



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** June 10, 2010 **REPORT NO. PC-10-030**

**ATTENTION:** Planning Commission, Agenda of June 17, 2010

**SUBJECT:** SR-163/FRIARS ROAD INTERCHANGE - PROJECT NO. 72782.  
PROCESS 4.

**APPLICANT:** Engineering and Capital Projects Department, City Of San Diego

### SUMMARY

Issue(s) - Should the Planning Commission approve transportation improvements to State Route 163 from Interstate 8 at the south to Genesee Avenue at the north, as well as portions of Friars Road and other local streets in the vicinity of State Route 163 within or adjacent to the Mission Valley, Linda Vista and Serra Mesa Community Plan areas?

#### Staff Recommendations:

1. **Certify** Environmental Impact Report No. 72782, **Adopt** Findings and Statement of Overriding Considerations and **Adopt** the Mitigation Monitoring and Reporting Program; and
2. **Approve** Site Development Permit No. 222387.

Community Planning Group Recommendation - The project is within or adjacent to the boundaries of three City of San Diego community plans: Mission Valley, Linda Vista and Serra Mesa. As such the project plans were distributed to the Mission Valley Planning Group, Linda Vista Planning Group and Serra Mesa Planning Group. Details of their recommendations are provided in the Discussion section of this report.

Environmental Review - An Environmental Impact Report No. 72782 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) and State CEQA Guidelines. A Mitigation Monitoring and Reporting Program has been

prepared which will reduce, to a level below significance, many potential impacts identified in the environmental review process. Issues that can not be mitigated fully to a level below significance are aesthetics/neighborhood character/visual quality, noise, and air quality.

Fiscal Impact Statement - The project is to be constructed in 3 phases.

Phase 1: Widen Friars Road from Avenida de las Tiendas to Mission Center Road including Friars Road overcrossing and reconstruct the interchange including improvements to ramp intersections at a cost estimate of \$54,420,000.00.

Phase 2: Construct new connector roadways and structures.

Phase 3: Construct auxiliary lanes along northbound and southbound SR-163.

**BUDGET/ESTIMATE:** (Escalation not included)

Project Phase	- Source 1 - STP funds	- Source 2 - Developer Funds (Local)	- Source 3 - Urban Community Funds-DIF (Local)	- Source 4 - Transnet funds	- Source 5 - Local/Unidentified funds	Total Budget
PE (Phase 1)	\$2,239,809	\$171,139	\$502,988	\$4,686,064		\$7,600,000 (Phase 1)
Right of Way (Phases 1, 2 & 3)				\$6,620,000		\$6,620,000 (Phases 1- 3)
Construction Phase 1		\$18,828,861		\$2,998,936	\$18,372,203	\$40,200,000
Construction & PE - Phase 2					\$69,180,000	\$69,180,000 (Includes Phase 2 PE)
Construction & PE - Phase 3					\$5,100,000	\$5,100,000 (Includes Phase 3 PE)
<b>Total</b>	\$2,239,809	\$19,000,000	\$502,988	\$14,305,000	\$92,652,203	\$128,700,000

Code Enforcement Impact - None.

Housing Impact Statement - As a transportation improvement the proposed project would have no impact upon the supply of housing in the City of San Diego.

**BACKGROUND**

The existing State Route 163 (SR-163) and Friars Road interchange was constructed in 1970, prior to the intense growth in Mission Valley, the resurgence of downtown, and the suburban expansion in north county. Since that time, traffic volumes have more than doubled on SR-163 due to these developments and the interchange design is no longer adequate to accommodate area traffic, as evidenced by the long queues that can develop, congested weaving maneuvers, and congestion and delays at on- and off-ramp intersections with local streets. The City of San Diego has been coordinating with the California Department of Transportation District 11 and the Federal Highway Administration, off and on, for approximately twelve years to implement

proposed improvements. The project area incorporates land in both the Caltrans and City of San Diego rights-of-way, with optional project features available for adjacent land owners, and is located within or adjacent to the Mission Valley, Linda Vista and Serra Mesa Community Plan areas (Attachments 1-4).

## **DISCUSSION**

### Project Description

The proposed project would create improvements to the SR-163/Friars Road interchange and adjacent streets in the central portion of Mission Valley (Attachment 5). The proposed project has been designed to accommodate both the current vehicular traffic volumes and projected increase, improve vehicular traffic operations via additional lanes, and eliminate current weaving patterns at the Friars Road/SR-163 merge. The total length of the project is approximately 2.1 miles along the State Route 163 and 0.8 mile along Friars Road. Project improvements would encompass State Route 163 from the merge with Interstate 8 at the south to the Genesee Avenue interchange at the north, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road (Attachments 4 and 5). The project would include construction of the following:

- New at-grade lanes on the west side of southbound SR-163 approaching Friars Road connecting to westbound Interstate 8 at Hotel Circle North.
- Modifications to the existing interchange cloverleaf ramp at Friars Road.
- The addition of a flyover bridge from Ulric Street to southbound SR-163.
- The widening of Friars Road and the Friars Road Bridge. The Friars Road Bridge would be widened over SR-163 from six to ten lanes with sidewalks added along both sides of the bridge. Friars Road east of the northbound SR-163 on-ramp would be widened.
- The widening of the west side of Frazee Road immediately north and south of Friars Road.
- Removal of the median in Avenida de las Tiendas and the roadway restriped to provide three southbound lanes and three northbound lanes.
- Traffic signal upgrades or installations at Friars Road/Ulric Street; Ulric Street/southbound SR-163 on-ramp; Friars Road/northbound SR-163 on-ramp; and Frazee Road/Murray Canyon Road.
- Fifteen retaining walls and 10 noise attenuation barriers constructed along SR-163 and Friars Road.

### Required Approvals

A Site Development Permit is required to approve the project. The project site contains Environmentally Sensitive Lands in the form of Sensitive Biological Resources, Wetlands and Special Flood Hazard Areas associated with the San Diego River. The proposed project would impact the wetlands. However, deviation findings per San Diego Municipal Code Section 126.0504 have been made in the affirmative for this project (Attachment 11).

## General Plan and Community Plan Analysis

The proposed project is identified in the Mission Valley Community Plan's Transportation Element. Vehicle congestion relief is an overall goal of the General Plan's Mobility Element and subsequent policies are included in the Mission Valley, Serra Mesa, and Linda Vista Community Plans. The purpose is to limit traffic congestion and enhance traffic flow as part of a balanced multi-modal transportation network, reducing pollution and thus improving the quality of life in the region. The proposed project's overall goal to relieve vehicle congestion relief is in conformance with the above-mentioned policy documents.

The General Plan's Mobility Element is part of a larger body of plans and programs that guide the development and management of the region's transportation system, including the Regional Transportation Plan (RTP). The RTP is prepared and adopted by the San Diego Association of Governments (SANDAG), and serves as the region's long-range mobility plan. The RTP plans for and identifies projects for multiple modes of transportation in order to achieve a balanced regional system. It establishes the basis for state funding of local and regional transportation projects, and is a prerequisite for federal funding. SANDAG prioritizes and allocates the expenditure of regional, state and federal transportation funds to implement RTP projects. The proposed project is included in the 2030 RTP.

## Environmental Analysis

City staff conducted an Initial Study which determined the proposed project could have a significant environmental effect and the preparation of an Environmental Impact Report was warranted. The EIR addresses potential project effects associated with the following twelve issue areas. They are:

- Land Use
- Traffic/Circulation
- Hydrology/Water Quality
- Biological Resources
- Historical Resources
- Geology/Seismicity/Soils
- Paleontological Resources
- Aesthetics/Neighborhood Character/Visual Quality
- Noise
- Air Quality
- Public Facilities and Services
- Hazardous Materials

A Mitigation, Monitoring, and Reporting Program, as specified in the Environmental Impact Report (EIR), would be required to address the potential impacts resulting from the implementation of the project. Mitigation would be required in the following areas: Biological Resources; Historical Resources; Paleontological Resources; Noise; Air Quality; and Public

Facilities and Services. No other mitigation would be required to reduce impacts as a direct result of the project.

The proposed project would result in significant unmitigated impacts in the following areas: Aesthetics/Neighborhood Character/Visual Quality; Noise; and Air Quality.

#### Aesthetics/Neighborhood Character/Visual Quality

The project would affect visual quality, especially with regard to views from public roadways, as a result of several project elements. The project would improve roads located immediately adjacent to developed uses, private property, sensitive biological habitat and steep terrain. These right-of-way constraints result in a number of retaining walls exceeding six feet in height or fifty feet in length, which is the significance threshold, in order to minimize property take or extensive encroachment into sensitive habitat and steep hillsides abutting southbound SR 163. The majority of these walls would be screened by proposed landscaping, substantial enough to reduce visual impacts to less than significant levels. A significant impact is identified for a retaining wall, Retaining Wall No. 24, on the south side of Friars Road and east of SR 163 due to both the removal of existing landscape and an inability to install consistent landscaping due to the limited right-of-way in this location. A 1,493 foot long and maximum 32 foot high retaining wall, Soil Nail Wall No. 75, along SR 163 would also result in significant impacts under City criteria due to its very high visibility and the lack of complete landscape screening. Additionally, construction-period effects, for an assumed six years duration, would result in significant visual impacts related to the creation of a “disorganized appearance” until materials, fencing, equipment, et cetera, are removed and wall-screening vegetation becomes established. No feasible mitigation is available for these impacts.

#### Noise

The Applicant has identified a need for nighttime construction activities throughout the project area due to high daytime traffic volumes on Friars Road and SR 163. This is necessary to minimize potential traffic congestion that could result from temporary elimination of lanes during the day. Although the existing elevated noise levels may somewhat diminish the relative impact of construction period noise, it is acknowledged that the nighttime construction would not comply with the City’s allowable hours for construction activities, and that nighttime construction noise levels would exceed the City thresholds identified for the property line. Nighttime construction noise impacts are therefore considered significant. No form of reasonable mitigation is available which would reduce noise impacts to less than 40 dBA  $L_{eq}$  at the impacted residences.

Mitigation Measure N-2 would include implementation of appropriate noise attenuation measures to reduce noise impacts at the first floor of residences in the vicinity of construction activities to 65 dBA  $L_{eq}$  or less, if residents agree to have a temporary wall placed at the edge of their property. While this would reduce impacts associated with nighttime construction, such impacts would remain significant.

## Air Quality

The project would result in short-term significant impacts related to emissions of oxides of nitrogen (NO<sub>x</sub>) during the construction period. Mitigation Measure AQ-1 would partially mitigate significant short-term emissions of NO<sub>x</sub>. Although it would not reduce impacts to below a level of significance, it is considered to represent the maximum feasible mitigation at this time. However, the impact remains significant and unmitigated.

With the exception of aesthetics, noise and air quality, all significant environmental effects of the project would be mitigated to below a level of significance. As such, Findings and Statement of Overriding Consideration would be required to be adopted by the decision maker to approve the project.

## Community Planning Group Recommendations

The project is within or adjacent to three community plans: Mission Valley; Linda Vista; and Serra Mesa.

