent, relevant information regarding the environmental effects associated with implementation of the Development Agreement. The information presented in the EA was therefore considered in the preparation of this Initial Study and is incorporated herein by reference.

SEE ATTACHED CHECKLIST FOR MORE INFORMATION ABOUT CONTENTS OF ENVIRONMENTAL DOCUMENTS.

DETERMINATION: The primary purpose of this Initial Study is to evaluate the potential environmental effects of the proposed Project.

This Initial Study is intended to determine if the proposed Project and additional detail provided, beyond that analyzed in the Environmental Documents described above, meet any of the requirements for preparation of a Subsequent or Supplemental Environmental Documents per Public Resources Code Section 21166 and Sections 15162-15164 of the State California Environmental Quality Act (CEQA) Guidelines. These sections of the CEQA Guidelines would require a Subsequent or Supplemental EIR if any of the following conditions apply:

- Substantial changes are proposed in the project which will require major revisions of the previous EIRs due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIRs due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at

the time the previous EIRs were certified as complete, shows any of the following:

- The project will have one or more significant effects not discussed in the previous EIRs;
- Significant effects previously examined will be substantially more severe than shown in the previous EIRs;
- Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIRs would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This Initial Study determines that the conditions described in CEQA Guidelines Section 15162 have not occurred. The Project consists of a Superseding Master Plan, which replaces the previous Master Plan found to be consistent with the Development Agreement, and the Phase I Buildings. The Project has been reviewed by CCDC Staff, who have recommended that the Project be found consistent with the Development Agreement on which all previous environmental determinations have been made. There are no new significant environmental impacts and there is not an increase in severity of a previously identified significant effect. Moreover, the circumstances under which the Project is undertaken have not changed such that major revisions to the Environmental Documents are needed. Specifically, there are no new significant impacts or a substantial increase in the severity of previously identified significant effects. Lastly, there is no new information of substantial importance that indicates:

- that the Project will have new significant effects;
- that significant effects previously examined will be substantially more severe than shown in the previous EIRs;
- that mitigation measures previously found infeasible would be feasible, and would reduce one or more significant effects of the Project, but the Project proponents decline to adopt it, or
- mitigation measures or alternatives which are considerably different from those analyzed in the previous EIRs would substantially reduce one or more significant effects of the Project, but the Project proponents decline to adopt the mitigation measure or alternative.

The discussion of potential impacts in the Initial Study Checklist specifically addresses the potential for new or more severe impacts with regard to each resource area. Based on the criteria established under CEQA Guidelines Section 15164, this Initial Study determines that no Subsequent or Supplemental EIR is required.

MITIGATION: Certain policies or programs (mitigation measures) were required in, or incorporated into the Navy Broadway Complex Project in connection with certification of the Environmental Documents. Mitigation measures included in the Environmental Documents require future permit-specific implementation. As part of the City of San Diego's mitigation and monitoring and reporting obligation under State law, and pursuant to the Mitigation, Monitoring, and Reporting Program of the Environmental Documents, certain mitigation measures that were included in the Environmental Documents will be required if and when the proposed Project is approved.

INITIAL STUDY ANALYSIS

I. PROPOSED PROJECT DESCRIPTION

Location

The site of the Project is located in the City of San Diego, California within the downtown area. The Project is located in the western area of the City near the San Diego Bay waterfront. It is bounded by Broadway on the north, Pacific Highway on the east, and Harbor Drive on the south and west. The NBC, which consists of approximately 14.7 acres, is located on eight city blocks. The eight city blocks are consolidated into four larger blocks, with each bounded by Pacific Highway on the east and Harbor Drive on the west, and separated by the extension of E, F, and G streets. (See attached project location map.)

Project Description

The proposed activity for the purposes of this Initial Study is approval of the Superseding Master Plan and Phase I Buildings for the Navy Broadway Complex project. The Superseding Master Plan is intended to serve as a guide and long-term outline for implementing the 1992 Development Agreement entered into between the U.S. Navy and the City of San Diego. The proposed Superseding Master Plan is intended to be consistent with the NBC Development Agreement, conform to the Downtown Community Plan, and advance the policies and goals of

the Visionary Plan and the objectives of the Centre City Redevelopment project. The proposed Superseding Master Plan is also designed to incorporate the fundamental elements of the Central Bayfront Design Principles (view corridors, waterfront public access and stepping development "down" to the Bay). The Project boundaries remain the same and all the components of the original project have been carried forward that were identified in the Development Agreement and analyzed by the Environmental Documents. The main components of the proposed Superseding Master Plan include:

- A maximum of 2,893,434 gross square feet of above-grade development. This figure is 356,566 gross square feet less than the maximum building area allowed.
- 25,000 sf of independent retail space;
- 1.9 acres of formal open space;
- Primary uses include office, hotel, retail, public attraction, and parking uses (and retail associated with each of these uses).
- Museum space in two locations on Block 4 with a combined total square footage of 40,000. This is the minimum gross square feet of public attractions, such as museums, allowed.
- 2,988 parking spaces to serve the allocation of uses in the Project. This is 117 spaces less than the Final EIR/EIS estimation of 3,105 on-site parking spaces to be allowed with full build out of the Project.

Project component	Minimum or Maximum per Development Agreement	Proposed Superseding Master Plan	<i>Difference</i>
Office	1,650,000 sf Max	1,646,793 sf	-3,207 sf
Hotel	1,220,000 sf Max (1,500 rooms Max)	1,181,641 sf (1,575 rooms)	-38,359sf (+75 rooms)
Retail	25,000 sf Max	25,000 sf	--
Public Attraction	40,000 sf Min 55,000 sf Max	40,000 sf	--

Total sf	3,250,000 sf Max	2,893,434 sf	-356,566 sf
Open Space	1.8 acres Min	1.9 acres	+ .9 acres
Parking	3,105 Max	2,988	-117

The Phase I Buildings consist of independent consistency reviews of four individual buildings within the NBC project. These buildings may be summarized as follows:

Building 2A: A 13-story, 200-foot tall building containing 296,535 square feet of office space and supporting retail space.

Building 2B: A 28-story, 350-foot tall building containing 384,324 square feet of office space and 555,826 square feet of hotel space (approximately 943 rooms), including supporting retail space.

Building 3A: A 10-story, 150-foot tall building containing 195,070 square feet (approximately 193 rooms) plus 16,000 square feet of independent retail space.

Building 3B: A 17-story, 250-foot building containing 351,000 square feet of Navy office space.

II. ENVIRONMENTAL ANALYSIS: See attached Environmental Checklist/Initial Study.

III. SUMMARY OF FINDINGS: The following findings are derived from the environmental assessment documented by this Initial Study and the previous Environmental Documents:

1. No substantial changes are proposed in the Navy Broadway Complex (NBC) Development Agreement and the Environmental Document's Mitigation Monitoring and Reporting Program (MMRP), or with respect to the circumstances under which the Project is to be undertaken as a result of the proposed Superseding Master Plan and Phase I Buildings, which will require important or major revisions in the Final EIR/EIS for the NBC Project;
2. No new information of substantial importance to the NBC Development Agreement has become available that was not known or could not have been known at the time the Environmental Documents were certified as complete, and that shows that the

Project will have any significant effects not discussed previously in the Environmental Documents, or that any significant effects previously examined will be substantially more severe than shown in the Environmental Documents, or that any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the NBC Project on the environment;

3. No Negative Declaration, Subsequent EIR, or Supplement to the Environmental Documents is necessary or required;
4. The proposed Superseding Master Plan and Phase I Buildings will have no significant effect on the environment, except as identified and considered in the Environmental Documents. No new specific mitigation measures are required.

IV. EVALUATION OF ENVIRONMENTAL IMPACTS

This section evaluates the potential environmental effects of the proposed Superseding Master Plan and Phase I Buildings using the environmental checklist from the CEQA Guidelines as amended in September 2004. The conclusions drawn regarding the degree of the impact are based on a comparison of the effects of the proposed activity with the results and conclusion of the Environmental Documents, as well the 1992 Development Agreement executed for the NBC project.

A "Not Significant" response indicates that, although impacts or changes in the environment may occur, the impact would be below a level of significance or the impact would not apply to the proposed Project. A response of "Significant but Mitigated" indicates that incorporation of mitigation measures identified in the Mitigation Monitoring and Reporting Plan for the Environmental Documents would reduce the impact of the proposed Project to below a level of significance. A response of "Significant and Not Mitigated" indicates that the findings conclude that the impacts of the Project would remain significant even with implementation of the mitigation measures identified in the Mitigation Monitoring and Reporting Plan for the Environmental Documents. A response of "Significant and Not Mitigated" does not indicate that the impact of the proposed activity would be greater than assumed in the Environmental Documents nor does it imply that the impact was not considered in the Environmental Documents.

For each response category, assessments are determined on a Direct ("D") and Cumulative ("C") basis. A direct impact is the result of the Project impact solely within the Project area. A cumulative impact is the result of the Project impact on a regional scale, in combination with impacts assumed from other Projects in the region and vicinity.

The following table lists each potential environmental effect and provides information supporting the conclusion drawn as to the degree of impact associated with the proposed activity.

