



# APPENDICES



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***APPENDIX A  
COMMENTS AND RESPONSES TO  
COMMENTS ON NOTICE OF PREPARATION***



STATE OF CALIFORNIA

Governor's Office of Planning and Research  
State Clearinghouse

SHERIDAN SQUARE, 400 F STREET, SACRAMENTO, CALIFORNIA 95834  
MAILING ADDRESS: P.O. BOX 943 SACRAMENTO, CA 95832-9434  
408 443-6665 FAX 916-322-3015 WWW.CPR.CA.GOV/STATECLEARINGHOUSE.HTML



Loretta Lynch  
DIRECTOR

Gray Davis  
GOVERNOR

September 1, 1999

Notice of Preparation

To: Reviewing Agencies

Re: Naval Training Center (NTC) San Diego Redevelopment Project in the City of San Diego  
SCH# 99081140

Attached for your review and comment is the Notice of Preparation (NOP) for the Naval Training Center (NTC) San Diego Redevelopment Project in the City of San Diego draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Maureen Dwyre  
Redevelopment Agency of the City of San Diego  
202 C Street, Third Floor  
MSJA  
San Diego, CA 92101-3863

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

*Morie Boyd*  
Morie Boyd  
Project Analyst, State Clearinghouse

Attachments  
cc: Lead Agency

REG Distribution List

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ZAMIR VIEGO

SCH# 00 3 0 0 1 1 2 2

PENINSULA COMMUNITY PLANNING BOARD, INC.  
Public Transportation, Traffic, and Safety Committee  
*Melanie Nickel, Chair*  
550 Gage Drive, San Diego CA 92106  
phone (619) 225-8705 - fax (619) 223-8263

October 6, 1999

Maureen Ostrye  
NTC Project Manager  
Redevelopment Agency of the City of San Diego  
202 C St., Third Floor, MS3A  
San Diego CA 92101-3863

Dear Ms. Ostrye:

On behalf of the Peninsula Community Planning Board, thank you for the opportunity to comment on the scope of the environmental impact report you are preparing for the Naval Training Center Redevelopment Project. This project is of enormous interest to us, because it lies entirely within our jurisdiction — the Peninsula Community Planning Area — and it will have major impacts on the quality of life throughout our community.

In considering the impact of NTC redevelopment, traffic is a very major concern to all of us. When the City Council voted to accept the NTC Re-Use Plan, part of their motion was that increased attention should be given to the traffic impact on surrounding communities. For this reason, we have a particular interest in the Congestion Management Program you will be creating as part of this EIR process.

We are delighted that you are undertaking an overall traffic assessment, which we have been pleading for ever since the process began. We hope you will make it as comprehensive as possible, since we are very concerned about the developing traffic situation in the Peninsula. There are multiple major projects currently going forward, all of which will increase traffic in and around Point Loma, particularly on the ingress and egress roads for NTC. In addition to the NTC redevelopment itself, these projects include: a major expansion of Lindbergh Field; the North Bay Redevelopment Project; the Port's development of America's Cup Harbor; and increased Navy activity at several installations on Point Loma.

**PCPB-1.** The Congestion Management Program (CMP) evaluation conducted as part of the EIR process reflects the completion of a previously deferred analysis that had the objective of validating the key conclusions of the traffic analysis in the EIS/EIR for the Disposal and Reuse of Certain Real Properties at NTC San Diego. Although it is not a comprehensive, area-wide traffic management plan, the CMP fulfills the Project's requirement to conduct peak hour capacity analysis for the Regionally Significant Arterials (RSAs) most impacted by Project-generated traffic. The analysis and mitigation approach in the current EIR is consistent with the analysis in the EIS/EIR referenced above.

**PCPB-2.** The future volumes analyzed in the current EIR are based on employment and population forecasts developed by the San Diego Association of Governments (SANDAG). Based on the anticipated growth in jobs and residents within a specified time frame (in this case, the Year 2020), a level of development of the approved land uses is assumed in the Peninsula Community Plan and community plans for surrounding communities, in the general plans of surrounding cities. While the traffic model used for the analysis in the Project does not incorporate specific development proposals (unless they are consistent with the community plan), it is the best available information, providing a comprehensive regional scope and incorporating all planned land uses in the community and surrounding region.

PCPB-1

PCPB-2

To our dismay, each of these projects has seemed to proceed in isolation, with no attention given to the cumulative impact of all these things going on at once. The result could be inadequate mitigation and ultimately gridlock. Thus, we urge you to take account of these other projects, in addition to the planned redevelopment of NTC, when you draw up your congestion management plan.

PCPB-2  
(cont.)

Particular attention needs to be paid to offsite traffic impacts and offsite mitigation. Offsite impacts will have a direct impact on the ability of the public to live, work, study, shop, and play at the redeveloped Naval Training Center. Point Loma is a peninsula, and there are only three access routes into and out of the community: Rosecrans Blvd, Nimitz Blvd, and Harbor Drive. If those three streets become gridlocked, NTC redevelopment cannot succeed.