On April 7, 2010, the Mission Valley Planning Group voted 14:1:1 to adopt the following motion. Staff responses to the Group's recommendations are in *italics* (Attachment 8).

Approve the proposed project based on the Design Advisory Board recommendations which are:

1. Retaining wall impacts be mitigated with design features and landscaping.  
*A majority of the retaining walls will be screened by project landscaping to reduce visual impacts to less than significant levels. The retaining wall located along the south side of Friars Road and east of SR-163 (RW 24) and a soil nail wall located along SR-163 will not receive complete wall screening due to right of way limitations. The retaining walls will be mitigated with surface architectural treatments to the extent feasible.*
2. Sound attenuation walls be consistent in appearance to the extent feasible.  
*Sound attenuation walls will be constructed of either masonry stone block or a combination of plexiglass/masonry stone block. Screening vegetation will be provided for sound walls as feasible.*
3. Design of side railings of flyovers be aesthetically enhanced.  
*Aesthetically enhanced side railings for the bridge overcrossing will be evaluated during the design phase. The bridge aesthetics for flyover ramp will also be evaluated.*
4. The sign package under the jurisdiction of the City be presented to community groups with a goal of improving design and function.  
*With reconfiguration of the interchange, the signs will be modified in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and MUTCD California Supplement. The sign design will be available during the design phase.*

Additionally, asking the project applicant to:

1. Address sidewalk widths with the goal of increasing the sidewalk widths.  
*At a minimum, sidewalks will be constructed to meet City and Caltrans design standards at 5-feet wide. The opportunity to increase sidewalk widths will be investigated in the design*

*phase. Consideration will depend on available bridge width and not increasing project costs with the sidewalk widths.*

2. Explore ways to improve the pedestrian crossing on the north side of Friars Road at SR-163. *One of the main project goals is to improve pedestrian and bike travel across the overpass; therefore, the project proposes features such as signals, redirection of traffic, bike lanes, etc, to improve pedestrian and bicycle circulation.*
3. Correspond with State and Federal representatives to secure support for proper funding. *This project has the correct funding mechanisms (both local, state, and federal) and staff continues to correspond with state and federal representatives to fund this three-phase project.*

On February 22, 2010, the Linda Vista Planning Group voted 13-0-2 to recommend approval of the project (Attachment 9).

On February 19, 2009, the project was presented to the Serra Mesa Planning Group as an informational item. As an informational item no vote on the proposed project was formulated (Attachment 10).

#### Conclusion

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the proposed development (Attachment 11) and draft conditions of approval (Attachment 12). Staff is recommending the Planning Commission approve the project as proposed.

#### ALTERNATIVES

1. **Approve Site Development Permit No. 222387, with modifications.**
2. **Deny Site Development Permit No. 222387, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



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Mike Westlake  
Program Manager  
Development Services Department



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Jeannette Temple  
Development Project Manager  
Development Services Department

WESTLAKE/TEMPLE

Attachments:

1. Mission Valley Community Plan Land Use Map
2. Linda Vista Community Plan Land Use Map
3. Serra Mesa Community Plan Land Use Map
4. Aerial Photograph
5. Project Location Map
6. Proposed Site Plans
7. Project Plans and Simulations
8. Mission Valley Community Planning Group Recommendation
9. Linda Vista Planning Group Meeting Agenda
10. Serra Mesa Community Planning Group Meeting Agenda
11. Draft Site Development Permit Resolution with Findings
12. Draft Site Development Permit
13. Letters of Support the United States Senator, Barbara Boxer
14. Environmental Resolution and MMRP
15. Project Chronology



SR-163/Friars Road Interchange

City of San Diego Planning Department

Mission Valley Community Plan Land Use

- LEGEND**
- Residential
  - Residential / Office Mix
  - Commercial Retail
  - Commercial Office
  - Commercial Recreation
  - Office or Commercial Rec.
  - Multi-use
  - Business / Industrial
  - Industrial Park
  - Mission and School
  - Public Recreation
  - Open Space
  - Public Facility
  - Visitor Commercial
  - Light Rail Transit
  - Planned Future Street  
Subject to Study and Approval
  - Resource Depletion

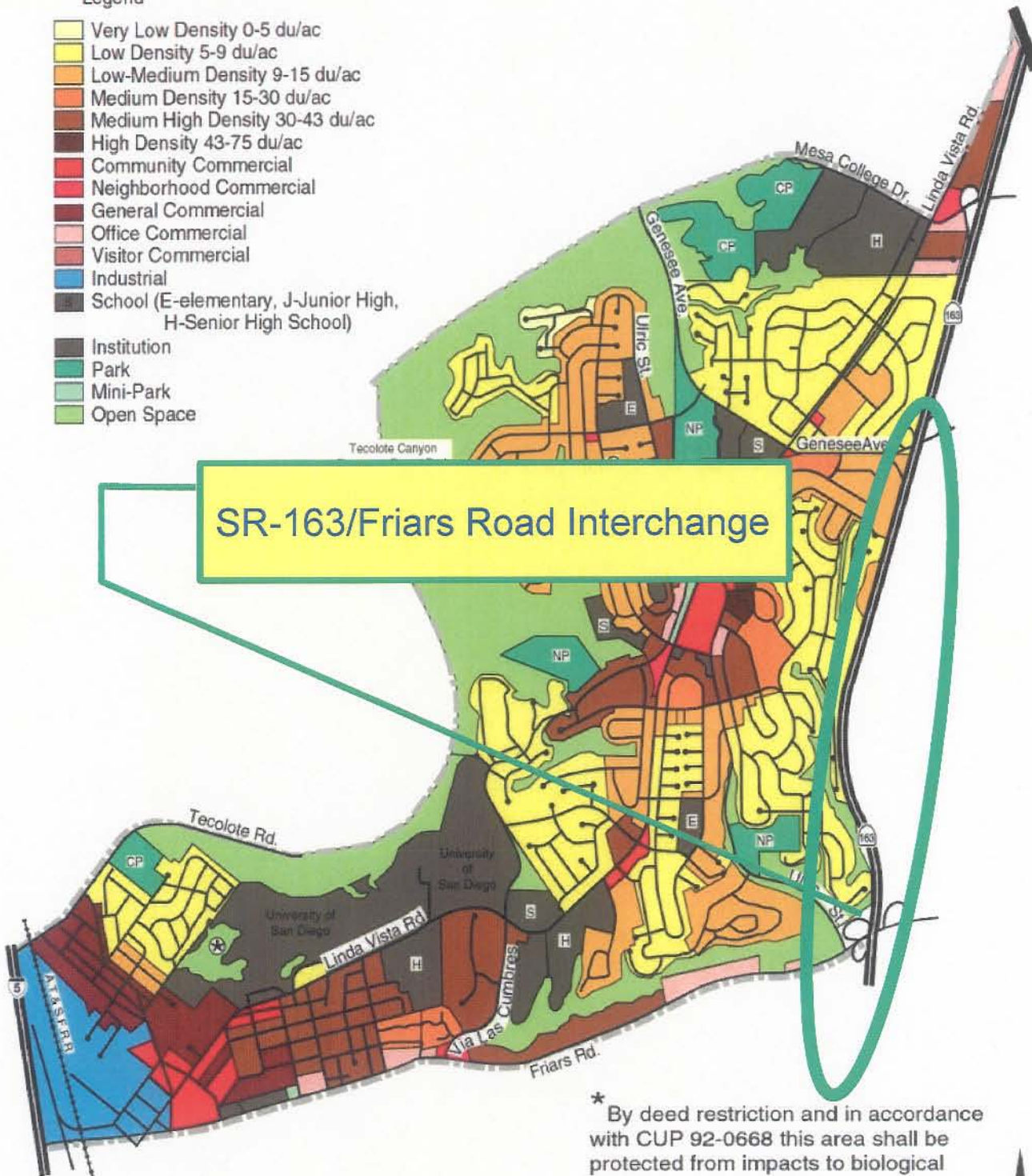


**Land Use Map**  
**SR-163 / FRIARS ROAD INTERCHANGE**  
**PROJECT NO. 72782**  
**Mission Valley Community Plan**



Legend

- Very Low Density 0-5 du/ac
- Low Density 5-9 du/ac
- Low-Medium Density 9-15 du/ac
- Medium Density 15-30 du/ac
- Medium High Density 30-43 du/ac
- High Density 43-75 du/ac
- Community Commercial
- Neighborhood Commercial
- General Commercial
- Office Commercial
- Visitor Commercial
- Industrial
- School (E-elementary, J-Junior High, H-Senior High School)
- Institution
- Park
- Mini-Park
- Open Space



\* By deed restriction and in accordance with CUP 92-0668 this area shall be protected from impacts to biological or hillside resources