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
1. AESTHETICS/VISUAL QUALITY:						
<p>(a) Substantially disturb a scenic resource, vista or view from a public viewing area, including a State scenic highway or view corridor designated by the Downtown Community Plan?</p> <p><i>Views of scenic resources, such as San Diego Bay, San Diego-Coronado Bay Bridge, Point Loma, Coronado and the downtown skyline are considered an important downtown asset. According to the Navy Broadway Complex Final EIS/EIR (Final EIR/EIS), the Project site is in a visually important area because of its proximity to the waterfront and its visibility from several key viewpoints. The NBC site can be viewed from areas across the bay to the northwest, west, and south including long-range views from Point Loma. According to the Final EIS/EIR, the types of views associated with the NBC project include:</i></p> <ul style="list-style-type: none"> • <i>Panoramic views from Coronado and Harbor Islands across the bay.</i> • <i>Gateway views from Harbor Drive at Laurel Street and I-5 at Olive Street looking south, and from Harbor Drive looking north;</i> • <i>Street-end views from the downtown along Broadway, E, F, G, and Market streets.</i> <p><i>No designated scenic resources actually exist within the Downtown planning area except for a small portion of State Designated Scenic Highway 163. Nevertheless, views</i></p>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>of the San Diego Bay from downtown are considered a significant downtown asset. Distant views and a sense of expansiveness are especially critical to balance the planned high development intensities. Several streets surrounding the NBC have been designated as public view corridors in the Downtown Community Plan, including Pacific Highway; Broadway; and E, F, and G streets.</i></p> <p><i>The Urban Design Guidelines of the Development Agreement are intended to ensure high-quality design of the NBC. The quality of the design has a direct correlation with the quality of the visual environment. As the North Embarcadero Alliance Vision Plan (NEAVP) and Downtown Community Plan planning efforts were completed subsequent to the Development Agreement, many design elements of the Development Agreement were incorporated into those plans. As required by the Development Agreement, the Project incorporates and is consistent with the Urban Design Guidelines.</i></p> <p><i>The Development Agreement provides that towers must be designed as slender structures to minimize view obstruction from inland areas, and to create a well-composed skyline compatible with existing development.</i></p> <p><i>The Project includes seven proposed buildings with forms that qualify as "towers," five along Pacific Highway and two along Harbor Drive. The three tallest towers are located on block 1 and 2 and each is 75-feet wide respectively, considerably less than</i></p>						

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>the maximum allowed; the narrow sides of their rectangular plans are oriented to the east, minimizing views from the inland. Individual buildings respond to the detail of their location and not a formula of massing, to provide generally better views, sunlight access and design variety. Regarding "compatible with existing development," see (b) below.</i></p> <p><i>Implementation of the Project would enhance and/or be visually compatible with the surrounding area. Views of the site from Harbor Island would be in character with the high rise development of downtown. Modern buildings and installation of landscaping along Pacific Highway would improve the quality of views along Pacific Highway, the major public view corridor in the Downtown Community Plan. From the G Street Mole, views of the redevelopment would be compatible with the surrounding buildings of downtown. The USS Midway would continue to be a dominant feature from this view. The proposed Project would be visually compatible with the existing high-rise development viewable from Centennial Park in Coronado. Views from the E Street corridor would be improved as the street would be opened to pedestrian and vehicular traffic from downtown to the waterfront.</i></p> <p><i>In addition, to ensure that visual resources are protected, the Downtown Community Plan outlines design criteria to preserve and reinforce the existing views and to capture new views as redevelopment on large waterfront parcels, such as the NBC, occurs. Such view policies include:</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<ul style="list-style-type: none"> • Extending the downtown street grid system from E, F, and G streets, to the waterfront and other large sites as they are redeveloped. • Prohibit full or partial street closures by new buildings; the only enable use of a street closure would be a park or public open space; • Protecting public views of the water, and reestablish water views; and • Prohibiting the construction of "sky-walks" or any visible structure in view of corridors. <p>The Project conforms with view policies of the Downtown Community Plan. Therefore, the direct and cumulative impacts of the Project to views of scenic resources from public viewing areas would not be significantly different from the conclusions of the Final Environmental Impact Report (EIR)/Final Environmental Impact Statement (EIS)(Joint CEQA/NEPA document) (the "Final EIR/EIS"); the 2000 North Embarcadero Visionary Plan Final Master EIR (the Visionary Plan Final MEIR"); the 1992 Final Master EIR for the Centre City Redevelopment Project (the " Final MEIR"); the 1999 Final Subsequent Environmental Impact Report to the MEIR for the Centre City Redevelopment Project (the " Final SEIR"); and the 2006 Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Redevelopment Plan For The Centre City Project Area Final EIR (the" Community Plan Final EIR") (collectively, the "Environmental Documents").</p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>The proposed Project does not include any component that would substantially disturb the existing visual character of the Downtown/Marina area, including the small portion of the State Designated Scenic Highway 163. Thus the impact of the proposed Project on visual character of the area would not be significant.</i>						
<p>(b) Substantially incompatible with the bulk, scale, color and/or design of surrounding development?</p> <p><i>The Project includes seven towers. Three of the seven towers are 235 feet long east-west, creating tower wall planes that are large in comparison with existing downtown towers, which typically do not exceed 200 feet. Nevertheless, these towers are narrow in the critical north-south direction, which is comparable to existing and currently under construction towers near the site, and to the majority of existing and planned towers in downtown.</i></p> <p><i>The Master Plan includes the site plan/ground level usage; circulation; and basic massing, volumes, and forms of buildings in order to verify required building constraints are observed. The architectural vocabulary of forms and materials are established as individual buildings are brought forward for a Consistency Determination at the first stage of review (Basic Concept/Schematic Drawings). Because the Project is proposed to be developed in phases, buildings in Phase I will be</i></p>					X	X

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>reviewed against each other and Phase 2 buildings will be reviewed both against each other and also with Phase 1 to ensure the design creates a visually harmonious grouping of buildings, both within the NBC and surrounding development.</i></p> <p><i>Therefore, the direct and cumulative visual impacts of the proposed Project on the surrounding development would be less than significant.</i></p>						
<p>(c) Substantially affect daytime or nighttime views in the area due to lighting?</p> <p><i>As described in the Final EIR/EIS, climate in Downtown San Diego is characterized as moderate year-round. The influence of shade from buildings is not as critical an issue as it is in areas with temperature extremes, where shade can moderate extremely high temperatures and reduce already cool or cold weather.</i></p> <p><i>The primary area of shading from existing project structures is towards the north and northeast, where shadows are cast during the warmest part of the day on the winter solstice. The winter solstice is considered important because it is the day when shadows are at their longest, and it occurs during the cooler part of the year. The Final EIR/EIS concluded that due to the current low height of project structures, with no building higher than 150 feet, no substantial shadows are created during the winter solstice. Although three of the towers proposed in the Project exceed 200 feet, as further</i></p>					X	X

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Issues and Supporting Information						
<p><i>explained in the Final EIR/EIS, the casting of shadows in moderate climate areas, such as the project area, is not necessarily adverse. In fact, shading can provide a moderate effect on hotter summer temperatures, and would be considered beneficial to public uses in the warmer times of the year. During the cooler times, temperatures are moderate enough that shading would not be considered substantially adverse. (Final EIR/EIS, p. 4-114.)</i></p> <p><i>The City of San Diego's Light Pollution Law (Municipal Code Section 101.1300 et seq.) protects nighttime views (e.g. astronomical activities) and light-sensitive land uses from excessive light generated by development in the downtown area. Since any development proposed under the Project would be subject to the City's Light Pollution Law, the direct and cumulative impacts to daytime and nighttime views due to lighting would not be significant, consistent with the findings of the Environmental Documents.</i></p> <p><i>Therefore, no direct or cumulative effects on nighttime views or lighting would occur as a result of the Project not previously analyzed in the Environmental Documents.</i></p>						
2. AGRICULTURAL RESOURCES						
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?					X	X

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>Downtown San Diego is an urban environment that does not contain land designated as prime agricultural soils by the Soils Conservation Service, nor does it contain any farmlands designated by the California Department of Conservation. Therefore, no impact to agricultural resources would occur.</i>						
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>The Navy Broadway Complex does not contain, nor is it near, land zoned for agricultural use or land subject to a Williamson Act Contract pursuant to Section 51201 of the California Government Code. Therefore, impacts resulting from conflicts with existing zoning for agricultural use or a Williamson Act contract would not occur.</i>					X	X
3. AIR QUALITY						
(a) Conflict with or obstruct implementation of an applicable air quality plan, including the County's Regional Air Quality Strategies or the State Implementation Plan? <i>The Final EIR/EIS found that the NBC Project would be consistent with the then-current (1982) and proposed SIP, and that the Project would therefore not have a significant impact. (Final EIR/EIS, p. 4-172.)</i>					X	X

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Further, the Downtown Community Plan EIR, approved in 2006, analyzed air quality impacts associated with development in the Downtown area, including the NBC project, and found that although implementation of the proposed Plan would substantially increase the air emissions generated from downtown with respect to current levels, the proposed land use plan would not conflict with regional air quality planning because it would implement many of the strategies and policies established by regional plans to reduce air pollution. Most notably, the mixed-use emphasis would implement an important technique to reduce mobile source emission by co-locating housing and employment opportunities. In addition, the downtown area is well-served by a variety of transit opportunities including light rail (the Trolley), commuter trains (the Coaster) and bus service. BRT service planned for downtown would also reduce mobile source emissions in the SDAB.</i></p> <p><i>More specifically, the proposed Community Plan represents "smart growth" that would achieve the following strategies identified by the San Diego Air Pollution Control District:</i></p> <ul style="list-style-type: none"> • <i>Designate future transit corridors and rail station sites as "Transit Focus Areas," and zone such areas for compact, pedestrian-oriented development;</i> • <i>Incorporate residential uses in existing employment areas;</i> 						