PCPB-3

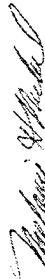
Offsite traffic impacts were given very inadequate consideration in the existing EIR/EIS for NTC. That report identified 52 street segments in the surrounding communities that will have unacceptable traffic loads 20 years from now, and yet it proposed virtually no offsite mitigation. We hope your Congestion Management Program will do much better than this. We are particularly concerned to find ways to increase the capacity of Rosecrans and Nimitz boulevards, and to decrease the traffic flow through the Midway area, which already contains several of the most congested intersections in the city. Our traffic committee has some specific suggestions for ways to accomplish these goals. We solicit the chance to sit down with your traffic consultant and discuss some of these areas.

PCPB-4

We are also concerned that an adequate infrastructure be developed to service all these new residents. School capacity is a particular concern. So is the retention of open space and restoration of the boat channel for environmental and recreational purposes.

PCPB-5  
PCPB-6  
PCPB-7

Sincerely,



Melanie Nickel  
Chair, Traffic Committee  
Peninsula Community Planning Board

**PCPB-3.** Many street segments, intersections, and freeway segments within the Project Area are characterized by congested LOS E or F conditions, both under existing conditions and in the future. The impacts of the additional traffic added by the Project will be significant at some congested locations but not at all locations. Anticipated future congestion results from the combination of existing traffic, traffic generated by future development, and traffic generated by the Project. Where the Project does create a significant traffic impact, it can either partially fund a number of improvements at several dispersed locations or concentrate its mitigation at a smaller number of locations in order to fully fund improvements on facilities most impacted by Project traffic. The latter is the approach taken in the EIR. The Project will not contribute toward improvements at all locations where it generates a significant traffic impact, and these impacts are deemed significant and unmitigable.

**PCPB-4.** Throughout the development processes, it is anticipated that the City, developer, and traffic consultant will coordinate with the PCPB traffic committee.

**PCPB-5.** School capacity is addressed in Section 4.14 of the EIR. Also, please refer to the responses to the San Diego City Schools comment.

**PCPB-6.** As described on page 2-11 of the EIR, one of the specific objectives of the Project is to "Expand, improve, and acquire land for park and recreation facility options and green belt and open space opportunities." Approximately 65,500 square feet of park and recreation space are proposed under redevelopment of NTC.

(continued on next page)

**PCPB-7.** The adopted Reuse plan for the Naval Training Center includes a policy statement stating that “A variety of public and private recreational activities dominate the use area. Public Access along the waterfront is of primary importance. Sand beaches along the water’s edge remain an option, as do the creation of wildlife and habitat opportunities.” Creation of naturalized shoreline areas, active and passive recreational opportunities, and open space areas will be developed for implementation during the Specific Plan review and adoption process. In addition to the 40 acres of parks and open space along the boat channel, there will be the addition of urban open space areas as well as a waterfront esplanade.

STATE OF CALIFORNIA

CALIFORNIA STATE LANDS COMMISSION  
100 Howe Avenue, Suite 100 South  
Sacramento, CA 95825-8202



PETE WILSON, Governor

ROBERT C. HIGHT, Executive Officer  
(916) 574-1800 FAX (916) 574-1810  
California Relay Service From 7000 Phone 1-800-735-3923  
from Voice Phone 1-800-735-3929

Contact Phone: (916) 574-1863  
Contact FAX: (916) 574-1925

October 10, 1997

File Ref: W25113

U.S. Department of the Navy  
Attn.: Robert Montana  
1420 Kettner Boulevard, Ste. 501  
San Diego, CA 92101-2040

City of San Diego  
Attn.: Scott Vurbef  
202 C Street  
San Diego, CA 92101

RE: Comments to Draft EIS/EIR for Disposal and Reuse of NTC San Diego;  
SCH #96051057

Dear Messrs. Montana and Vurbef:

Thank you for the opportunity to comment to the Draft EIS/EIR for the Disposal and Reuse of NTC San Diego. We have reviewed the document as it concerns lands within the jurisdiction of the State Lands Commission, and make the following comments.

As written, the Draft EIS/EIR provides an adequate background of the public trust for commerce, navigation, and fisheries which exists in the tide and submerged lands of California. As noted at 3.1-16 and 3.1-17, it is the position of the State Lands Commission that today's active tide and submerged lands at NTC San Diego, and the tide and submerged lands which were filled over time, are subject to the public trust for commerce, navigation, and fisheries. The lands which are subject to the public trust are shown in their approximate locations in the areas of Deeds 2, 3, and 4 on Figure 3.1-4, together with the area marked "Fill Added to Deed 4."