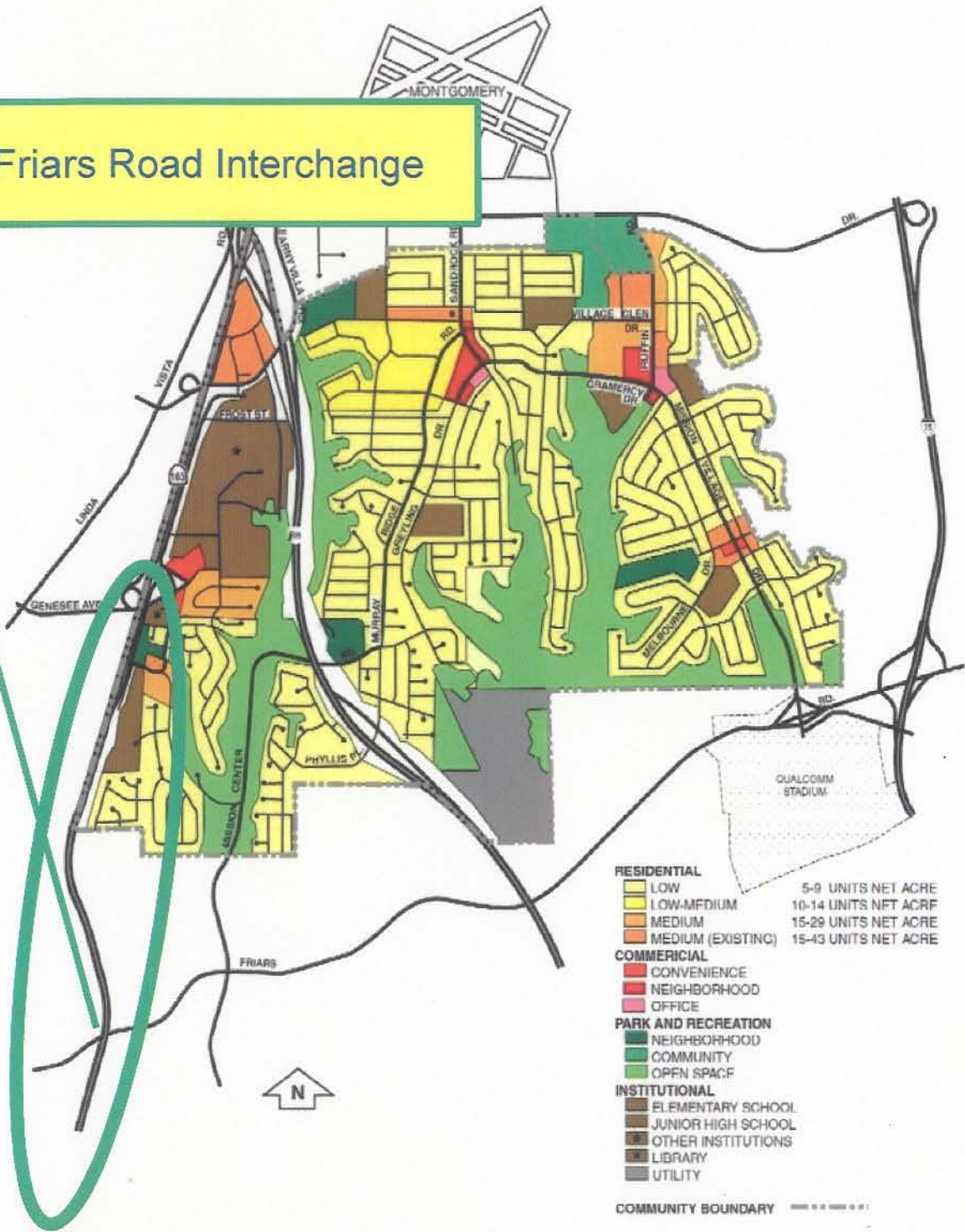


**Land Use Map**  
**SR-163 FRIARS ROAD INTERCHANGE**  
**PROJECT NO. 72782**  
**Linda Vista Community Plan**





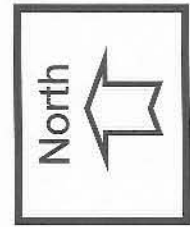
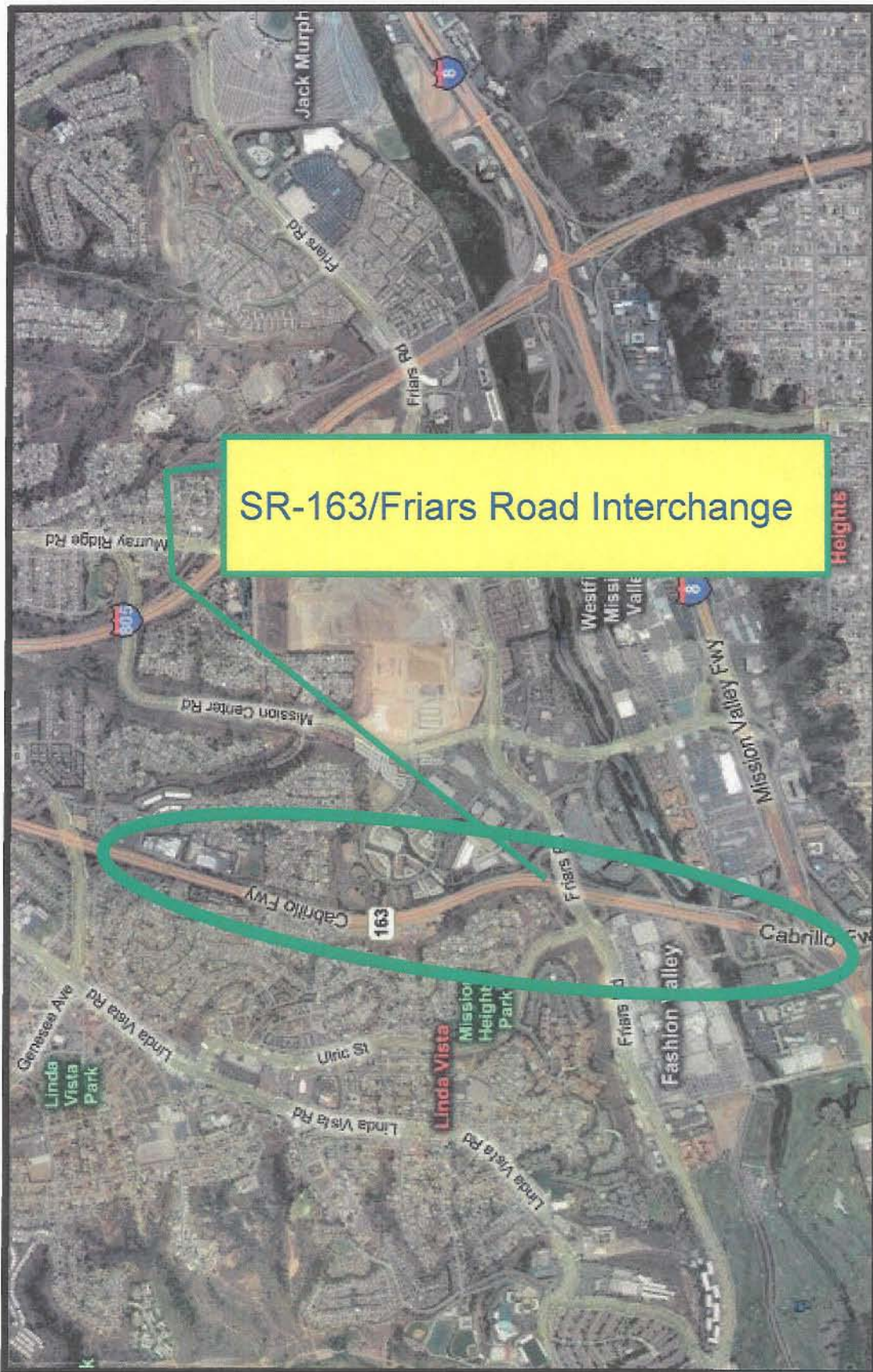
SR-163/Friars Road Interchange



**Land Use Map**  
**SR-163 FRIARS ROAD INTERCHANGE**  
**PROJECT NO. 72782**  
**Serra Mesa Community Plan**





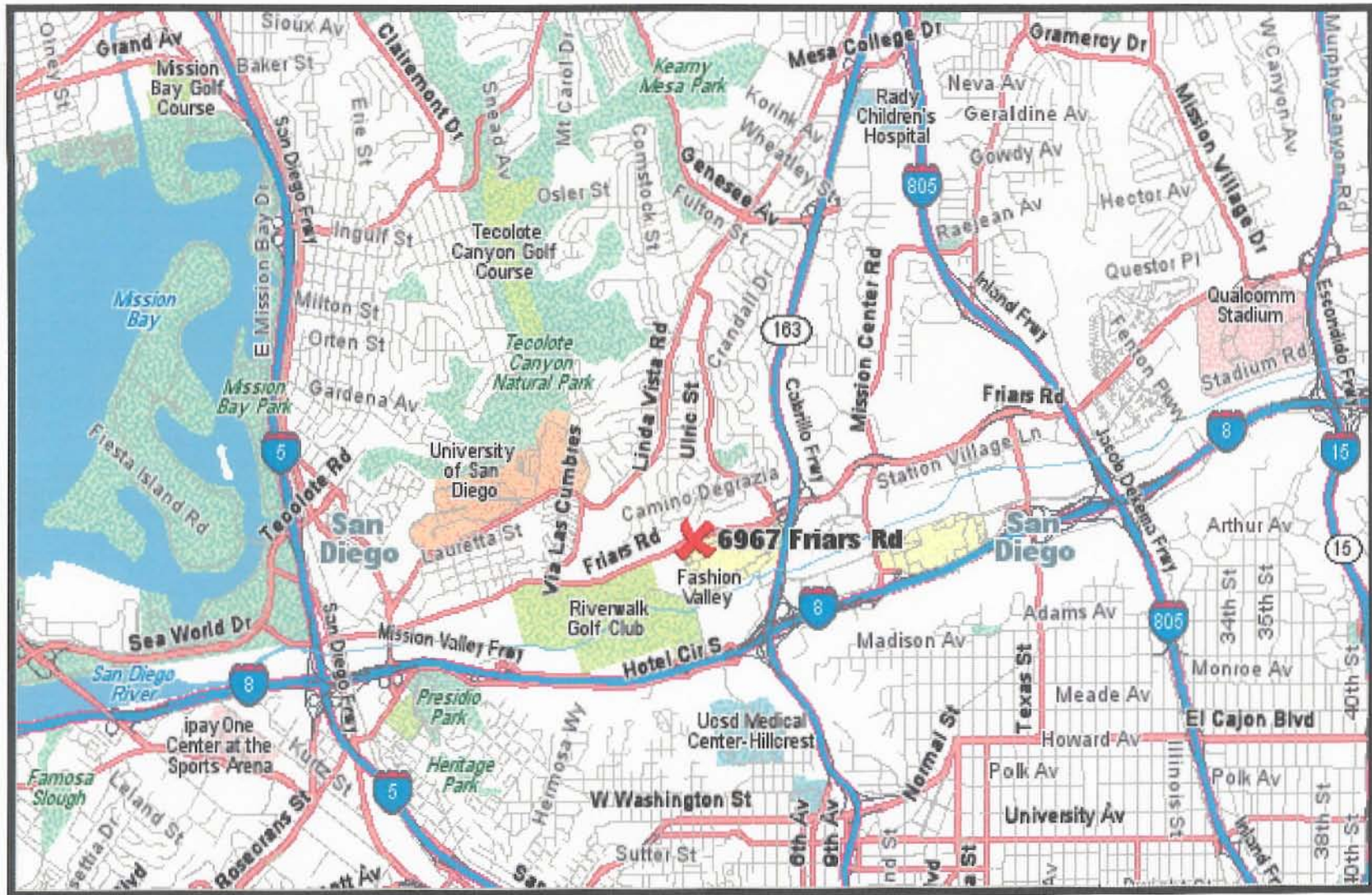


### Aerial Photo

SR - 163 FRIARS ROAD INTERCHANGE  
PROJECT NO. 72782

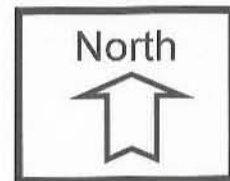






## Project Location Map

SR-163 FRIARS ROAD INTERCHANGE  
 PROJECT NO. 72782



**DRAFT**  
**NOT FOR CONSTRUCTION**



DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
11	SD	163	KP 6.2/9.3		

REGISTERED CIVIL ENGINEER	DATE
PLANS APPROVAL	DATE

CITY of San Diego  
Transportation/Drainage  
Design Division  
600 B Street, 8th Floor  
San Diego, CA 92101

Dakken Engineering  
5675 Ruffin Road, Suite 250  
San Diego, Ca 92123 (858) 514-6377