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<ul style="list-style-type: none"> • Designate a central business core and direct commercial uses there, enabling ridesharing and daytime worker errands on foot; and • Promote revitalization and infill development in mixed use core areas. <p>Therefore, the proposed Community Plan would be consistent with air quality/land use planning strategies and regional air quality planning. (Downtown Community Plan Final EIR, p. 5.8-5.)</p> <p>The proposed Project is consistent with the NBC Development Agreement and conforms to the Downtown Community Plan. The project boundaries are the same and all the components of the original project have been carried forward that were identified in the 1992 Final EIR/EIS and Development Agreement. The main components of the proposed Project include a reduction in the maximum gross square feet of above-grade development, inclusion of a museum and a change in the number of parking spaces. The Project remains consistent with the strategies identified by the Downtown Community Plan EIR and will be consistent with air quality/land use planning strategies and regional air quality planning. Therefore, the direct and cumulative visual impacts of the proposed Project on the surrounding development would not be significantly different from the conclusions of the Final EIR/EIS and the impact remains less-than-significant.</p>						
(b) Generate or expose sensitive receptors to substantial air contaminants including,		X			X	

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health?</p> <p><i>The Final EIR/EIS for the NBC Project and the Final EIR for the Downtown Community Plan indicate that the Project would result in potential air quality impacts related to air emission generators and receptors. Specifically, both identify potential impacts associated with construction related activities. However, with incorporation of mitigation measures, any construction related impacts will be less than significant. (Final EIR/EIS, p. 4-209; Downtown Community Plan Final EIR, pp. 5.8-11-5.8-13.)</i></p> <p><i>In addition, mobile source emissions are identified as potentially significant. The Downtown Community Plan includes a number of goals and policies to reduce reliance on automobiles which would reduce mobile source emissions and these will apply to the Project. (Downtown Community Plan Final EIR, pp. 5.8-9 to 5.9-10.)</i></p> <p><i>The San Diego Air Basin is currently classified by the US EPA as a non-attainment area for ozone and PM10. All new development in the San Diego Air Basin compounds these problems by creating more emissions. New development within the downtown planning area would be no exception, creating long-term air emissions related primarily to increased vehicular use and short-term dust during construction. Because the San Diego Air Basin already is impacted, any new development would have a significant</i></p>						

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Issues and Supporting Information						
<p><i>cumulative impact on regional air quality. Thus, implementation of the proposed Downtown Community Plan would result in a significant cumulative air quality impact. Although the proposed Plan would concentrate development in an area which is well served by transit and offers a variety of opportunities to work and live in the same area, the cumulative impact would remain significant.</i></p> <p><i>The proposed Project is intended to be consistent with the NBC Development Agreement and conform to the Downtown Community Plan. The project boundaries are the same and all the components of the original project have been carried forward that were identified in the 1992 Final EIR/EIS and Development Agreement. The mitigation measure included in the Final EIR/EIS and Downtown Community Plan EIR will apply to the Project and reduce Project-related impacts to less than significant levels. Consistent with the findings of the Final EIR/EIS, cumulative impacts will, however, remain significant and unavoidable.</i></p>						
4. BIOLOGICAL RESOURCES						
(a) Substantially effect, either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by local, state or federal agencies?					X	X

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Due to the highly urbanized nature of the downtown area, there are no sensitive plant or animal species, habitats, or wildlife migration corridors within the area. In addition, the ornamental trees and landscaping located in the downtown area are considered of insignificant value to native wildlife in their proposed location. In February 2007, the Department of Fish and Game confirmed that development of the NBC Project has no potential effect on fish, wildlife and habitat. (Department of Fish and Game (Feb. 5, 2007) CEQA Filing Fee No Effect Determination Form.)</i></p> <p><i>Therefore, no impact to any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by local, state or federal agencies is anticipated to occur as a result of implementation of the Project.</i></p>						
<p>(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by local, state or federal agencies?</p> <p><i>The Downtown Planning area is not within a subregion of the San Diego County Multiple Species Conservation Program (MSCP), and does not contain any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by local, state, or federal agencies. Therefore, impacts to riparian habitat or other sensitive natural communities would not occur as a result of</i></p>					X	X

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>the proposed amendments.</i>						
5. CULTURAL RESOURCES						
<p>(a) Substantially impact a significant historical resource, as defined in CEQA Guidelines section 15064.5?</p> <p><i>The Final EIR/EIS analyzed impacts to Buildings 1, 11, and 12 which appear to qualify as historic buildings on the NBC Project site. Impacts to Buildings 1 and 12 would result from their removal or substantial renovation; however, Building 11 is beyond the Project limits and would not be affected by the Project.</i></p> <p><i>The Final EIR/EIS identifies removal or substantial alteration of Buildings 1 and 12 as a significant adverse effect of the Project. The Final EIR/EIS includes mitigation measures which require consultation with the California SHPO and Advisory Council on Historic Preservation. Proposed mitigation includes a program for recording Buildings 1 and 12 pursuant to Section 110(b) of the National Historic Preservation Act. (Final EIR/EIS, pp. 4-210 to 4-211.)</i></p> <p><i>The Final EIR/EIS indicates that the consideration of cumulative impacts was not an issue for the Project because the resources are site specific and no historic districts have been identified in the area that would be affected through the loss of resources</i></p>			X			X

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>within the Project. (Final EIR/EIS, p.4-211.)</i></p> <p><i>The proposed Project is consistent with the NBC Development Agreement and conforms to the policies of the Downtown Community Plan. The Project boundaries remain the same and all the components of the original project have been carried forward that were identified in the 1992 Final EIR/EIS and Development Agreement. The mitigation measure included in the Final EIR/EIS and Downtown Community Plan EIR will apply to the Project and reduce Project-related impacts to less than significant levels.</i></p>						
<p>(b) Substantially impact a significant archaeological resource pursuant to § 15064.5, including the disturbance of human remains interred outside of formal cemeteries?</p> <p><i>The Final EIR/EIS analyzed impacts to subsurface archaeological deposits and indicates that the alternatives requiring deep excavations for footings and below-grade construction would most likely destroy any resources. The Final EIR/EIS concludes, however, that this impact is not considered significant because the archaeology is not likely to yield any important information about the history or prehistory of the area. (Final EIR/EIS, pp. 4-209 to 4-210.)</i></p> <p><i>The Final EIR/EIS indicates that the consideration of cumulative impacts to cultural resources was not an issue for the Project. (Final EIR/EIS, p. 4-211.)</i></p>					X	X

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>The proposed Project is consistent with the NBC Development Agreement and conforms to the policies of the Downtown Community Plan. The Project boundaries remain the same and all the components of the original project have been carried forward that were identified in the 1992 Final EIR/EIS and Development Agreement. Impacts to archeological resources remain less than significant.</i>						
(c) Substantially impact a unique paleontological resource or site or unique geologic feature? <i>The proposed Project does not include changes with a potential to adversely affect paleontological resources; impacts are not significant.</i>					X	X
6. GEOLOGY AND SOILS						
(a) Substantial health and safety risk associated with seismic or geologic hazards? <i>The Final EIR/EIS for the NBC Project analyzed impacts associated with geology and soils and concluded that with mitigation measures, including compliance with building codes, impacts from geologic hazards would be less than significant. Specifically, the EIR/EIS includes a discussion addressing the faulting and seismicity associated with the Rose Canyon Fault Zone, which at the time was considered to present a significant</i>			X	X		

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>seismic hazard to the coastal San Diego area. In addition, the Final EIR/EIS addressed the potential for liquefaction resulting from loose, sand, water-saturated soils subjected to strong seismic ground motion of significant duration. However, the Final EIR/EIS provided further information indicating that the relatively dense sands and silts of the Bay Point Formation have a low potential for liquefaction and therefore, the site would not be subject to a greater risk of liquefaction than other adjacent areas along the Bay. At the time the EIR/EIS was prepared, the precise location of the Rose Canyon Fault Zone and its associated branches was unknown. The document fully disclosed the potential for strong seismic ground shaking resulting in substantial damage to structures within the project site, which as considered a significant impact. As such, mitigation in the form of compliance with building codes was required to mitigate significant impacts. In addition, at the time of grading permit application submittal, the applicant will be required to submit current soils reports and/or conduct subsequent geotechnical (fault) investigations to ensure proper engineering design of new structures on-site. This process is required for all ministerial projects regardless of the conclusion of any previously certified environmental documents.</i></p> <p><i>Unreinforced Masonry (URM) construction is no longer allowed in the State of California and is addressed with the City's URM Ordinance. The "Earthquake Hazard Reduction in Existing Buildings" was adopted by City Council on November 9, 1992. The ordinance established a program for mitigation of seismic hazards associated with</i></p>						

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Issues and Supporting Information						
<p><i>buildings containing URM bearing walls. (San Diego Municipal Code, Chapter 14, Article 5, Division 4.) The City's URM Program was developed to help property owners comply with the City's URM Ordinance. The goal of this safety ordinance is to save lives by minimizing the possibility of potential collapse of URM buildings during an earthquake. In September 2000, the City of San Diego sent out a "Date of Service Notification" to all property owners of URM buildings informing them that they must comply with the new ordinance within five years of the notification and informing them that January 1, 2006 was the date by which the URM building owners were required to comply with the mandatory provisions of the URM regulations. In 2004, as part of the City's efforts to promote public safety and outreach, the Development Services Department posted a list of all Noticed URM buildings requiring retrofitting pursuant to the City Ordinance. In August 2005, another notification was posted reminding property owners that compliance was required by January 1, 2006. A second final notice was distributed November 1, 2005. Based on the City's current regulations, the Applicant would not be permitted to construct URM buildings. All new buildings must be designed to meet current engineering standards and conform to the Uniform Building Code (UBC) pursuant to State and local requirements.</i></p> <p><i>In addition, while several changes have occurred with respect to information known about geologic conditions since 1990, these changes were addressed in the 2006 Downtown Community Plan EIR. The Downtown Community Plan EIR recognizes that</i></p>						