As we have discussed with representatives of the City of San Diego, California case and statutory law permit the reconfiguration of public trust lands through a mechanism referred to as a land exchange. In an exchange, property not useful for public trust purposes is freed from the public trust so that it may be sold or committed to non-public trust uses such as residences. In

CSLC-1. Comment noted. The City of San Diego looks forward to working with the California State Lands Commission staff to complete the sovereign lands exchange.

CSLC-1



Mr. Robert Montana  
Mr. Scott Vurbeff  
October 10, 1997  
Page 2

exchange, property of equal economic value, and which has utility for commerce, navigation, and fisheries, is brought into the public trust.

Concerning NTC San Diego, the staff of the State Lands Commission supports land exchanges which contemplate termination of the public trust in certain inland properties in which a finding of the absence of usefulness to the public trust is justified, such as the areas shown as residential, office/retail, and the Public Safety Institute on Figure 2-7. In exchange, lands on and near today's water slated for uses such as hotels, recreation, least tern habitat, and airport can be made public trust lands. Such an exchange accommodates not only the reuse plan and public trust objectives, but puts to rest outstanding land title issues concerning tide and submerged lands. The State Lands Commission will work with the City of San Diego towards the completion of an acceptable land exchange.

Thank you for the opportunity to comment.

Sincerely,



Dave Plummer  
Public Land Manager

cc: Gail Goldberg  
Richard Duvenay  
Jack Wells  
Joe Rusconi

CSLC-1  
(cont.)

STATE OF CALIFORNIA

CALIFORNIA STATE LANDS COMMISSION  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-6202



PAUL D. THAYER, Executive Officer  
(916) 574-1800 FAX (916) 574-1810  
California Relay Service from 1200 Phone 1-800-735-2322  
from Voice Phone 1-800-735-2929

Contact Phone: (916) 574-1863  
Contact FAX: (916) 574-1855

GRAY DAVIS, Governor

OCT 11 1999

October 7, 1999

File Ref: W25133

Maureen Ostrye  
Redevelopment Agency of the City of San Diego  
202 C Street, Third Floor  
MS3A  
San Diego, CA 92101-3863

RE: Response to Notice of Preparation for the NTC San Diego Redevelopment  
Project; SCH #99081140

Dear Ms. Ostrye:

Thank you for the opportunity to comment to the Notice of Preparation (NOP) for the NTC San Diego Redevelopment Project. I have attached a copy of our earlier response (dated October 10, 1997) to the Draft EIS/EIR for the Disposal and Reuse of NTC San Diego. As your "Project Description" states, that EIS/EIR has been certified and approved by the City of San Diego and the Navy. The Disposal and Reuse EIS/EIR will (together with two other studies) form the basis of the EIR to be prepared for the NTC Redevelopment Project.

The staff of the State Lands Commission continues to support the sovereign lands exchange referred to in our October 1997 letter, and will work with City of San Diego staff to complete the exchange.

Sincerely,  
  
Blake D. Stevenson  
Senior Staff Counsel

Cc: Richard Duvernay

CSLC-1. Comment noted. The City of San Diego looks forward to working with the California State Lands Commission staff to complete the sovereign lands exchange.

CSLC-1



1555 Imperial Avenue, Suite 1070  
San Diego, CA 92161-4241  
619.231.1463  
FAX 619.233.3467

September 14, 1999

CIP 476 (PC 20476)

Ms. Maureen Ostrye  
Project Manager  
Redevelopment Agency of the City of San Diego  
Economic Development & Community Services Department  
202 C Street, Third Floor, MS3A  
San Diego, CA 92101-3863

Dear Ms. Ostrye:

Subject: NOTICE OF PREPARATION FOR NAVAL TRAINING CENTER (NTC) SAN DIEGO REDEVELOPMENT PROJECT IN THE CITY OF SAN DIEGO

Thank you for the opportunity to respond to the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the NTC San Diego Redevelopment Project in the City of San Diego.

MTDB currently operates two bus routes in the vicinity of the NTC. Route 35 serves the NTC from a bus stop at Rosecrans and Lytton Streets, and Route 28 serves the NTC on Rosecrans Street with bus stops at Nimitz Boulevard, Poe Street, Russell Street, Voltaire Street, Xenophon Street, Zola Street, Dumas Street, Goldsmith Street, Iabon Street, and Lytton Street. MTDB would like to retain these bus routes and stops to serve the redeveloped NTC area. The environmental document for the NTC Redevelopment Project should take into account the need to retain existing transit service in the area.

In addition, MTDB is currently in the preliminary planning stage of the North Bay and Beach Area Guideway (NB&BAG) Study. The NB&BAG Study area includes the NTC area, Midway area, Old Town, Sports Arena area, Ocean Beach, and Mission Beach. The study objective is to develop sufficient information regarding alignments, station locations, capital costs, operating costs, environmental impacts, and ridership for the north bay and beach areas to determine project feasibility and whether to proceed with further project study. While the MTD Board of Directors has not taken any formal action on the NB&BAG study, the environmental document for the NTC Redevelopment Project should identify this potential future project in its discussion of related or cumulative projects.