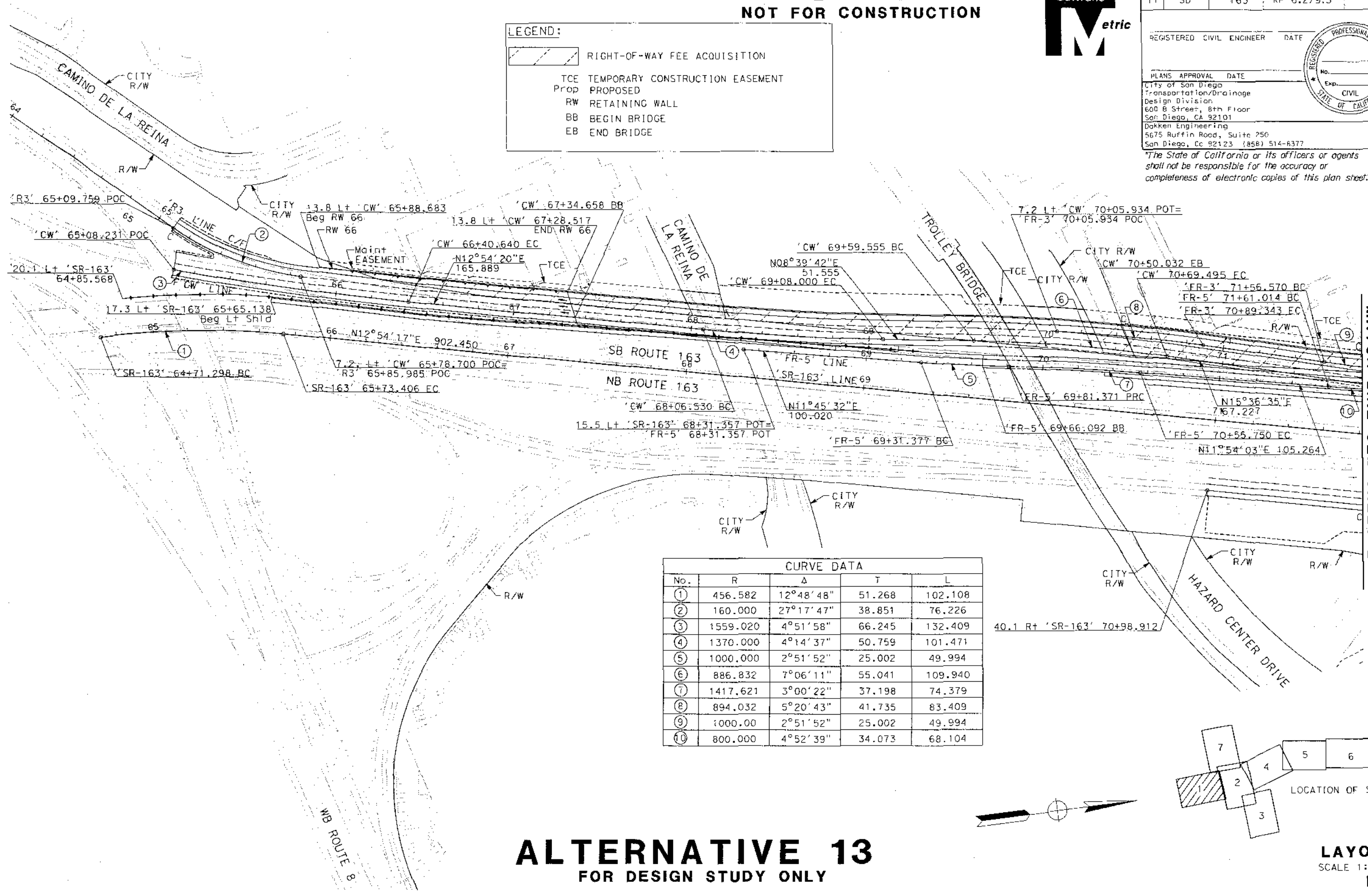


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**LEGEND:**

	RIGHT-OF-WAY FEE ACQUISITION
TCE	TEMPORARY CONSTRUCTION EASEMENT
Prop	PROPOSED
RW	RETAINING WALL
BB	BEGIN BRIDGE
EB	END BRIDGE

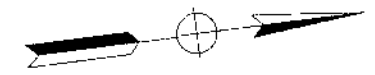
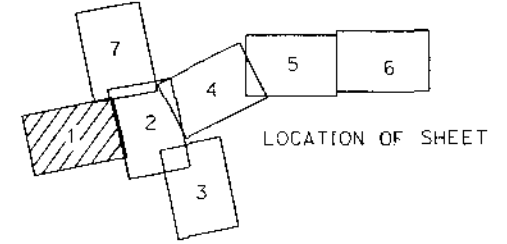
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 Caltrans  
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 CHECKED BY  
 DATE REVISIONS  
 DATE REVISIONS



**CURVE DATA**

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⑤	1000.000	2°51'52"	25.002	49.994
⑥	886.832	7°06'11"	55.041	109.940
⑦	1417.621	3°00'22"	37.198	74.379
⑧	894.032	5°20'43"	41.735	83.409
⑨	1000.00	2°51'52"	25.002	49.994
⑩	800.000	4°52'39"	34.073	68.104

MATCH LINE SEE SHEET L-2



**ALTERNATIVE 13**  
**FOR DESIGN STUDY ONLY**

**LAYOUT**  
SCALE 1:2000  
**L-1**





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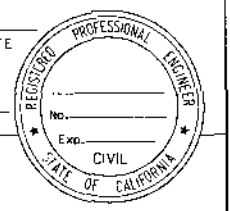
REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

City of San Diego  
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600 B Street, 8th Floor  
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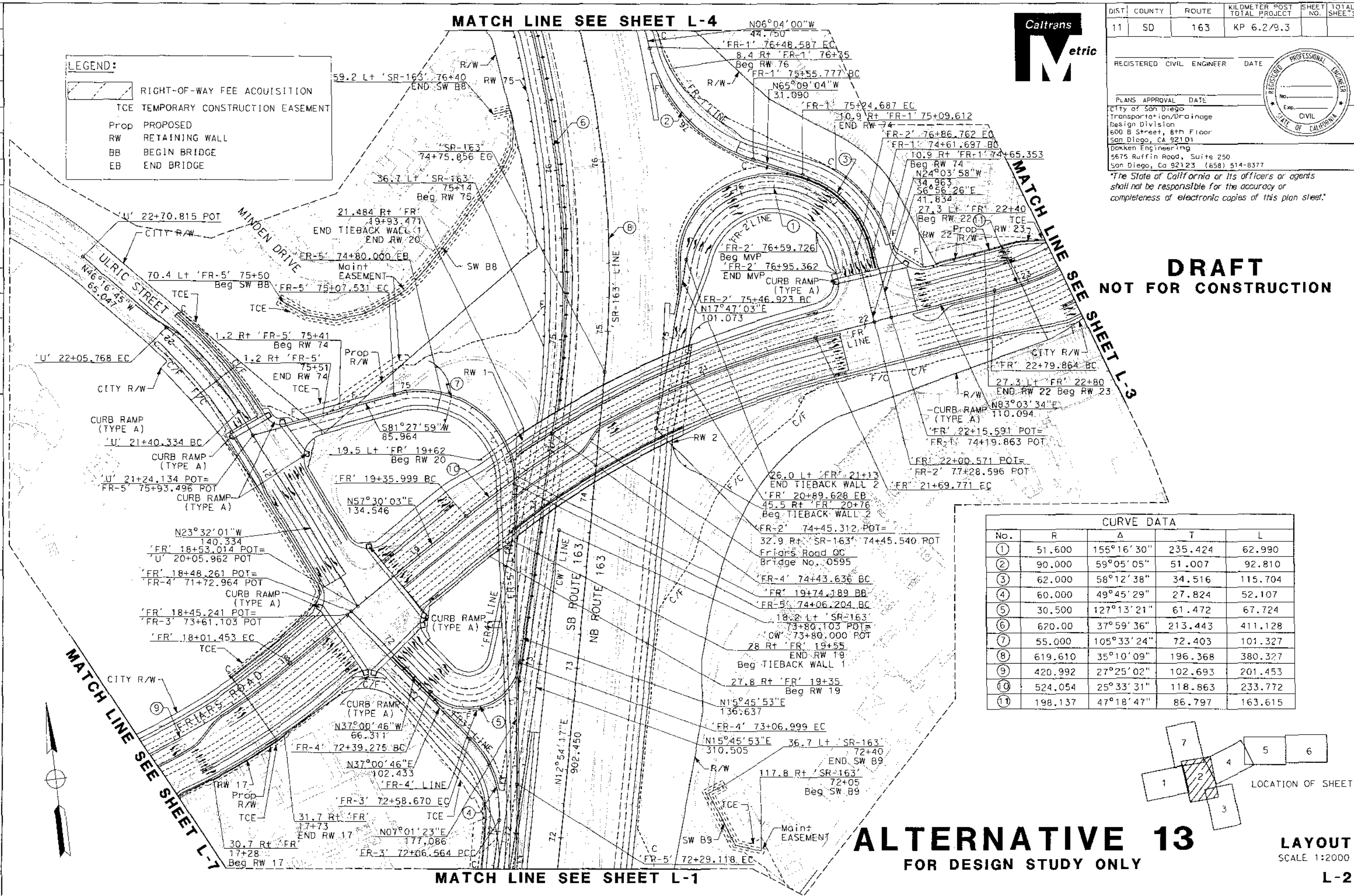
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MATCH LINE SEE SHEET L-3

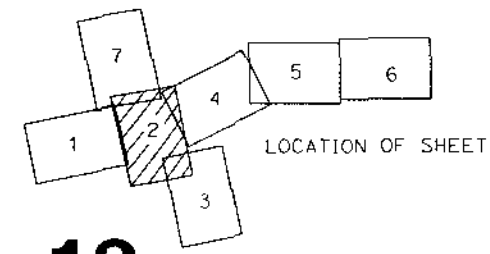
**LEGEND:**

- RIGHT-OF-WAY FEE ACQUISITION
- TCE TEMPORARY CONSTRUCTION EASEMENT
- Prop PROPOSED
- RW RETAINING WALL
- BB BEGIN BRIDGE
- EB END BRIDGE



**CURVE DATA**

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③	62.000	58°12'38"	34.516	115.704
④	60.000	49°45'29"	27.824	52.107
⑤	30.500	127°13'21"	61.472	67.724
⑥	620.00	37°59'36"	213.443	411.128
⑦	55.000	105°33'24"	72.403	101.327
⑧	619.610	35°10'09"	196.368	380.327
⑨	420.992	27°25'02"	102.693	201.453
⑩	524.054	25°33'31"	118.863	233.772
⑪	198.137	47°18'47"	86.797	163.615