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Issues and Supporting Information						
<p><i>the Downtown Planning area is located in a seismically active region and that the Rose Canyon Fault Zone, Downtown Graben, and the San Diego Fault traverse the Downtown Planning area. According to the Downtown Community Plan EIR, a seismic event on these faults could cause significant seismic groundshaking within the downtown area. Therefore, the proposed Project would allow development in an area with potential for substantial health and safety risks associated with a seismic hazard. Although the potential for geologic hazards (landslides, liquefaction, slope failure, and seismically-induced settlement) is considered low due to the moderate to non-expansive geologic structure that underlies the planning area, such hazards could nevertheless, occur. The Community Plan EIR indicates that conformance with, and implementation of, all seismic-safety development requirements, including City requirements for the Downtown Special Fault Zone, the seismic design requirements of the UBC, the City of San Diego Notification of Geologic Hazard procedures, and all other applicable requirements would ensure that the potential impacts associated with seismic and geologic hazards in the Downtown Community Plan area are not significant.</i></p> <p><i>The proposed Project is consistent with the NBC Development Agreement and conforms to the policies of the Downtown Community Plan. The Project boundaries remain the same and all the components of the original project have been carried forward that were identified in the 1992 Final EIR/EIS and Development Agreement. The mitigation measures included in the Final EIR/EIS and Downtown Community Plan EIR will apply</i></p>						

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Issues and Supporting Information						
<i>to the Project and reduce Project-related impacts to less than significant levels.</i>						
7. HAZARDS AND HAZARDOUS MATERIALS						
<p>(a) Substantial health and safety risk related to onsite hazardous materials?</p> <p><i>The Final EIR/EIS analyzes health hazards associated with the presence of hazardous substances on the Project site and concludes that, with mitigation, any potential impacts will be less than significant. No action-level (i.e., clean-up level) concentrations of hazardous substances were found in investigations conducted on the project site, though the Final EIR/EIS recognizes that no study is thorough enough to preclude the detection of all substances that might be present on the site. Several areas of contamination or potential contamination were identified on the site that could adversely affect the health of personnel on the site, especially during construction activities that uncover soils.</i></p> <p><i>The area beneath the surrounding Building 8 may contain hazardous substances. If these materials exist and are exposed, they could cause significant health impacts. If the integrity of any units that store PCB-laden oil is compromised, contamination with this material could occur, also a significant health concern. Acid levels in soils near Building 106 could cause metals in the soils to become more mobile and the oily surface residue in the vicinity of Buildings 7 and 106 may contain residues of concern with regard to health. The Final EIR/EIS took the conservative position that these conditions</i></p>			X			X

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>would be considered a significant adverse effect.</i></p> <p><i>Through consultation with the EPA, mitigation measures were included in the Final EIR/EIS to reduce these impacts to a less than significant level.</i></p> <p><i>The proposed Project is consistent with the NBC Development Agreement. The Project boundaries remain the same and all the components of the original Project have been carried forward that were identified in the 1992 Final EIR/EIS and Development Agreement. The mitigation measures included in the Final EIR/EIS will apply to the Project and reduce Project-related impacts to less than significant levels.</i></p>						
<p>(b) Be located on or within 2,000 feet of a site that is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5?</p> <p><i>The Project site is not located within 2,000 feet of a site that is included on a list of hazardous materials sites compiled pursuant to Government Code, § 65962.5.</i></p> <p><i>According to the Downtown Community Plan Final EIR, the Downtown Planning Area contains one site, the Tow Basin Facility, on the State of California Hazardous Waste and Substances Sites List. This site is located well over 2,000 feet from the Project site. In any event, the Downtown Community Plan Final EIR concludes that compliance with</i></p>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>mandatory federal, state, and local regulations will ensure that significant hazards to the public and the environment will not occur.</i></p> <p><i>The proposed Project is consistent with the NBC Development Agreement and conforms to the policies of the Downtown Community Plan. The Project boundaries remain the same and all the components of the original Project have been carried forward that were identified in the 1992 Final EIR/EIS and Development Agreement.</i></p>						
<p>(c) Substantial safety risk to operations at San Diego International Airport?</p> <p><i>The Final EIR/EIS states that the Project includes building heights that approach the imaginary surfaces associated with Lindbergh Field and NAS, North Island designed to protect navigable airspace; however, the site is not within any safety hazard zones as defined by the AICUZ for NAS, North Island and is not within any clear zones or other high safety hazard zones associated with Lindbergh Field. Neither the horizontal surface from Lindbergh Field nor the conical surface from NAS, North Island, are surfaces that affect the operations of either airfield, and exceedance of these surfaces means only that notification to the FAA is required. The Navy notified the FAA of the proposed Project and, in response, the FAA prepared a Determination of No Hazard to Air Navigation and has indicated the Project would not have a significant effect on the safe and efficient utilization of navigable airspace.</i></p>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>The proposed Project is consistent with the NBC Development Agreement. The Project boundaries remain the same and all the components of the original project have been carried forward that were identified in the 1992 Final EIR/EIS and Development Agreement. All buildings comply with the height limits specified in the Development Agreement. The conclusions of the Final EIR/EIS with respect to airport hazards therefore continue to apply to the Project that the impacts are less than significant.</i>						
(d) Substantially impair implementation of an adopted Emergency response plan or emergency evacuation plan? <i>The proposed Project does not propose any features that would affect an emergency response or evacuation plan. Therefore, implementation of the proposed Project is not anticipated to result in substantial impairment of an adopted emergency plan or an emergency evacuation plan; impacts are not significant.</i>					X	X
8. HYDROLOGY AND WATER QUALITY						
(a) Substantially degrade groundwater or surface water quality? <i>The Final EIR/EIS concluded that because the existing water facilities in the project vicinity were currently operating well within their service capacity, there would be no</i>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>significant impacts to water service from implementation of the Development Agreement. Implementation of the proposed Project would not substantially degrade groundwater or surface water quality. This impact remains less-than-significant. Since the Final EIR/EIS was certified, the San Diego Regional Water Quality Control Board has determined that the San Diego Bay is an impaired water body. In addition, there have been changes in State law and local regulations since that time. For the reasons that follow, however, water related impacts will remain less-than-significant..</i></p> <p><i>Final project plans for the Project must include the design of storm drainage structures consistent with Phase II NPDES Permit regulations. Under the Phase II General Permit regulations governing small Municipal Separate Storm Sewer Systems (MS4s), the Developer is required to develop and implement a SWMP designed to reduce discharge through MS4s to the highest extent practicable, and the SWMP will be fully implemented by the end of the permit term.</i></p> <p><u>Surface Water Resources</u></p> <p><i>A comprehensive Water Quality Technical Report (WQTR) will be prepared by the Developer in accordance with the City's Standard Urban Stormwater Mitigation Plan (SUSMP). Provisions of the WQTR will focus on the protection of water resources from project-generated adverse impacts to surface runoff of the maximum extent practicable,</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>identifying both construction and programmatic Best Management Practices (BMPs) as required. The WQTR will be commensurate with the level of effort required based on completion of the SUSMP Applicability Checklist. The WQTR will follow the required format as set forth in the City's Land Development Manual Storm Water Standards, including, but not limited to identification of the potential impacts (flows and pollutants), proper design of post construction BMPs based on standard design criteria presented in the SUSMP, implementation of construction and post-construction BMPs, and a maintenance agreement for the operation and maintenance of post-construction BMPs.</i></p> <p><i>Prior to issuance of a grading permit for any phase or unit of development within the proposed Project, the Developer will submit a Notice of Intent for construction in compliance with the NPDES Construction General Permit. As part of the application process, a project-specific SWPPP must be developed and implemented on site. (2006 EA, pp. 3.7-10 to 3.7-12.)</i></p> <p><u>Groundwater Resources</u></p> <p><i>Implementation of the proposed Project would require temporary dewatering during construction activities. Therefore, the Developer is required to enroll under RWQCB Order No. 2000-090. Enrollment under this Order will be required for any discharge of</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>groundwater extracted and discharged into the San Diego Bay during construction activities, and effluent limitations will be subject to the terms and conditions of this Order. Under Order No. 2000-090, the Developer will be allowed only temporary dewatering during construction activity; no permanent groundwater extraction during project operations will be permitted.</i></p> <p><i>If infiltration into subterranean structures cannot be prevented through design and construction features, then extracted groundwater from permanent operations may be discharged into the City's sanitary sewer system. This option would require a permit from the City under SDMC 64.0500, Industrial Wastewater disposal.</i></p> <p><i>Implementation of these permit conditions would ensure compliance with the regulatory requirements set forth by federal, state, and local agencies. Compliance with the specified measures would reduce hydrology and water quality impacts from construction activities and operational impacts, including nonpoint and point-source discharges, to below a level of significance. (2006 EA, pp. 3.7-12 to 3.7-13.)</i></p>						
<p>(b) Substantially increase impervious surfaces and associate runoff flow rates or volumes?</p> <p><i>The NBC site is essentially level, at street grade, and already covered with impervious</i></p>					X	X