Again, thank you for the opportunity to respond to the NOP. If you have any questions, please contact Kathy Donnelly of my staff at 619-557-4845 or by e-mail at [kdonnelly@mtdb.sdmts.com](mailto:kdonnelly@mtdb.sdmts.com).

Sincerely,

*Toni Bates*

Toni Bates  
Principal Transportation Planner

Darrin L'NOPTC:FBATES

Chief Planner, Transportation Planning  
City of San Diego, Metropolitan Transit Development Board  
1555 Imperial Avenue, Suite 1070  
San Diego, CA 92161-4241  
619.231.1463  
FAX 619.233.3467

**MTDB-1.** Based on information provided by the Metropolitan Transit Development Board, the Project Area would be served by minor adjustments to existing bus service provided along North Harbor Drive and Rosecrans Street (refer to page 4.2-30).

**MTDB-2.** The NB&BAG Study is included in the cumulative impacts analysis of the EIR (please refer to page 7-10).

A-9

MTDB-1

MTDB-2



September 29, 1999

11-SD-209  
P.M. 5:27-6:60  
(K.P. 8.43-10.56)

Ms. Maureen Ostrye  
Redevelopment Agency of the City of San Diego  
Economic Development & Community Services Department  
202 C Street, Third Floor, MS 3A  
San Diego, CA 92101-3863

Dear Ms. Ostrye:

NOF for the Naval Training Center (NTC) San Diego Redevelopment Project in the City of San Diego - SCH 99081140

Caltrans District 11 comments are as follows:

DOT-1

- A Traffic Impact Study with appropriate mitigation for State Route 209 (SR-209) will be needed.

DOT-2

- An Intersecting Lane Vehicle (ILV) analysis is needed for all State owned signalized intersections, per Topic 406 of the Caltrans Highway Design Manual.

DOT-3

- Signal warrants will need to be provided for all proposed locations on State highways.

DOT-4

- Early coordination with Caltrans is strongly encouraged.

Our contact person for SR-209 is Roger Carlin, Route Manager, at 619.688.6720. For Traffic Operations our contact person is Henry Morris, Branch Chief, at 619.688.6861.

Sincerely,

BILL FIGGE, Chief  
Planning Studies Branch

BF/LS:ds

**DOT-1.** We agree that encroachment permits will be required for any work in the Caltrans right-of-way. During the course of the permit process, we recommend that issues related to SR-209 ownership, cultural resources, analysis methods, etc. be addressed.

**DOT-2.** This analysis was conducted in accordance with the requirements of the regional implementation of the Congestion Management Program (CMP). State required analysis will be completed at the time permits are sought.

**DOT-3.** We agree that encroachment permits will be required for any work in the Caltrans right-of-way. During the course of the permit process, we recommend that issues related to SR-209 ownership, cultural resources, analysis methods, etc. be addressed.

**DOT-4.** Comment noted. Thank you for your comment.



**Port of San Diego**  
and Lindbergh Field Air Terminal

601 5th Street, Suite 200 • P.O. Box 408, San Diego, California 92112-0408

September 27, 1999

Ms. Maureen Ostrye  
Project Manager  
Redevelopment Agency  
of the City of San Diego  
202 C Street, Third Floor MS3A  
San Diego, CA 92101-3863

**SUBJECT: COMMENTS TO THE NAVAL TRAINING CENTER REDEVELOPMENT PROJECT NOP**

Dear Ms. Ostrye:

The San Diego Unified Port District (District) agrees with the environmental issues identified in the Notice of Preparation (NOP) for consideration in the Environmental Impact Report (EIR) on the Naval Training Center Redevelopment project. However, the District would like to point out the following:

The figure provided in the NOP mistakenly shows the area for airport expansion as "institutional". Please ensure that future diagrams used in the EIR accurately reflect the appropriate land use designation of "airport expansion".

The District has been considering a master planning process for the possible expansion of the San Diego International Airport - Lindbergh Field (Lindbergh Field). It is anticipated that the preferred development scenario will be selected by the Board of Port Commissioners (Board) this fall and the preparation of an EIR/EIS to follow. The City's EIR should include the airport expansion project in its cumulative impact assessment. We would be happy to provide any "project description" information to you about the Master Plan once the Board authorizes the EIR.

The San Diego Association of Governments (SANDAG), as the county's Airport Land Use Commission, is responsible for preparing Comprehensive Land Use Plans for the region's airports. A Comprehensive Land Use Plan (CLUP) for the area surrounding Lindbergh Field was approved by SANDAG in 1992. The City of San Diego (City) was a participant in the planning process for the CLUP for Lindbergh Field and the City Council subsequently voted to support the CLUP after SANDAG's adoption.

**SDUPD-1.** Figure 2-3 of the EIR, which depicts proposed uses under the NTC Redevelopment Project, has been modified to read "Airport Expansion" vice "Institutional."