**ALTERNATIVE 13**  
FOR DESIGN STUDY ONLY

LAYOUT  
SCALE 1:2000  
L-2

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
Caltrans

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DATE  
REVISED

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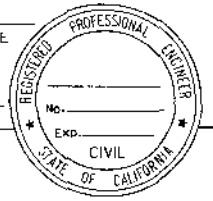
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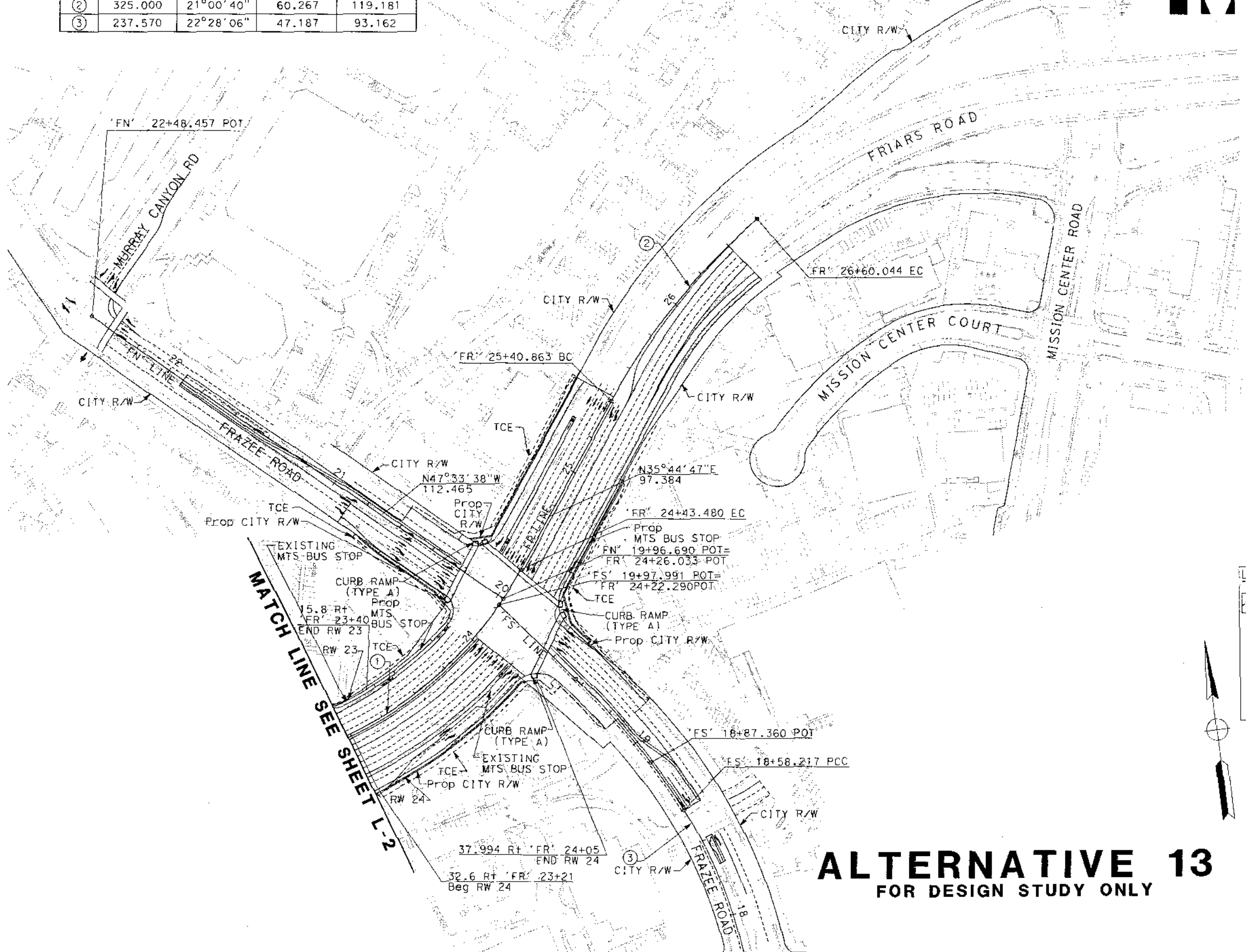
  

City of San Diego Transportation/Drainage Design Division 600 B Street, 8th Floor San Diego, CA 92101 Dokken Engineering 5675 Ruffin Road, Suite 250 San Diego, Ca 92123 (858) 514-6377
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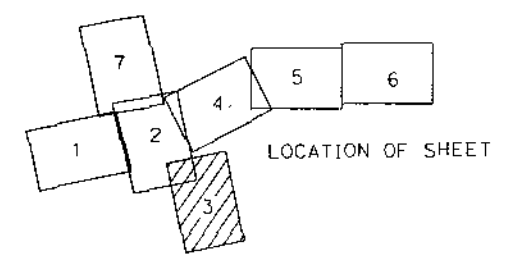
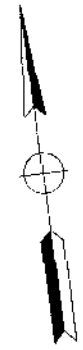
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**LEGEND:**

- RIGHT-OF-WAY FEE ACQUISITION
- TCE TEMPORARY CONSTRUCTION EASEMENT
- Prop PROPOSED
- RW RETAINING WALL
- BB BEGIN BRIDGE
- EB END BRIDGE



**ALTERNATIVE 13**  
**FOR DESIGN STUDY ONLY**

**LAYOUT**  
SCALE 1:2000  
**L-3**



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**NOT FOR CONSTRUCTION**



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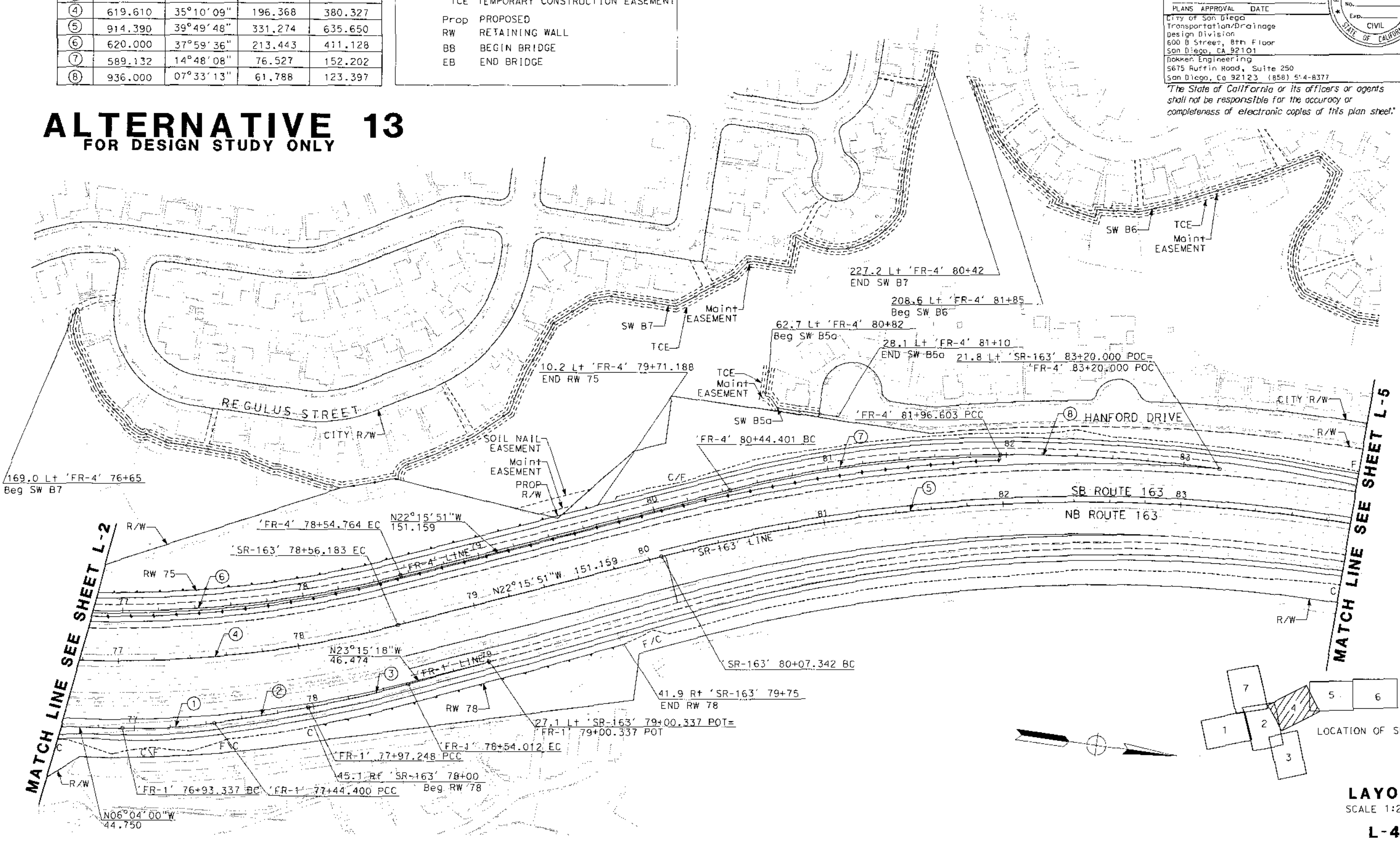
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③	652.081	2°40'41"	28.400	56.764
④	619.610	35°10'09"	196.368	380.327
⑤	914.390	39°49'48"	331.274	635.650
⑥	620.000	37°59'36"	213.443	411.128
⑦	589.132	14°48'08"	76.527	152.202
⑧	936.000	07°33'13"	61.788	123.397

**LEGEND:**

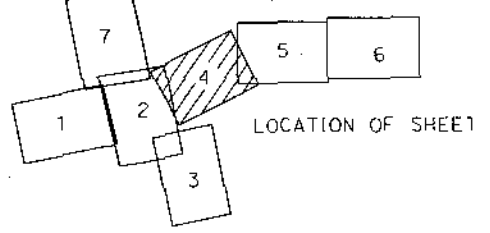
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- TCE TEMPORARY CONSTRUCTION EASEMENT
- Prop PROPOSED
- RW RETAINING WALL
- BB BEGIN BRIDGE
- EB END BRIDGE

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 STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
 Caltrans

MATCH LINE SEE SHEET L-5



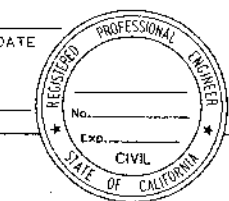
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**L-4**