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Issues and Supporting Information						
<p><i>surfaces. During storm events, surface water drainage flows to an existing network of subsurface storm drains located on and adjacent to the project site that discharge to the San Diego Bay. The proposed Project would require building demolition, subsurface excavations for building foundations and subterranean parking, and reconstruction of onsite storm drains. Implementation of the proposed Project could adversely affect hydrology and water quality conditions on the site and in the Project vicinity.</i></p> <p><i>However, because the Developer must comply with existing federal, state and local regulations, the proposed Project would not result in any significant water quality impacts.</i></p>						
9. LAND USE AND PLANNING						
<p>(a) Physically divide an established community?</p> <p><i>The Final EIR/EIS concluded that the NBC Project would be compatible with existing and planned surrounding land uses, and would not create any significant environmental effects associated with land use compatibility. (Final EIR/EIS, p. 4-12.) Implementation of the proposed Project would not divide an established community. Much of the recent development in the neighborhoods surrounding the NBC has included high-rise structures with multi-family residential units, such as Electra and Grande at Santa Fe Place. The Little Italy neighborhood north of the site has been</i></p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>targeted for the majority of residential growth in the project vicinity, with nearly 5,000 units planned. The proposed action would contribute to a needed supply of commercial and retail uses that would support the surrounding residential development and waterfront uses. Therefore, consistent with the findings of the Final EIR/EIS and the Downtown Community Plan Final EIR, the proposed Project would not physically divide an existing community.</i>						
<p>(b) Substantially conflict with the City's General Plan and Progress Guide, Downtown Community Plan or other applicable land use plan, policy, or regulation?</p> <p><i>The Final EIR/EIS concluded that the NBC Project would be compatible with existing and planned surrounding land uses, and would not create any significant environmental effects associated with land use compatibility. (Final EIR/EIS, p. 4-12.)</i></p> <p><i>New planning documents that cover the NBC site have been adopted since the execution of the Development Agreement. The plans include the North Embarcadero Area Vision Plan (NEAVP) and the San Diego Downtown Community Plan. Both plans have assumed the NBC would be redeveloped by the Navy and its development partner as defined in the Development Agreement.</i></p> <p><i>Implementation of the proposed Project would contribute 1,647,513 sf of new</i></p>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>administrative office space to the Centre City region, which is well within the Downtown Community Plan estimates. The Downtown Community Plan identifies the Navy Broadway Complex as supporting waterfront and marine uses, including major tourist and local visitor attractions, trade, office, eating and drinking establishments, retail, parking, museum and cultural facilities, and hotels. The proposed Project would incorporate many of these uses on the site, including office, retail, parking, museums, and hotels, and would be compatible with adjacent land uses.</i></p> <p><i>The Downtown Community Plan's vision for the Columbia neighborhood, which includes a substantial portion of the NBC site, states that the NBC has significant development potential and that reuse of the site would offer the neighborhood a reinvigorated, connected waterfront. With the exception of Seaport Village, OPH, and the NBC, the Marina neighborhood is not expected to accommodate significant growth. Implementation of the proposed Project would complement the planning focus of completing the Marina neighborhood with needed retail, open space, as well as improved access to the San Diego Bay.</i></p> <p><i>Implementation of the Project would likewise be consistent with and enhance goals identified in the NEAVP. Implementation of the Project would provide accessible bayfront, and public parks, as well as physical extension to the Bay.</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>For these reasons, implementation of the proposed Project would not conflict with the City's General Plan and Progress Guide, Downtown Community Plan or other applicable land use plan, policy, or regulation. As such, this impact is less-than-significant.</i>						
<p>(c) Be substantially incompatible with surrounding land uses?</p> <p><i>The Final EIR/EIS concluded that the NBC Project would be compatible with existing and planned surrounding land uses, and would not create any significant environmental effects associated with land use compatibility. (Final EIR/EIS, p. 4-12.)</i></p> <p><i>The proposed Project is consistent with the NBC Development Agreement. The Project boundaries remain the same and all the components of the original project that were identified in the 1992 Final EIR/EIS and Development Agreement have been carried forward.</i></p> <p><i>Implementation of the Project would be compatible with surrounding land uses. The NBC is located in the Columbia and Marina neighborhoods of downtown San Diego, which have experienced substantial development since the execution of the Development Agreement. Implementation of the proposed Project would develop a mixed-use project including office, retail, hotel, public open space, new landscaping, upgraded public</i></p>					X	X

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>facilities, and new roadway improvements that would compliment adjacent uses in the surrounding areas.</i>						
10. MINERAL RESOURCES						
<p>(a) Substantially reduce the availability of important mineral resources?</p> <p><i>The Final EIR/EIS analyzed impacts to mineral resources and, based on information available from the U.S. Bureau of Land Management and the California Division of Oil and Gas, concluded that the Project site is not known to contain any extractable resources. As the Project site is not known to have any extractable resources such as oil, gas, or aggregate, and no resources are known to have been extracted from the site, no significant impacts will result. (Final EIR/EIS, pp. 147-148.)</i></p> <p><i>The proposed Project is intended to be consistent with the NBC Development Agreement and conform to the policies of the Downtown Community Plan. The Project boundaries remain the same and all the components of the original project have been carried forward that were identified in the 1992 Final EIR/EIS and Development Agreement. The Project will not result in any significant impacts to mineral resources.</i></p>					X	X
11. NOISE						
(a) Substantial noise generation?			X	X		

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><u>Short-Term Noise Impacts</u></p> <p><i>The Final EIR/EIS states that implementation of the Development Agreement could cause a short-term annoyance to noise-sensitive land uses in the surrounding area due to construction activities. (Final EIR/EIS, p. 4-181). According to the Final EIR/EIS, this impact would be mitigated to a less-than-significant level through compliance with the San Diego County Code, which requires that significant noise generating construction activities will be limited to Monday through Saturday, 7:00 a.m. to 7:00 p.m. (Final EIR/EIS, p. 4-186.)</i></p> <p><i>The City of San Diego noise ordinance, noise effects from construction activities on residential receptors are not to exceed 75 dBA, averaged over a 12-hour period. According to the 2006 NBC EA, the loudest construction noise associated with the Development Agreement would be from demolition of existing structures, concrete foundations, and parking areas. The nearest sensitive receptors to a demolition site are residents at Archstone Harborview, approximately 150 feet away. At this distance, the maximum noise level from demolition activities is calculated at 82 dBA and the average hourly noise level would be 77 dBA L_{eq}. (EA 2006, p. 3.9-8.) Assuming a worst-case scenario of 8 hours of noise at 77 dBA level from demolition, the average noise level over 12 hours would be 75 dBA, which equals but does not exceed the limits of the City</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Noise Ordinance.</i></p> <p><i>Implementation of the proposed Project implements and is consistent with the Development Agreement. Nothing about the proposed Plan indicates that it would generate additional noise beyond that contemplated by the Development Agreement. Accordingly, short term noise impacts would remain less than significant.</i></p> <p><u><i>Long-Term Noise Impacts</i></u></p> <p><i>The NBC would include mechanical equipment that would generate noise that could be heard at receptors offsite. Equipment could include heating fans, ventilating, air conditioning, cooking, and laundry equipment and emergency generators. The City of San Diego noise ordinance limits the noise from these sources to 65 dBA Leq from 7:00 a.m. to 7:00 p.m. and 60 dBA Leq from 7:00 p.m. to 7:00 a.m. The Project does not include specific building designs that specify the types and locations of equipment, nor are such plans required at this stage of the planning process. At the time the Developer submits to the City Building Inspection Department approval plans showing the locations of noise-generating equipment, the Developer will be required to demonstrate that the buildings will comply with the City noise ordinance. Compliance with the City's noise ordinance will ensure that noise generated from implementation of the proposed Project remains less-than-significant.</i></p>						

Navy Broadway Complex Project Development Agreement, Superseding Master Plan and Phase I Buildings

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><u>Noise Generated Away From Project Site</u></p> <p><i>Following construction completion, noise would be generated offsite by vehicle traffic utilizing the proposed development. Traffic generated by the NBC Project as well as for other anticipated development in the area is included in the SANDAG 2030 forecasted volumes. Using these cumulative volumes, traffic noise was assessed for major roadways in the Project area. Observed speeds and vehicle mix from the August 2005 noise measurements were used in the model. The results showed that the noise increases from the existing condition to the 2030 condition, which includes traffic generated by the NBC Project as detailed in the Development Agreement, would be less than 3 dBA. (2006 EA, p. 3.9-10.) There is nothing about the proposed Project that suggests it would result in more noise than indicated in the Development Agreement.</i></p> <p><i>Thus, both the cumulative and direct noise impacts would be less than significant.</i></p>						
<p>(b) Substantial interior noise within habitable rooms (e.g. levels in excess of 45 dB (A) CNEL)?</p> <p><i>The Final EIR/EIS states that, as in any downtown urban area characterized by dense development, future traffic noise levels are expected to be relatively high in the vicinity</i></p>			X			X

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>of the NBC. The hotels proposed in the Development Agreement and in the Project would be within the 65 dB CNEL contour of Pacific Highway. As stated in the Final EIR/EIS, this could result in noise levels in excess of 45 dB CNEL in hotel rooms, which would be a significant impact. (Final EIR/EIS, p. 4-181.)</i></p> <p><i>As required by Mitigation Measure 4.9-3 of the Final EIR/EIS, prior to the issuance of building permits for hotel structures under the proposed Project, building specifications for hotel structures describing the acoustical design features of the structures and evidence must be prepared by an acoustical consultant that sound attenuation measures will satisfy the interior noise standard of 45 dB CNEL must be submitted to the City Building Inspection Department for approval. Implementation of this measure will ensure that interior noise impacts remain less than significant.</i></p>						
12. POPULATION AND HOUSING						
<p>(a) Substantially induce population growth in an area?</p> <p><i>The 2006 Downtown Community Plan EIR analyzed implementation of the Downtown Community Plan on population and housing. According to the Downtown Community Plan Final EIR, CCDC projected a maximum population of 89,100 by the year 2030 under the Community Plan. Therefore, the existing population of 27,500 would more than quadruple as a result of the Downtown Community Plan.</i></p>					X	X

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>The Downtown Community Plan Final EIR concluded that the number of residential units under the Community Plan would reach a maximum of 53,100 by the year 2030, which means that the existing number of residential units would increase by approximately 360 percent. This year 2030 residential unit projection for the Community Plan is greater than that anticipated by the 2030 City/County Forecast. SANDAG's projected number of residential units in the downtown planning area is 34,284 by 2030. The difference between CCDC's estimate based on the Community Plan and the SANDAG forecast is 18,818 residential units. Therefore, the Community Plan EIR concluded that it would contribute additional housing to a region that is currently experiencing housing deficiencies and would have a beneficial effect on housing supply.</i></p> <p><i>In addition, according to the Final EIR/EIS employment growth associated with implementation of the Development Agreement could result in indirect housing demands and population growth through project-induced in-migration to the region. Given the substantial housing and population base in San Diego, however, the Final EIR/EIS concluded that new employees to the region associated with the NBC Project would be absorbed without notable secondary effects. Because San Diego has grown to an even larger population base than the population in 1992 and because the proposed Project would not result in greater employment opportunities than the Development Agreement</i></p>						