**SDUPD-2.** Expansion of San Diego International Airport (Lindbergh Field) is included in the cumulative impacts analysis of the EIR (please refer to page 7-4).

**SDUPD-3.** Please refer to pages 4.1-24 to 4.1-25 and 4.12-11 for detailed discussions of the Lindbergh Field CLUP as it pertains to the redevelopment of NTC San Diego.

SDUPD-1

SDUPD-2

SDUPD-3

Ms. Maureen Ostrye  
September 27, 1999  
Page 2

SDUPD-4

The intent of the CLUP for Lindbergh Field is to ensure the compatibility of new or modified land uses surrounding the airport. The CLUP mandates that certain types of incompatible land uses at airports (i.e., residential dwelling units, schools, hospitals and churches) be built with sound attenuation construction and that certain types of development be required to provide avigation easements to the District. An avigation easement grants the District an unencumbered and unrestricted easement of aircraft to and from Lindbergh Field without liability to the Port District. The easement is recorded against the property and is binding on future property owners. The City is charged the CLUP with requiring noise attenuation and avigation easements from property owners through the building permit process.

City staff are currently processing an amendment to City code to establish an Airport Environs Overlay Zone (AEOZ) encompassing the 1990 60 decibel Community Noise Equivalent Level (CNEL) contour surrounding Lindbergh Field. This amendment is scheduled to be presented to the City's Planning Commission during October 1999. The AEOZ will assist City staff in implementing the structural noise attenuation and avigation easement requirements for property owners within the AEOZ. This letter serves to notify the City that the proposed residential and institutional land uses for NTC fall within the proposed boundaries of the AEOZ and may be subject to the aforementioned sound attenuation and avigation easement requirements pending final adoption of the municipal code amendment.

If you have any questions regarding the above comments, please feel free to call me at (619) 686-6283.

Sincerely,



MELISSA A. MAILANDER  
Environmental Review Coordinator

cc: Dan Wilkens  
Thella Howens  
Nyle Marmion  
Ralph Hicks

File: Airport Master Plan  
MAMANTC:NOT DEIR Comment Letter

SDUPD-4. Reference to avigation easements have been provided as a mitigation measure in section 4.1, Land Use.



**SAN DIEGO CITY SCHOOLS**

EDUCATION CENTER • 4100 Normal Street, San Diego, CA 92103-2082 • Tel. (619) 293-8066  
Fax. (619) 574-1487

**BUSINESS SERVICES DIVISION**  
Facilities Planning Department

September 21, 1999

Maureen Ostrye, Project Manager  
Redevelopment Agency of the City of San Diego  
Economic and Community Services Department  
202 C Street, Third Floor, M53A  
San Diego, CA 92101-3863

Dear Ms. Ostrye:

Subject: Notice of Preparation of a Draft Environmental Impact Report - Naval Training Center (NTC) San Diego Redevelopment Project in the City of San Diego

Thank you for providing our office with the opportunity to comment on the impact of the proposed project to the San Diego Unified School District.

Our position relative to this project's impact remains unchanged from our response to the Naval Training Center EIS/EIR and 'Candidate Findings and Statement of Overriding Considerations,' as fully described in a letter dated October 1, 1998 to Mark Steels, Chair of the City of San Diego Planning Commission (see attached).

In summary, it is the district's position that the impact of the additional elementary school students that will be generated by the market-rate and military family housing should be fully mitigated. The school site provided within the military housing area, and the projected school impact fees of \$2.5 million from all development, provide only partial mitigation. The estimated cost of developing elementary school facilities for the forecasted 400 elementary students is \$6.0 million, exclusive of the land for the school site. There thus exists a deficit of \$3.5 million, which in the district's judgment is a significant impact that still requires mitigation.

Thank you again for providing the district with this comment opportunity. Please contact me at 293-8066 if you have any questions or concerns.

Sincerely,

*Mark Roop*

Mark Roop  
Manager

MGR:jk  
Attachment

*"The mission of the San Diego City Schools is to improve student achievement by supporting teaching and learning in the classroom."*

**SDCS-1.** The San Diego City Schools' comments relative to the Project's impact on school facilities and desired mitigation is noted. Since October 1, 1998, however, major changes in state law have been enacted and bond measures have been passed at the state and local level which significantly alter the role of cities and local agencies in imposing mitigation measures for projects such as the NTC Redevelopment Project.

Senate Bill 50 (GREENE) was enacted on August 27, 1998. The bill authorized a \$9.2 billion K-12 school and higher education bond to be presented to the voters November 3, 1998. The State Bond measure, known as the CLASS SIZE REDUCTION KINDERGARTEN-UNIVERSITY PUBLIC EDUCATION FACILITIES BOND ACT OF 1998 was presented to the voters of the state on November 3, 1998, and was approved.