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NOT FOR CONSTRUCTION

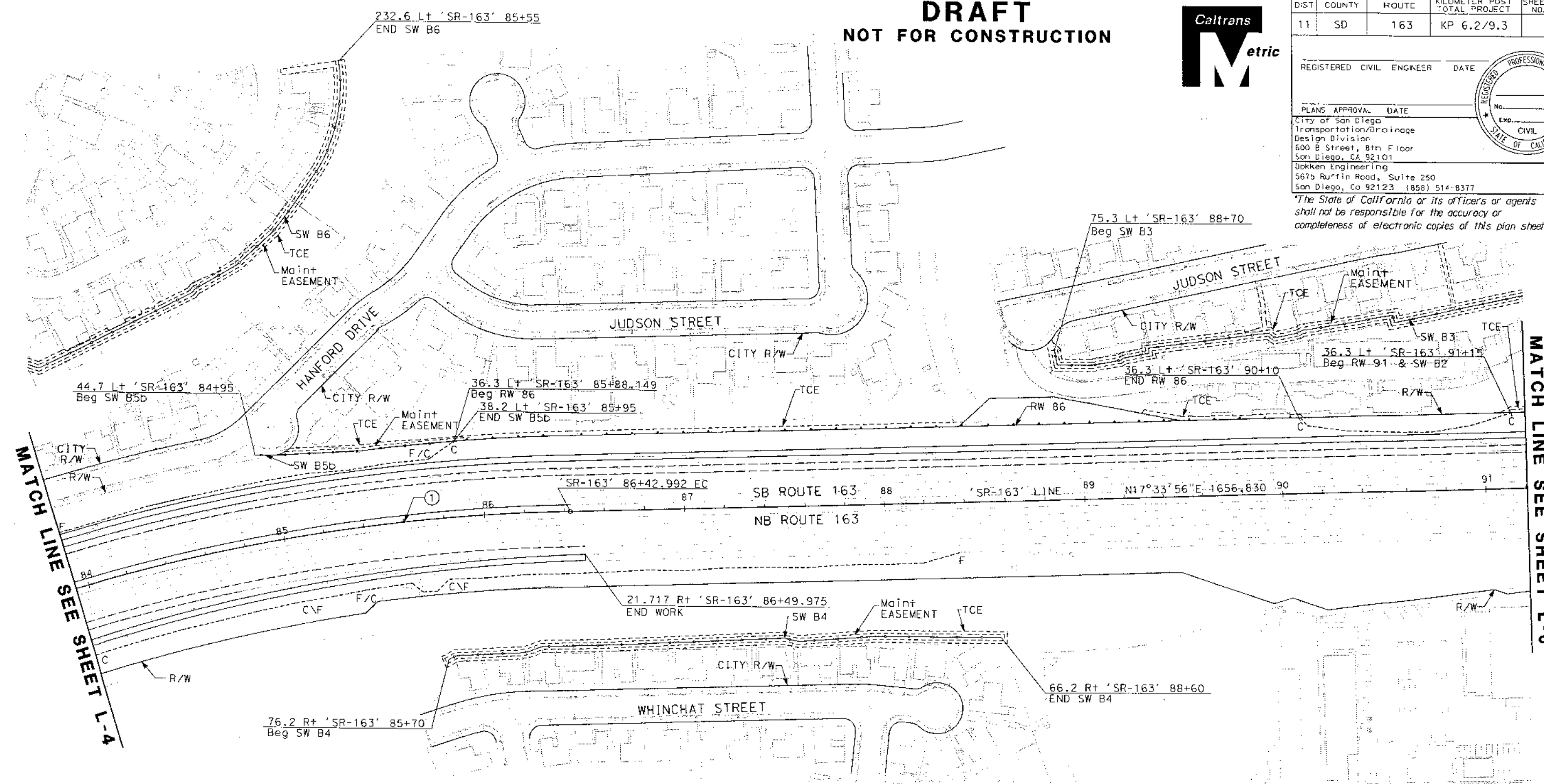


DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
11	SD	163	KP 6.2/9.3		

REGISTERED CIVIL ENGINEER DATE \_\_\_\_\_  
 PLANS APPROVAL DATE \_\_\_\_\_  
 City of San Diego  
 Transportation/Drainage  
 Design Division  
 600 B Street, 8th Floor  
 San Diego, CA 92101  
 Dokken Engineering  
 567b Ruffin Road, Suite 250  
 San Diego, Ca 92123 (858) 514-8377



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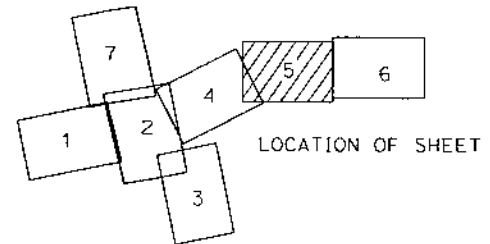
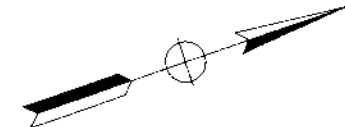
MATCH LINE SEE SHEET L-4

MATCH LINE SEE SHEET L-6

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**LEGEND:**

- RIGHT-OF-WAY FEE ACQUISITION
- TCE TEMPORARY CONSTRUCTION EASEMENT
- Prop PROPOSED
- RW RETAINING WALL
- BB BEGIN BRIDGE
- EB END BRIDGE



**ALTERNATIVE 13**  
FOR DESIGN STUDY ONLY

**LAYOUT**  
SCALE 1:2000  
L-5

REVISIONS: DATE, REVISED BY, DATE REVISIONS  
 CALCULATED/DESIGNED BY, CHECKED BY  
 DESIGN OVERSIGHT  
 STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
 Caltrans

DATE PLOTTED => 5/7/2010 4:25:33 PM

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**NOT FOR CONSTRUCTION**



DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
11	SD	163	KP 6.2/9.3		

REGISTERED CIVIL ENGINEER DATE \_\_\_\_\_

PLANS APPROVAL DATE \_\_\_\_\_

CITY OF SAN DIEGO  
Transportation/Drainage  
Design Division  
600 B Street, 8th Floor  
San Diego, CA 92101

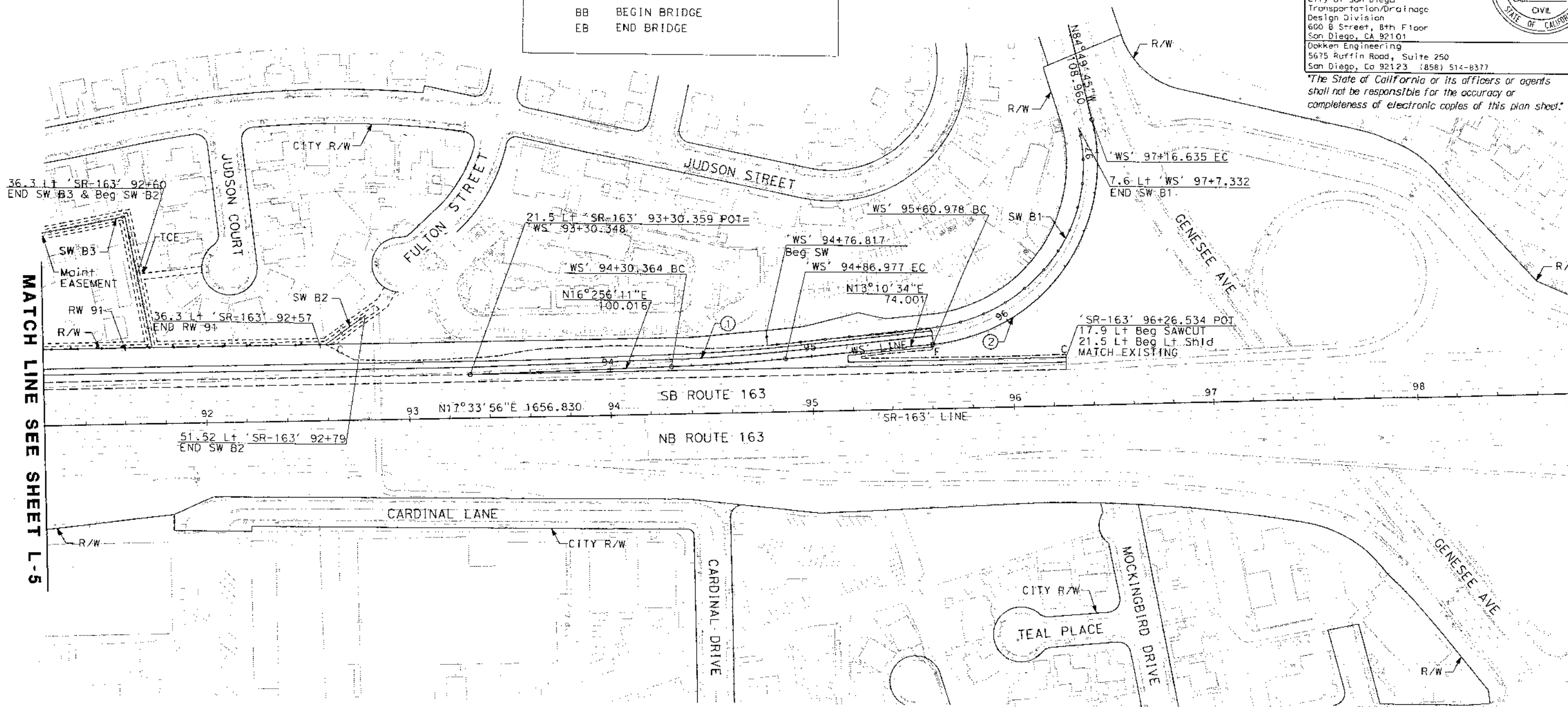
Dokken Engineering  
5675 Ruffin Road, Suite 250  
San Diego, Ca 92123 (858) 514-8377

No. \_\_\_\_\_  
Exp. \_\_\_\_\_  
CIVIL  
STATE OF CALIFORNIA

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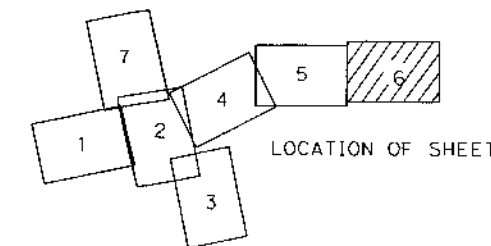
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- RIGHT-OF-WAY FEE ACQUISITION
- TCE TEMPORARY CONSTRUCTION EASEMENT
- Prop PROPOSED
- RW RETAINING WALL
- BB BEGIN BRIDGE
- EB END BRIDGE



MATCH LINE SEE SHEET L-5

CURVE DATA				
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**ALTERNATIVE 13**  
**FOR DESIGN STUDY ONLY**

**LAYOUT**  
SCALE 1:2000  
**L-6**

DATE REVISION BY DATE REVISION BY  
 CALCULATED/DESIGNED BY CHECKED BY  
 DESIGN OVERSIGHT  
 DEPARTMENT OF TRANSPORTATION  
 STATE OF CALIFORNIA

**DRAFT**  
**NOT FOR CONSTRUCTION**



DIST	COUNTY	ROUTE	PROJECT	SHEET NO.	TOTAL SHEETS
11	SD	163	KP 6.2/9.3		

REGISTERED CIVIL ENGINEER DATE \_\_\_\_\_

PLANS APPROVAL DATE \_\_\_\_\_

City of San Diego  
Transportation/Drainage  
Design Division  
600 B Street, 8th Floor  
San Diego, CA 92101