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>allows, impacts to population growth remain less than significant.</i>						
<p>(b) Substantial displacement of existing housing units or people?</p> <p><i>Housing units are not currently located on the NBC site nor do people reside on the site. Nor would the Project result in off-site housing or people to be displaced. Therefore, implementation of the proposed Project could not result in a substantial displacement of existing housing units or people.</i></p>					X	X
13. PUBLIC SERVICES AND UTILITIES						
<p>(a) Substantial adverse physical impacts associated with the provision of new schools?</p> <p><i>The NBC is located within the San Diego Unified School District. (SDUSD). According to the Final EIR/EIS, implementation of the Development Agreement would not directly contribute students to the elementary and secondary schools within the San Diego Unified School District because residential uses are not included within the Agreement.</i></p> <p><i>According to the 2006 Environmental Assessment prepared to consider implementation of the Development Agreement, SDUSD enrollment has been declining since the 2000-2001 school year, when the student population reached a peak of 142,260. This was after more than 20 years of steady growth in the 1980s and 1990s. School enrollment</i></p>					X	X

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>within the overall SDUSD system is currently operating below capacity, serving a total student population of 129,580 as of September 2005. Generally, elementary schools are operating well below capacity, while secondary schools are generally operating closer to, but not exceeding, estimated occupancy levels. The SDUSD has forecast a decline in student enrollment through the 2013-2014 school year. Although the downtown region has experienced considerable residential growth in recent years, the increased residential development occurring in the area has thus far not generated a significant public school population. SDUSD staff is closely monitoring this situation and working with city staff to plan for new school facilities downtown should they be needed. (2006 EA, p. 3.4-7.)</i></p> <p><i>In July 1998, San Diego voters approved proposition MM, which allocates \$1.51 billion to fund modernization of the 161 then existing schools, construction of 12 new schools, and the rebuilding of 3 existing schools. The SDUSD utilizes fees under Proposition MM funding. While there are no current plans for construction of new schools that would specifically serve the NBC, Golden Hill Elementary and Laura G. Rodriguez Elementary are located near downtown San Diego. Golden Hill Elementary opened in January 2006 and Laura G. Rodriguez Elementary is expected to open September 2007. Proposition MM has resulted in the improvements of school facilities, as well as the addition of six new elementary and two new middle schools.</i></p>						

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Issues and Supporting Information						
<p><i>Education Code Section 17620 (formerly known as Government Code Section 35080) authorizes school districts to levy a fee, charge, dedication, or other form of requirement against any development project for the construction or reconstruction of school facilities. The SDUSD prepared the District's Impact Fee Justification Study, dated January 2003, which concluded that it is necessary to implement the authority of Section 1782- to levy fees in the amount of:</i></p> <ul style="list-style-type: none"> • \$2.14 per foot for construction of new residential buildings; and • \$.36 per square foot for commercial and industrial construction. <p><i>The developer will pay the required impact fees of \$0.36 per square foot for the construction of new office, commercial, and hotel development in accordance with the MMP. Accordingly, there would not be significant impacts to schools associated with implementation of the proposed Project.</i></p>						
<p>(b) Substantial adverse physical impacts associated with the provision of fire protection/emergency services?</p> <p><i>The Final EIR/EIS concludes that existing fire protection/emergency facilities, manpower and equipment at the city and Federal fire departments are adequate to maintain a sufficient level of fire protection service to project site under the Development Agreement. The Final EIR/EIS therefore concluded that the impacts to</i></p>					X	X

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>fire protection associated with implementation of the Development Agreement are less-than-significant. (Final EIR/EIS, pp. 4-115 – 4.117.)</i></p> <p><i>The Final EIR/EIS explains that implementation of the Development Agreement would increase vehicular traffic on surrounding streets and arterials, which may increase the risk of traffic accidents. According to the Final EIR/EIS, however, implementation of the circulation improvements proposed to mitigate impacts from the NBC redevelopment and other area development, as discussed in Section 4.2.3, page 4-65 of the Final EIR/EIS would reduce this potential adverse effect to a level of less than significant.</i></p> <p><i>According to the Downtown Community Plan Final EIR, the San Diego Fire Department is in the process of securing sites for two new fire stations in the downtown area. As stated in the Community Plan Final EIR, while the two new fire stations, which may be built downtown, would result in physical impacts, their construction would not be directly related to the Community Plan. Furthermore, insufficient information exists to accurately determine the physical impacts which may occur from either of the proposed stations. As no site has been selected for a station west of Harbor Drive, no evaluation can be made.</i></p> <p><i>As with the Development Agreement, development under the proposed Project would result in construction of new buildings and underground parking facilities that would be</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>susceptible to fire hazards or would require emergency medical response. Pursuant to the Development Agreement, proposed development of the NBC will include sprinklers and other fire safety measures that would reduce fire impacts. Water flows of 9,463 liters per minute (2,500 gallons per minute) would be required with a sprinkler fire system to adequately serve the NBC site. (2006 EA, p. 3.4-5).</i></p> <p><i>According to the 2006 Environmental Assessment prepared for the Development Agreement, existing facilities, staffing, and equipment remain adequate to maintain a sufficient level of fire protection service to the project site. In addition, in response to the growth projections for the region not associated with the NBC Project, the San Diego Fire Department has secured a site for a new fire station, known as the Bayside Station, at the southeast corner of Cedar and Pacific Highway. The Federal Fire Station at 32nd Street would also continue to provide as-needed service to the site.</i></p> <p><i>In addition, as described by the Downtown Community Plan Final EIR, Policy 8.2-P-1 of the Downtown Community Plan calls for the collection of Development Impact Fees (DIF) for all development to help pay for needed fire facilities. The Project Developers will pay this fee in relation to development of the NBC, except for the Navy office building, per the Development Agreement.</i></p> <p><i>For these reasons, the proposed Project would not require additional fire or emergency</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>protection beyond that analyzed in the 1992 Final EIR/EIS, the 2006 Downtown Community Plan Final EIR, or in the 2006 EA. Therefore, no significant impacts to fire protection/emergency services are anticipated with implementation of the proposed Project.</i>						
(c) Substantial adverse physical impacts associated with the provision of law enforcement services? <i>According to the 2006 EA, the potential law protection impacts remain the same as those identified by the Final EIR/EIS (i.e. an increased risk of traffic accidents due to increased vehicular traffic on surrounding streets and arterials and a potential for increased car prowls on parked vehicles as a result of the higher density use proposed by the project.) Like the Final EIR/EIS, the 2006 EA concluded that these impacts will be less than significant. As explained in the 2006 EA, in response to the future growth and development projected for the region not associated with the NBC project, the San Diego Police Department has recommended an increase in staff of 38 officers downtown over the next 5 years, and a related increase in civilian staff. Any additional staff would be available to assist the site. In addition, Harbor Police would continue to serve the San Diego Bay waterfront, including the project site, in coordination with the San Diego Police Department. Navy Shore Patrol and Commander Navy Region</i>					X	X

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Southwest Public Safety would also continue to provide safety responses to Navy-occupied buildings in support of the City and Harbor Police. (2006 EA, p. 3.4-3.)</i></p> <p><i>Implementation of the proposed Project would not affect the provision of law enforcement to serve the project area because the proposed uses and intensities are virtually identical to those outlined by the Development Agreement. Therefore, implementation of the proposed Project would not result in significant impacts to police services.</i></p>						
<p>(d) Substantial adverse physical impacts associated with the provision of water transmission or treatment facilities?</p> <p><i>The Final EIR/EIS concluded that because existing water facilities in the project vicinity are currently operating well within their service capacity, there would be no significant impacts to water service from implementation of the Development Agreement.</i></p> <p><i>According to the 2006 EA, implementation of the Development Agreement would consume an addition 0.5 percent of current City water consumption rates per day. (2006 EA, p. 3.4-13.) This amount would likely be smaller under the proposed Project because the Project proposes less development than approved in the Development Agreement.</i></p>					X	X

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>San Diego Municipal Code 147.04 requires that all buildings, prior to a change in property ownership, be certified as having water-conserving plumbing fixtures in place. Though ownership of the property remains with the Navy, water-using elements of the proposed Project will comply with this ordinance. In addition, once detailed plans for the site under the Project have been approved, the developer will work with the City to determine detailed flow rates for the site.</i></p> <p><i>Water supply has been accounted for by the San Diego County Water Authority (SDCWA) in its 2000 Urban Water Management Plan (UWMP) (SDCWA). The UWMP uses a modeling program to assess future water demand and utilizes demographic data and regional growth forecasts from SANDAG to calculate projected water demand. Based on this information, there is expected to be sufficient supply to meet the demands of the project because development is accounted for in certified development plans and environmental documents.</i></p> <p><i>Finally, the existing water facilities in the project vicinity are currently operating within their service capacity. Compliance with San Diego Municipal Code 147.04 would reduce the amount of water consumed by build-out of the proposed Project. In addition, ongoing upgrades to the Alvarado Water Treatment Plan have increased its capacity of treated water by 33 percent.</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>Therefore, consistent with the conclusions of the Final EIR/EIS, no significant impacts to water service or water infrastructure are anticipated from the proposed Project.</i>						
<p>(e) Substantial adverse physical impacts associated with the provision of wastewater transmission or treatment facilities?</p> <p><i>According to the Final EIR/EIS, the NBC Project would significantly increase the amount of wastewater conveyed through existing sewer facilities. This would represent a substantial increase over existing uses and would result in significant impacts to sewer conveyance facilities. Mitigation Measure 4.4.6, requires the existing 15-inch diameter mains located in Pacific Highway and in Market Street to be upgraded by the developer, in coordination with the City of San Diego, to a capacity sufficient to serve future onsite development, as well as future upstream and tributary developments that would be linked to them. The Final EIR/EIS concludes that implementation of Mitigation Measure 4.4.6 would avoid impacts related to sewer facilities, and as such this impact is less than significant. (Final EIR/EIS, p. 4-126.) Pursuant to Mitigation Measure 4.4.6, the developer of the proposed Project will work with the City to upgrade the existing 15-inch diameter mains located in Pacific Highway and in Market Street. Given this measure, significant impacts of the Superseding Master Plan related to sewer facilities will be avoided.</i></p>			X	X		