In addition to consideration of the CLASS SIZE REDUCTION KINDERGARTEN-UNIVERSITY PUBLIC EDUCATION FACILITIES BOND ACT OF 1998, voters within the boundaries of the San Diego Unified School District also considered and passed a \$1.51 billion bond measure known as Proposition MM. Proposition MM provides for \$317 million for major repairs and code compliance items.

(continued on next page)

Senate Bill 50 significantly revised developer fee and mitigation procedures for school facility purposes as set forth in the Government Code. The fees set forth in Govt C §65996 constitute the exclusive means of both “considering” and “mitigating” school facilities impacts of projects. Govt C §65996(a). The provisions of Senate Bill 50 are “deemed to provide full and complete school facilities mitigation.” Govt C §65996(b).

The legislation provides that the statutory fees are the exclusive means of considering as well as mitigating school impacts. It does not just limit the mitigation that may be required, but also limits the scope of review and the findings to be adopted for school impacts.

Once the statutory fee is imposed, the impact will be mitigated because of the provision that the statutory fees constitute full and complete mitigation. Govt C §65995(b).

Adoption of a statement of overriding considerations for school facilities impacts is unnecessary when the statutory fee is assessed because the impact is deemed as a matter of law to be adequately mitigated. Govt C §65995(b).

The local agency is legally prohibited from imposing mitigation for the NTC Redevelopment Project which exceeds the limitations imposed by SB 50.





## SAN DIEGO CITY SCHOOLS

EDUCATION CENTER • 4100 Normal Street, San Diego, CA 92103-2682 • Tel.: (619) 293-8430  
Fax: (619) 574-1487

BUSINESS SERVICES DIVISION  
Facilities Planning Department

October 1, 1998

Mark Steele, Chair  
City of San Diego Planning Commission  
202 C Street  
San Diego, CA 92101

Dear Mark:

Subject: Response to NYC EIS/EIR and "Candidate Findings and Statement of Overriding Considerations"

This letter serves as the response to the findings of the NTC Reuse EIS/EIR, released in July 1998, and the NTC Reuse "Candidate Findings and Statement of Overriding Considerations", dated September 10, 1998.

The district appreciates the inclusion of cumulative findings relative to the impact of the market rate housing and the military family housing's impact on the district's school facilities in Point Loma. However, the district still has concerns relative to the following statements:

- On page 5-21 of the EIS/EIR, it is stated that "... the proposed project would have a significant cumulative effect on school facilities. Collection of school fees and/or making available property for the construction of school facilities would, (emphasis added) mitigate the incremental effect of the project on school facilities."
- On page 3 of the "Candidate Findings and Statement of Overriding Considerations" report, it is stated that "With respect to cumulative impacts the project would result in ... significant community service impacts on schools. Although the cumulative impact on schools would (emphasis added) be fully mitigated ..."
- On page 16 of the "Candidate Findings and Statement of Overriding Considerations" report, it is stated as a finding that "The significant cumulative impact of the project would (emphasis added) be mitigated to below a level of significance through collection of school fees within the NTC Reuse Planning area. In addition, on June 30, 1998, the Navy entered into an agreement whereby the Navy would make available to the San Diego Unified School District a seven-acre elementary school site ... Although not required as mitigation in the EIS/EIR, this provision would ensure that the project's cumulative impact on elementary schools is reduced below a level of significance."

SDCS-Attachment

These statements contradict one another, inasmuch that the first states that the combination of a site and school fees "could" provide adequate mitigation, and the second and third state that this combination "would" provide adequate mitigation. It is the district's judgement that this combination is not sufficient to provide adequate mitigation. Mitigation to a level below significance will require provision of an elementary school site (as agreed to by the city and Navy), and in addition adequate funding to construct elementary school facilities to house approximately 400 students. The estimated cost for this construction is \$6.0 million. The EIS/EIR, on page 4.14-2, estimates that total school fees from the development in the reuse plan area will total approximately \$1.4 million. The district estimates that an additional \$1.1 million in school fees will be collected from the development of the military family housing if it is constructed and owned by the private sector. The total fees collected would be \$2.5 million. A deficit of \$3.5 million thus exists relative to construction of the school facilities, which in the district's judgement is a significant impact that still requires mitigation.

## SDCS-Attachment (cont.)

The district requests that the language of the EIS/EIR and the "Candidate Findings and Statement of Overriding Considerations" be changed to reflect the continued existence of significant unmitigated impacts, defined by the lack of funding to construct the needed school facilities as detailed in the preceding paragraph.

Thank you for providing the district with the opportunity to comment on the EIS/EIR. If you have any questions relative to this correspondence, please contact me at 293-8066.

Sincerely,



Mel Roop  
Acting Assistant Director

MR:jw

c: H. Hurley  
B. Husson  
P. Zoller  
T. Calhoun  
J. Hintzman

W:\C146 Documents\SDCS\enr.doc



**SAN DIEGO COUNTY OFFICE OF EDUCATION**

6401 LINDA VISTA ROAD, SAN DIEGO, CALIFORNIA 92111-7399 (619) 292-3500

Superintendent of Schools  
Randy W. Goshorn, Ed.D.