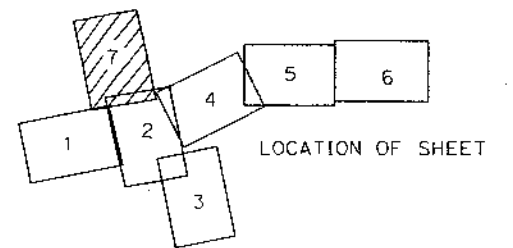
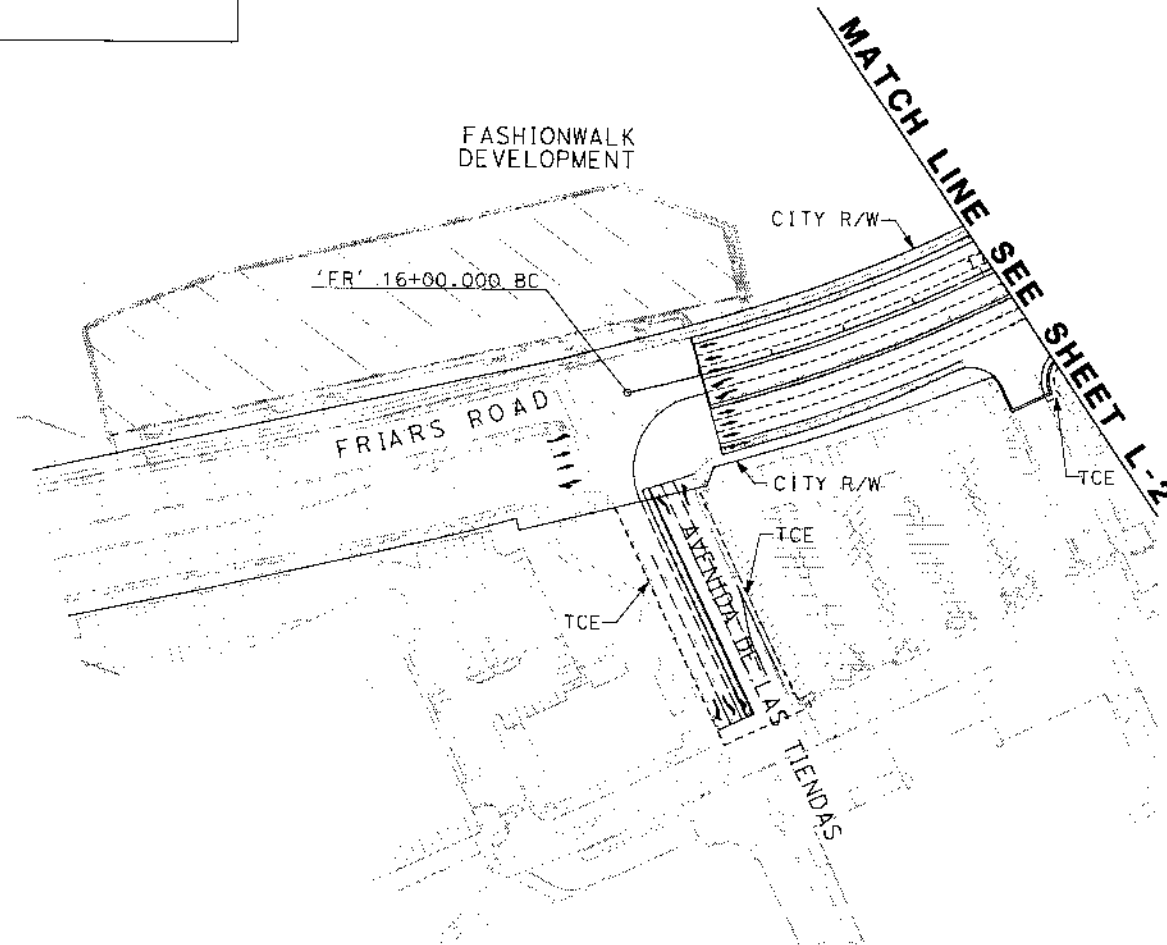
Dakken Engineering  
5675 Ruffin Road, Suite 250  
San Diego, Ca 92123 (858) 514-8377



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**LEGEND:**

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- TCE TEMPORARY CONSTRUCTION EASEMENT
- Prop PROPOSED
- RW RETAINING WALL
- BB BEGIN BRIDGE
- EB END BRIDGE