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>According to the 2006 EA, implementation of the Development Agreement would increase flows at Point Loma Water Treatment plant (PLWTP) by less than .2 percent. The proposed Project would likely increase flows to even less than that projected for the Development Agreement because the amount of square footage dedicated to Navy and/or private use is less than what was originally approved. Given that PLWTP Since 1992 when the Final EIR/EIS was certified, there has not been an increase in the amount of effluent and PLWTP is operating at 73 percent of design capacity, additional plant improvements would not be required to accommodate these additional flows.</i></p> <p><i>Prior to execution of the Development Agreement, both the City and the RWQCB stated that the additional wastewater generated by implementation of the Development Agreement would not significantly affect the quality of water discharged from the outfall, nor would it affect the City's ability to provide secondary treatment of wastewater, nor would it significantly affect the capacity of the wastewater treatment system. (2007 EA, p. 3.4-16.) Since that time, there has been an increase in the amount of effluent discharge and PLWTP has increased its capacity to meet that demand and has a remaining capacity of 27 percent.</i></p> <p><i>For the reasons provided above, impacts to wastewater treatment associated with implementation of the proposed Project would remain less-than-significant.</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>(f) Substantial adverse physical impacts associated with the provision of landfill facilities?</p> <p><i>According to the Final EIR/EIS, based on the City's plans to develop new landfills or expand existing ones to serve the city's future disposal requirements, no significant impacts to solid waste disposal would result from the Development Agreement. (Final EIR/EIS, p. 4-128.)</i></p> <p><i>In addition, to reduce the amount of waste material entering landfills, as well as to meet the recycling goals established by the City and mandated by California AB 939 (1989) the City requires individual redevelopment activities of at least 50 residential units or 40,000 sf of commercial space to submit a Waste Management Plan to limit construction and demolition waste. Pursuant to this requirement, construction demolition debris will be sent to the newly opened construction demolition inert recycling facility, approximately 9 miles from the NBC, to reduce landfill waste associated with demolition of the existing structures.</i></p> <p><i>Redevelopment activities meeting the 50 residential unit threshold would also be required by San Diego Municipal Code to manage long-term solid waste generated after construction. Development under the proposed Project will be required to have as many recycling bins as trash bins on the premises and provide adequate interior and</i></p>					X	X

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>exterior refuse and recycling storage space. (EA 2006, p. 3.4-19.) Conformance with the Municipal Code would reduce long-term solid waste generation rates, and the County's two future landfill expansion plans will expand the long-term capacity available for solid waste and disposal.</i></p> <p><i>Accordingly, for the reasons provided above, solid waste impacts associated with the proposed Project would be less than significant.</i></p>						
14. PARKS AND RECREATIONAL FACILITIES						
<p>(a) Substantial increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</p> <p><i>The adopted Recreation Element of the City's Progress Guide and General Plan sets forth a series of goals and guidelines for the provision of recreation opportunities in both existing and new communities. "Population-based facilities ideally constitute 1.0 to 3.9 acres of land per 1000 residents depending on proximity to schools and the residential densities of their service areas. Resource-based parks should provide between 15 and 17 acres/1000. Open space lands, sports fields, plazas, and landscaped areas should constitute approximately 1.1 to 2.0 acres/1000 residents. These figures are norms or abstract concepts, however, and should not be rigidly applied throughout</i></p>					X	X

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>the City.” (San Diego Progress Guide and General Plan, p. 165.)</i>						
<i>The proposed Project includes 1.9 acres of formal open space/park area at the corner of Broadway and Harbor Drive. These spaces are expected to adequately serve the demand for parks that the Project may generate. The use of these 1.9 acres is expected to off-set any demand for already existing parks. As such, implementation of the proposed Project would not result in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.</i>						
15. TRANSPORTATION/TRAFFIC						
(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street and highway system (e.g., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? <i>The Final EIR/EIS concluded that there are no roadway segments or intersections where unavoidable adverse impacts would occur after implementation of the mitigation measures provided in section 4.2 of the EIR/EIS. (Final EIR/EIS, pp. 4-70, 4-73.)</i>			X	X		

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>Because traffic conditions have changed since the Final EIR/EIS was certified, the 2006 EA prepared for the NBC Project examined existing conditions and compared those conditions to buildout of the NBC Project as set forth in the Development Agreement. Because the Project implements the Development Agreement, the EA's analysis is relevant to and relied upon by this Initial Study. The following summarizes the traffic analysis performed by the 2006 EA.</i></p> <p><i>LOS information for streets adjacent to the NBC site is included in the Downtown Community Plan EIR Transportation, Circulation and Access Study. Existing LOS within the study area includes all intersections expected to be affected by the redevelopment of the NBC. (See 2006 EA, p. 3.2-2) All studied intersections, except for Grape Street and North Harbor Drive in the p.m. peak hour operate at LOS C or better. The intersection of Grape Street and North Harbor Drive operates at LOS E during the p.m. peak hour. Table 3.2-2 of the 2006 EA summarizes the existing LOS for roadway segments adjacent to the NBC. All roadway segments operate at LOS D or better.</i></p> <p><i>The 2006 EA analyzes trip generation rates associated with land uses assumed in the Development. Using trip generation rates from the 1990 City of San Diego Trip Generation Manual, the land uses assumed in the Development Agreement would generate 39,731 ADTs on the downtown circulation network. Based on the conclusions regarding potential traffic impacts presented in the 1991 ROD, the Development</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Agreement identified specific transportation improvements that will be incorporated into the proposed Project, as discussed below.</i></p> <p><i>The recent traffic analysis completed for the Downtown Community Plan EIR also addressed the potential traffic impacts that would result from implementation of the proposed action and other cumulative projects in the downtown area. The Community Plan EIR utilized the current City of San Diego trip generation rates for downtown San Diego; these rates for individual land uses are lower than the rest of the city because of the high use of public transit and because the density and proximity of land uses downtown reduces the need for multiple automobile trips.</i></p> <p><i>The 2006 EA concluded that the Development Agreement is estimated to generate approximately 27,130 ADT. This represents a 32 percent reduction (12,601 ADT) from the number of trips assumed in the Development Agreement. This large reduction in ADT is due mainly to the reduced trip generation rates identified by the City that best reflect greater use of public transportation in the downtown area. According to the 2006 EA, the 32 percent reduction in number of trips would lessen the potential traffic impacts that were assumed when the Navy and the City entered into the Development Agreement. The proposed Project is consistent with the Development Agreement and is virtually the same in terms of use and intensity as the Development Agreement.</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>All of the following transportation improvements in the Development Agreement will be implemented by the City and the developer, as indicated in the MMP during construction of the project as proposed by the Project:</i></p> <ul style="list-style-type: none"> <i>E, F, and G streets shall be extended to allow for continuous vehicular and pedestrian access between Pacific Highway and North Harbor Drive;</i> <i>G Street shall provide enhanced access between the Marina neighborhood and the G Street Mole by extending G Street as a major pedestrian promenade;</i> <i>Pacific Highway shall be widened and improved along the frontage adjacent to the NBC; and</i> <i>A Long-Term Travel Demand Management (TDM) Program shall be implemented.</i> <p><i>The substantial reduction in ADTs calculated in the updated traffic analysis confirms the conclusions of the Development Agreement and the Final EIR/EIS that the agreed-upon traffic improvements would be sufficient to mitigate potential traffic impacts in today's conditions.</i></p>						
(b) Create an average demand for parking that would exceed the average available					X	X

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>supply?</p> <p><i>The Final EIR/EIS concludes that the Development Agreement would accommodate 80 percent of the parking demand, without Travel Demand Management measures (TDMs). The Final EIR/EIS concludes that the successful application of TDM to the Development Agreement would reduce the level of vehicular traffic by increasing transit and ridesharing use as has been documented in San Diego. Accordingly, there would be no reliance on offsite parking to meet the project's demands.</i></p> <p><i>When the Development Agreement was signed in 1992 and the Final EIR/EIS certified, the City had no minimum or maximum parking requirements for development in the Centre City area. Instead, parking supply ratios were based on surveys of other Centre City projects. The Development Agreement utilized the maximum parking rates for the proposed Development Plan as follows:</i></p> <ul style="list-style-type: none"> <i>• Navy Administration Space: 1.00 spaces per 1,000 sf plus 0.23 per 1,000 sf for official fleet vehicles;</i> <i>• Commercial Office: 1.00 spaces per 1,000 sf</i> <i>• Hotel: 0.75 spaces per guest room</i> <i>• Retail: 4.00 spaces per 1,000 sf.</i> <p><i>These requirements are vested in the 1992 Agreement and are not superseded by</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>subsequent zoning regulations adopted within the Centre City Planned District Ordinance (PDO). The Agreement establishes maximum parking ratios for the development based on land uses. The Final EIR/EIS acknowledged that, at the time of the Agreement's approval, there were no minimum or maximum parking requirements in the Centre City area. The Final EIR/EIS, however, evaluated parking demand for the project and concluded that with the availability of transit in the downtown area and the adoption of the Transportation Demand Management Plan (required for each phase of the project), the development would provide an adequate amount of on-site parking and there would be no reliance on off-site parking facilities to meet parking demand.</i></p> <p><i>The Final EIR/EIS identified a need for 3,105 parking spaces. The proposed Project is not deficient in that the 3,105 spaces evaluated in the Final EIR/EIS were based on a different size project. The 3,105 sf of parking identified by the Final EIR/EIS, assumed 3.25 million sf of development in the project area. The parking proposed for hotel uses under the Project is based on hotel room count, rather than square footage, which is a more accurate reflection of actual parking demands associated with buildout of the NBC Project. Although there is a difference in parking spaces provided compared to those analyzed by the Final EIR/EIS, these changes to the Project do not rise to the level of substantial changes requiring major revisions to the Final EIR/EIS or other Environmental Document examined in this Initial Study.</i></p>						