Maureen Ostrye  
Redevelopment Agency of the  
City of San Diego  
Economic Development & Community  
Services Department  
202 C Street, Third Floor, MS3A  
San Diego, CA 92101-3863

RE: Response to Notice of Preparation of a Draft Environmental Impact Report (EIR)  
for the Proposed Naval Training Center (NTC) San Diego Redevelopment Project in the  
City of San Diego

Dear Ms. Ostrye:

The San Diego County Office of Education (COE) is in receipt of the Notice of  
Preparation for a Draft Environmental Impact Report for the Naval Training Center  
(NTC) San Diego Redevelopment Project in the City of San Diego. This letter  
constitutes our response to the notice.

The COE provides a variety of school and educational services to County residents.  
Unlike local school districts, the COE provides its services throughout the County,  
making it the equivalent of a countywide school district. As a result, the COE is affected  
by new development wherever it occurs in the County.

Some COE programs provide direct services to students, including children (infants,  
pre-school, and students in grades K-12) as well as adults. Other COE services are  
provided through public schools, including all forty-three school districts and all five  
community college districts in the County. These services include staff development for  
teachers and current and prospective administrators as well as numerous management  
support services. The following COE programs may be affected by the Naval Training  
Center Redevelopment Project:

- Regional Occupation Program
- Hope Infant Handicapped Program
- Migrant Education Program
- Outdoor Education Program
- Teacher Training and Development
- Administration Training and Development
- COE Administration

Using official 1998 CBEDS data and the State of California Department of Finance  
statistics, through the year 2003 projected K-12 enrollments in San Diego City school  
districts will increase 7% as shown in Exhibit 1.

SDCOE-1

**SDCOE-1.** Student generation data for the Project was based  
on student generation rates provided by San Diego City  
Schools (refer to Section 4.14, Community Services and  
Facilities)

**Board of Education**

Nick Aguilan Gene Bruckler Susan Foy Jim Kelly John Witt

**SERVICE AND LEADERSHIP**

In order to provide an accurate analysis of potential impacts resulting from this project to the COE the DRAFT EIR should:

1. Quantify the scope and buildout of anticipated commercial and residential development (at all densities).
2. Quantify the projects direct and indirect effects on population, on student generation and on the costs of facilities to accommodate these new students.
3. Include a discussion of the possibility for the use of joint use facilities by schools and public and private agencies, e.g. different city departments such as recreation or public works

We encourage and support cities and counties in the use of the redevelopment process and tax increment revenues for the elimination of blight and to improve the economic viability of areas. However, school districts and the COE will be impacted due to increases in population bringing new students. We look forward to working with the Agency to reduce or fully mitigate these impacts in creative and mutually beneficial ways when possible. If you have any questions regarding this correspondence, please feel free to contact me at (658) 292-3680.

Sincerely,



Thomas E. Robinson  
Director, Facility Planning Services

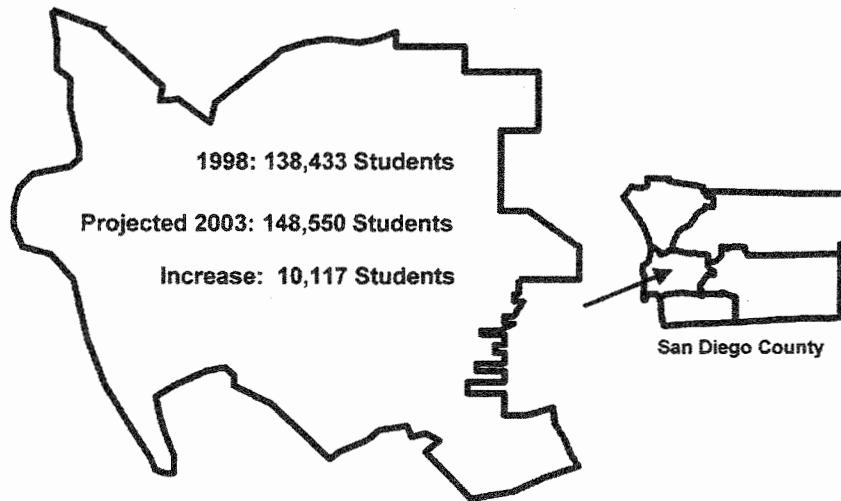
**SDCOE-2.** The Project Area proposes to support 292,000 square feet of commercial space, 350 market-rate residential units, and 500 Military Family Housing (MFH) units. Please refer to page 2-4 for a more detailed description of proposed uses and densities.

**SDCOE-3.** The Project's impact on population is discussed in Section 4.4, Population, Employment, and Housing. Student generation, construction of a 7-acre elementary school site as part of the MFH Development, and provision of \$1.4 million in school fees to accommodate additional students generated by the Project that would exceed existing capacities at local middle schools are discussed in Section 4.14, Community Services and Facilities.

**SDCOE-4.** Specific uses of facilities at NTC San Diego under redevelopment are unknown at this time. However, the proposed uses you described (e.g., schools, public and private agencies) may be considered as the NTC San Diego Reuse Plan is implemented.

Cc: Pat Zoeller, San Diego Unified School District

**San Diego Unified School District  
Projected Enrollment Increase 1998-2003  
Based on 10/98 Department of Finance Report**



**Exhibit 1**

**Facility Planning Services  
August 1999**



**SIERRA CLUB, SAN DIEGO CHAPTER**  
 San Diego and Imperial Counties  
 3820 Ray Street  
 San Diego, CA 921104-3623

Office (619) 299-1743  
 Conservation (619) 299-1741  
 Fax (619) 299-1742  
 Voice Mail (619) 299-1744  
 EBRS (619) 299-5018

Redevelopment Agency of the  
 City of San Diego  
 Economic Development & Community  
 Services Department  
 202 C Street, Third Floor, MS3A  
 San Diego, CA 92101-3863

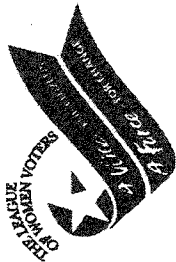
October 1, 1999  
 Re: Notice of Preparation of a Draft Environmental Impact Report

Comments:  
 The Sierra Club has significant concerns regarding Naval Training Center(NTC) reuse. While we have had a long history of protecting natural environments, we have a growing concern and focus on the quality of the urban environment. NTC is public property situated in a region scheduled to grow in population in the next two decades by one million people. Today, planners have few options for providing public infrastructure that can address quality of life issues within the region. Therefore, there is a need to take a close look at whether the NTC reuse proposal is contributing to urban quality of life or not.

The Sierra Club, San Diego Chapter, looks forward to participating in and contributing to an open public process of achieving a design for NTC that all San Diegans will be proud of. We will work to see that the plan reflects the US Government's commitment to sustainable development and that it preserves the unique nature of it's place in space and time.

Sincerely,  
  
 Cheryl A. White  
 Office Manager/Volunteer Coordinator

**SC-1.** The objectives of the NTC Redevelopment Project include several which are specifically intended to enhance the urban environment of the Project Area. Please refer to Section 2.4, Project Objectives, for a list of Project objectives.



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To: Maureen Ostrye, Project Manager  
From: Beryl Flum, President  
League of Women Voters of San Diego  
Re: Notice of Preparation of a Draft Environmental Impact Report for the Naval Training Center (NTC) San Diego Redevelopment Project in the City of San Diego  
Date: October 5, 1999

The League of Women Voters of San Diego (LWVSD) strongly recommends the following change to the Naval Training Center reuse plan: Replace the proposal for 350 units of market rate housing with a proposal to develop an equal number of affordable housing units.

Today's economic conditions are resulting in a proliferation of newly-built market rate housing in San Diego's urban and suburban neighborhoods. But at the same time, the urgent necessity to provide a wide range of affordable housing to meet our city's growing needs is being ignored.

In fact, opportunities to provide housing that would be affordable to a major segment of San Diegans are routinely preempted by alternative land use decisions. For example, in District 2 -- where the NTC is located -- community plans for 3700 residential units have been eliminated to make way for our downtown ballpark redevelopment project, and existing affordable housing is being eliminated in Mission Bay's De Anza Cove to make way for hotel development. This unacceptable trend must be reversed.

The principles of urban sustainability and "smart growth" can be implemented by the development of a range of low to moderate income housing units at urban densities on the NTC site. It is a highly appropriate designation for the site, which is in close proximity to existing commercial and jobs centers, to readily available public open space, to public transit, to proposed Navy housing, and to a range of school facilities, in other words, to adequate urban infrastructure.

Furthermore, the price of the NTC parcel -- to be determined shortly in negotiation with the Navy -- will be very low. There can be few excuses *not* to build affordable housing on this land, which will be turned over to the public at a rock bottom price. By seizing this housing opportunity, the city will be making a healthy investment in San Diego's future.

LWV OF SAN DIEGO  
2801 Camino del Rio So. #200G, San Diego, CA 92108  
Tel: (619) 542-8401 Fax: (619) 542-8408 E-mail: lwv-sd@aol.com  
The League of Women Voters is a nonpartisan political organization with membership open to all citizens of voting age.



LWV-1. Comment noted. This issue is outside the scope of the project being analyzed (by the Redevelopment Agency). The City of San Diego, as the Local Reuse Authority, has already fulfilled a federal requirement to make reasonable accommodations for the homeless as a part of the NTC Reuse Planning Process (please refer to the Homeless Assistance Agreement included in the Reuse Plan as Appendix D).

LWV-1