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>(c) Substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded?</p> <p><i>The Downtown Planning area has an abundance of alternative transportation choices including the Coaster, Trolley, and bus lines. The proposed Project does not include components that would substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded.</i></p> <p><i>Additionally, SANDAG has indicated that transit facilities should be sufficient to serve the downtown population, including persons associated with the NBC project, without exceeding capacity. Therefore, no impact will occur associated with transit or alternative modes of transportation.</i></p>					X	X
16. MANDATORY FINDINGS OF SIGNIFICANCE						
<p>(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>As indicated above, due to the highly urbanized nature of the downtown area, no sensitive plant or animal species, habitats, or wildlife migration corridors are located in the Project area. Furthermore, the Project would not eliminate important examples of major periods of California history or prehistory. No aspects of the Project would substantially degrade the environment.</i></p> <p><i>Consistent with the findings of the Final EIR/EIS, because the proposed Project will conform to the requirements of the Development Agreement and is virtually identical in terms of use and intensity, there would be no significant transportation impacts.</i></p>						
<p>(b) Does the project have impacts that are individually limited, but cumulatively considerable (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?</p> <p><i>Effects of the proposed Superseding Master plan on land use and applicable plans; aesthetics and viewshed; public services and utilities; and other issues would not be significant and would not incrementally contribute to a significant cumulative impact associated with other planned projects for the downtown area nor the applicable planning documents for the area. Potential cumulative effects of the proposed Project and other foreseeable projects are not expected to be significant.</i></p>		X				

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><u>Land Use and Applicable Plans</u></p> <p><i>There are a number of projects in the vicinity of the Project that are listed in the Downtown Community Plan and which have been analyzed at a program level in the Downtown Community Plan Final EIR. The Downtown Community Plan Final EIR identified increased development activities downtown would combine with those expected in surrounding neighborhoods to displace homeless populations, encouraging them to move into less active areas in surrounding neighborhoods. (Downtown Community Plan Final EIR, p. 6-8.) As concluded by the Downtown Community Plan Final EIR, existing programs offered to the homeless have not proven completely effective in meeting the needs of the homeless population. As there are no other measures identified in the EIR/EIS or the Downtown Community Plan Final EIR, this impact is immitigable. However, unless related to an impact on the physical environment, a social or economic impact, such as homeless population displacement, is not a significant effect on the environment. (Pub. Resources Code, §§ 21090 subd. (e)(2), 21092.2 subd. (c); CEQA Guidelines § 15064, subd. (e).) As such, this impact is not a significant environmental effect requiring preparation of an Environmental Impact Report.</i></p> <p><u>Aesthetics and Viewshed</u></p>						

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Downtown San Diego is experiencing rapid development and future downtown projects, especially those along the San Diego Bay waterfront, could result in potential impacts to important view corridors. Cumulative projects located along the waterfront in the vicinity of the proposed NBC project, include projects identified in the NEAVP, Land Field, County Waterfront Park, Bosa Pacific Highway at Ash, Seaport Village Expansion, Electra, the Columbia Commons, and Central Park and Old Police Headquarters. Although a substantial amount of development is occurring along the visually sensitive waterfront, Centre City Community Plan recognizes the importance of view corridors and contains policies to avoid substantial degradation of designated views.</i></p> <p><i>The Development Agreement specifies design measures to avoid aesthetic effects on surrounding areas, including height limits, setbacks, opening of public streets and related view corridors, and design guidelines to improve the appearance of the developed project at the NBC. The proposed Project is consistent with the requirements of the Development Agreement. The proposed Plan would not have an adverse aesthetic effect, and the design measures incorporated into the proposed Project, as required by the Development Agreement, ensure that the project is compatible with surrounding development. Therefore, the proposed action would not contribute to cumulative aesthetics impacts.</i></p>						

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><u>Public Services and Utilities</u></p> <p><i>The Development of projects listed above, as well as future projects anticipated in planning documents, would result in an increased demand on police and fire services. To meet anticipated demand for police services, the San Diego Police Department would need additional resources such as personnel, equipment, and training. The need for a new police substation has not been identified at this time and would be subject to independent environmental review. In response to increased development the San Diego Fire Department has secured a site for the construction of the new fire station. The proposed Project would not cumulatively contribute to the demand for additional services. Additionally, as indicated, the proposed Project would have no impact to the provision of schools in the area</i></p> <p><i>Under buildout conditions proposed in the Downtown Community Plan, the demand for treated water downtown would increase from approximately 8.62 million gpd to approximately 18.89 million gpd. The additional demand would not, however, represent a substantial increase in the requirement to meet the anticipated demand for water within the SDCWA service area. (Downtown Community Plan EIR, pp. 5.4-13 – 5.4-14.) To meet the anticipated demand for improved water infrastructure, the city of San Diego Water Department would systematically replace or upsize deteriorating and undersized</i></p>						

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>pipes through its Capital Improvement Projects program. Similarly, to meet anticipated sewer demands, the San Diego Metropolitan Wastewater Department would continue to replace deteriorating and undersized pipes through its Capital improvement Projects program. (Ibid.) Therefore, no significant cumulative impacts to water or sewer would occur.</i></p> <p><u>Population and Housing</u></p> <p><i>SANDAG provides projections of population, housing, and employment growth based on growth trends, land use patterns, and general plan land use designations. The SANDAG projections are cumulative in nature and are based on mixed-use development of the NBC site, as designated in the City of San Diego General Plan. In addition, the San Diego Downtown Community Plan acknowledges redevelopment of the NBC site. Development of the proposed Project would be consistent with regional growth projections for the site. Therefore, the proposed Project would not adversely affect cumulative socioeconomic projections.</i></p> <p><u>Geology, Seismicity, and Soils</u></p> <p><i>Potential geologic and seismic effects for the proposed Project are site specific and would not be affected by, nor contribute to, cumulative impacts. In addition, the</i></p>						

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	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>significance and ultimately improve the quality of runoff leaving the NBC site. The proposed Project would not, therefore, contribute to cumulative impacts to water resources.</i></p> <p><u>Air Quality</u></p> <p><i>The cumulative impacts analysis of the Final EIR/EIS concluded that implementation of the Development Agreement would incrementally contribute to the region's non-attainment of ozone and carbon monoxide standards, which is a cumulatively significant unmitigated impact. As indicated, because the San Diego Air Basin already is impacted, any new development would have a significant cumulative impact on regional air quality. Thus, implementation of the proposed Project would result in a significant cumulative air quality impact. Although the cumulative impact would be significant, the proposed Project would concentrate development in an area which is well served by transit and offers a variety of opportunities to work and live in the same area. This conclusion is consistent with the conclusions of the Final EIR/EIS.</i></p> <p><u>Noise</u></p> <p><i>Noise, by definition, is a localized phenomenon and drastically reduces in magnitude as distance from the source increases. As a result, only projects and growth due to occur</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<p>Issues and Supporting Information</p> <p><i>in the immediate vicinity of the proposed action would be likely to contribute to cumulative noise impacts. Construction activities associated with the proposed Sueresding Master Plan would likely contribute to cumulative noise impacts. Construction activities would be short term and would comply with County Noise Ordinance construction standard and thus, would not result in an incremental significant effect to noise levels in the area. The addition of traffic associated with the proposed Project would contribute to increases in noise along roads, most notably along North Harbor Drive. Although these increases would be potentially noticeable from adjacent receivers, the street segments surrounding the NBC site are highly urbanized, and therefore elevated noise levels are expected. In addition, compliance with Title 24 of the California Code of Regulations would mitigate vehicular noise impacts that would exceed the interior significant thresholds for most development. Therefore, the proposed Project's contribution to noise impacts would not be cumulatively considerable.</i></p> <p><u>Historical Resources</u></p> <p><i>As explained by the Final EIR/EIS, unless the NBC Project would affect a historic district, cultural/historical resources impacts from NBC development are considered site specific. (Final EIR/EIS, p. 5-3.) The area surrounding the site is not a historic district; therefore development on the site under the proposed Project would not create</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>cumulative historical resource impacts.</i></p> <p><u>Public Health and Safety</u></p> <p><i>As described in the Final EIR/EIS, public health (i.e. hazardous waste) and safety (i.e. proximity to an airport) impacts are site specific and would not be affected by other development.</i></p>						
<p>(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p> <p><i>As described elsewhere in this study, the proposed project would result in significant impacts. However, these impacts would not be greater than those assumed in the Final EIR/EIS. Implementation of the mitigation measures identified in the Final EIR/EIS, as well as those required by the Downtown Community Plan Final EIR, would mitigate many, but not all, of the significant impacts. The proposed project would result in significant project level and/or cumulative impacts related to air quality. Other significant direct impacts associated with implementation of the proposed Project would be mitigated to a level less than significant with incorporation of mitigation measures identified in the Final EIR/EIS as well as applicable Mitigation Measures identified in</i></p>		X				

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>the Final EIR for the Downtown Community Master Plan.</i>						