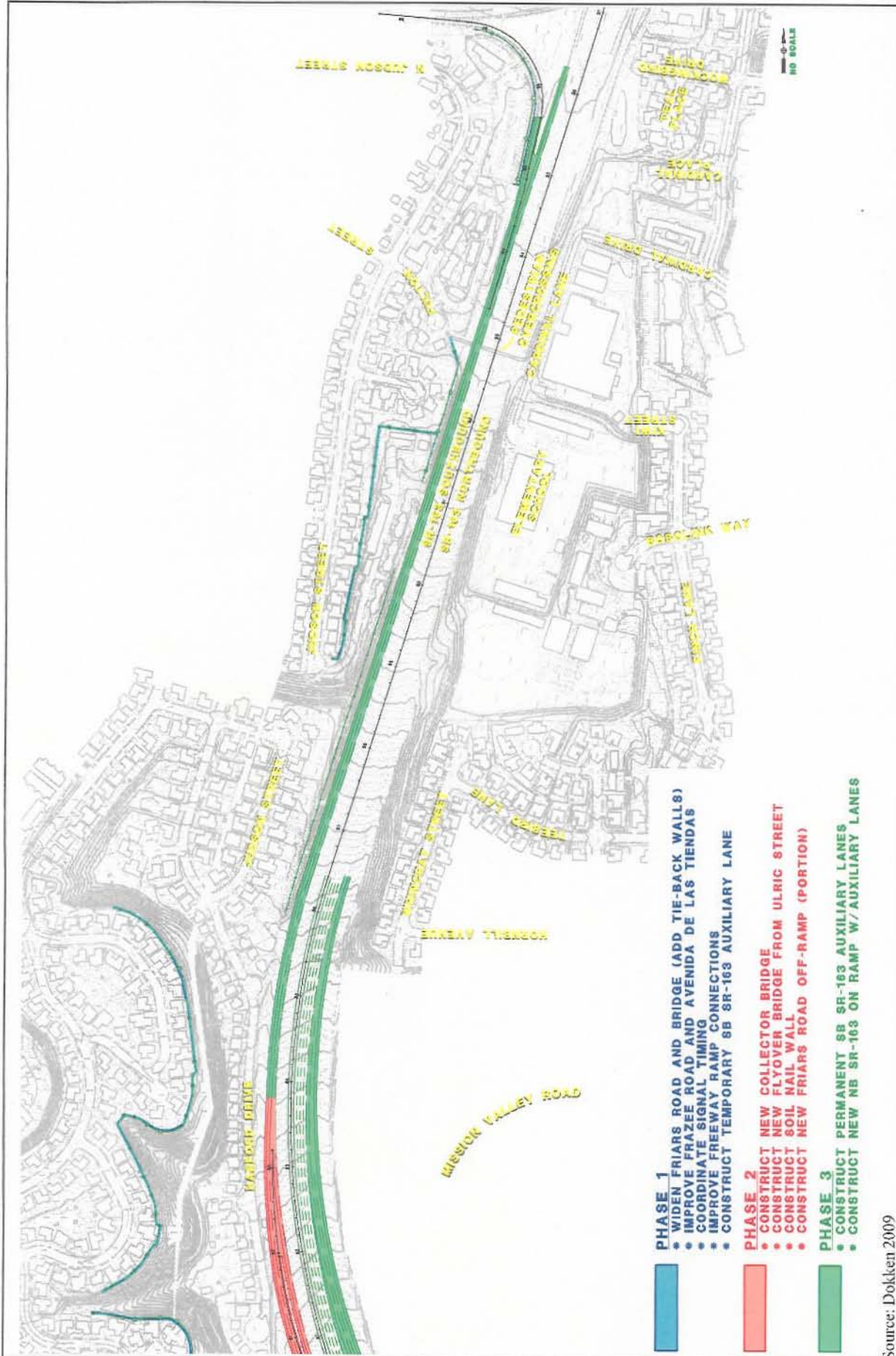


# ALTERNATIVE 13

FOR DESIGN STUDY ONLY

**LAYOUT**  
SCALE 1:2000  
**L-7**

DESIGNED BY	DATE	REVISIONS	DESIGNED BY	DATE	REVISIONS

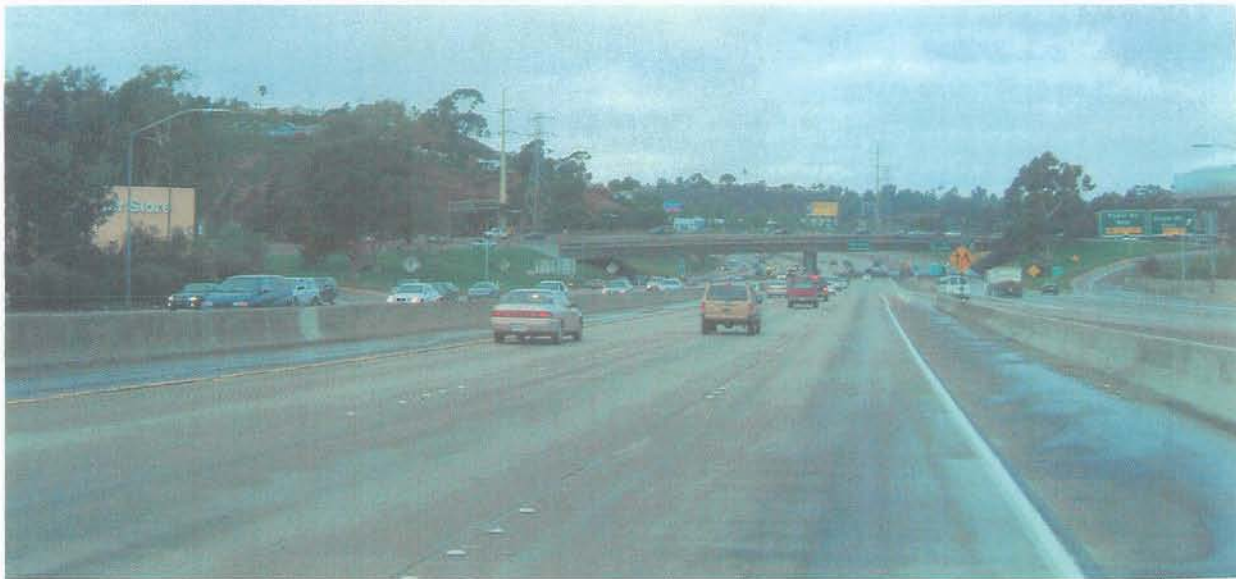


**Proposed Project Phasing**  
 SR 163/FRIARS ROAD INTERCHANGE PROJECT  
 Figure 3-8b

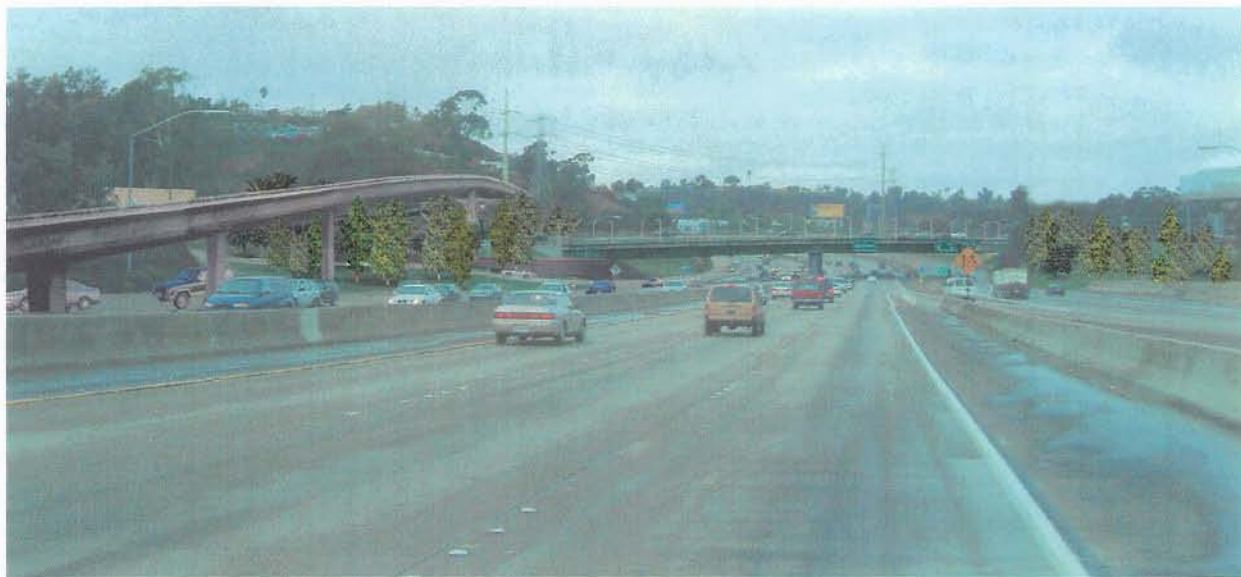
Source: Dokken 2009

U:\a68183\06-01 SR163 Interchange\Map\163-01-Phasing.psd -1V





Existing View



Simulation View

Source: Estrada Land Planning, 2008

E:\ArcGIS\DDOK-01 SR163 FriarsRd\Map9\EIR\Fig5.8-3\_KeyView1.mxd - 09/24/08 - EV

## Key View 1 - Northbound SR 163 from South of Friars Road

SR 163/FRIARS ROAD INTERCHANGE PROJECT

Figure 5.8-3



Existing View



Simulation View

Source: Estrada Land Planning, 2008

F:\ArcGIS\DDOK-01\_SRI63\_FriarsRd\Map\BIR\Fig5.8-4\_KeyView2.mxd - 09/24/08 - EV

## Key View 2 - Eastbound Friars Road

SR 163/FRIARS ROAD INTERCHANGE PROJECT

Figure 5.8-4



Existing View



Simulation View

Source: Estrada Land Planning, 2008

I:\ArcGIS\PROJECTS\SR163 FriarsRd\Map\2008\Fig 5.8-5\_KeyView3.mxd - 09/24/08 - EV

## Key View 3 - Westbound Friars Road

SR 163/FRIARS ROAD INTERCHANGE PROJECT

Figure 5.8-5





Existing View



Simulation View

Source: Estrada Land Planning, 2008

H:\ArcGIS\DI\DOK-01 SR163 Friars Rd\Map\EIR\Fig5.8-6\_KeyView4.mxd - 10/21/08 -EV

## Key View 4 - Southbound SR 163 from North of Friars Road

SR 163/FRIARS ROAD INTERCHANGE PROJECT

Figure 5.8-6



Existing View



Simulation View

Source: Estrada Land Planning, 2008

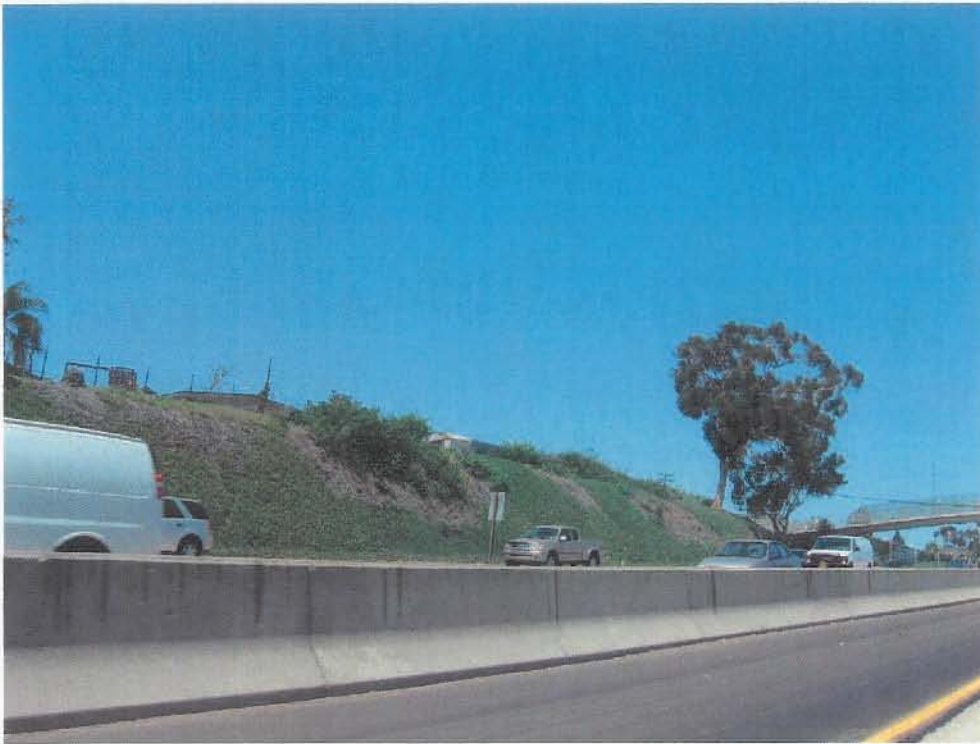
I:\ArcGIS\1\100K-01 SR163 Friars Rd Map\ERF\Plz 5.8-7\_Key View7.mxd - 09/24/08 - EV

## Key View 7 - Southbound SR 163 from Genesee Avenue

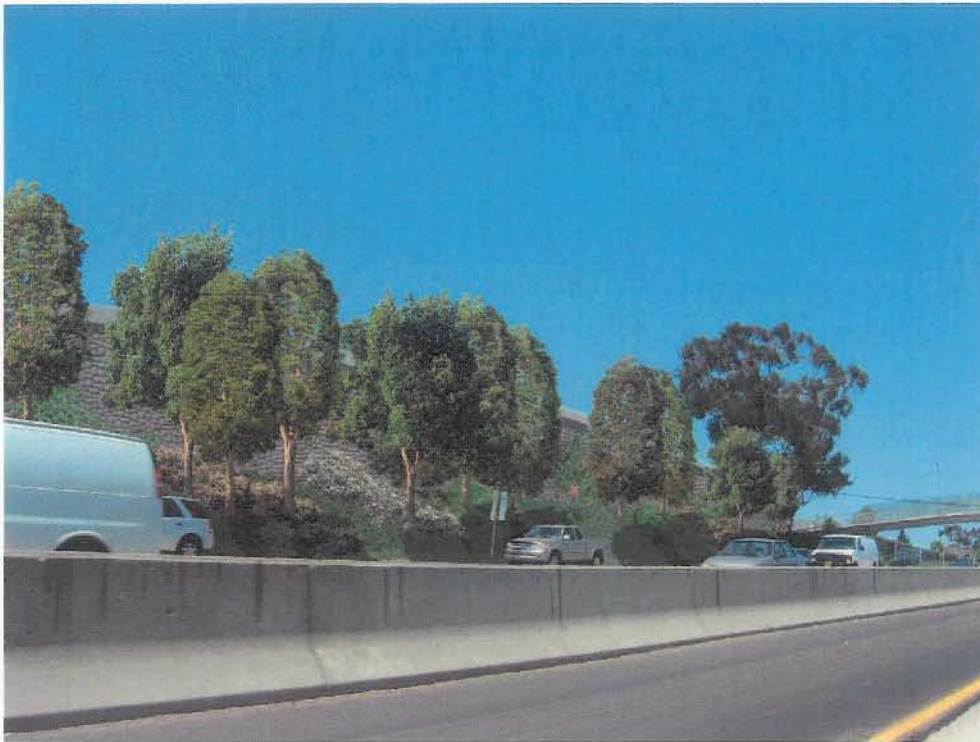
SR 163/FRIARS ROAD INTERCHANGE PROJECT

Figure 5.8-7





Existing View



Simulation View

Source: Estrada Land Planning, 2008

E:\ArcGIS\ID\OK-01 SR163 Friars Rd\Map\BIR\Fig5.8-8\_KeyView8.mxd - 09/24/08 - EV

## Key View 8 - Northbound SR 163 from South of Genesee Avenue

SR 163/FRIARS ROAD INTERCHANGE PROJECT

Figure 5.8-8



Existing View



Simulation View

Source: Estrada Land Planning, 2008

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## Key View 9 - Northbound SR 163 from North of Friars Road

SR 163/FRIARS ROAD INTERCHANGE PROJECT

Figure 5.8-9

**MINUTES OF THE REGULAR MEETING OF THE  
MISSION VALLEY PLANNING GROUP**

April 7, 2010

**MEMBERS PRESENT**

Marla Bell  
Jason Broad  
Paul Brown  
Nat Cohen  
Julie Corwin  
Robert Doherty  
Randall Dolph  
Emmett Durnan  
Alan Grant  
Lisa Gualco  
Allen Jones  
Linda Kaufman  
Michael McDowell  
Doris Payne-Camp  
Karen Ruggels  
Marco Sessa  
Tom Sudberry  
Bruce Warren  
Jennifer White

**MEMBERS ABSENT**

Deborah Bossmeyer  
Gina Cord  
Wendy Ghiora  
Faye Rose  
Dottie Surdi

**CITY STAFF**

Chet Barfield  
Brian Schoenfish

**STAFF****GUESTS**

Samir Hajiri  
Ed Zwibel  
Doug Ceresia  
Ronald W. Grant  
Gerard Lamabas  
Ken Grant  
Mark Koll  
Naomi Grant  
Pat Grant  
Rob Hutzel  
John Tessier  
Rick Wilson  
Mary Johnson  
Matthew Guillory

Linda Kaufman called the regular meeting of the Mission Valley Planning Group (MVPG) to order at 12:05 p.m. at the Mission Valley Library located at 2123 Fenton Parkway.

**A. CALL TO ORDER**

Verify Quorum – 15 members were present, a quorum.

**B. PLEDGE OF ALLEGIANCE** – Jason Broad led The Pledge of Allegiance.**C. INTRODUCTIONS** – Guests and members introduced themselves.

Doris Payne-Camp volunteered to act as secretary pro-tem. Karen Ruggels moved that Doris Payne-Camp act as secretary pro-tem. Bob Doherty seconded. The motion passed 18-0-0.

**D. MEMBERSHIP BUSINESS** – Lisa Gualco**1. Election of Officers**

The following board members are running uncontested for the officer positions:

Bruce Warren – Chair

Jason Broad – Vice Chair

Dottie Surdi – Secretary

Emmet Durnan – Treasurer

Lisa Gualco moves that these individuals be elected to the positions for which they are running. Allen Jones seconded. The motion passed 19-0-0.

This concludes the 2010 elections. Bruce Warren took over as chair of the meeting.

**E. PUBLIC INPUT**

Doris Payne-Camp observed the Hazard Center Planning Commission hearing and noted that there was some discrepancy about the amount of opportunities for the public to participate in the planning process, which Commissioner Ontai asked to have clarified. Doris suggested that perhaps the MVPG send a letter clarifying the opportunities for participation.

Nat Cohen moved that the meeting agenda be amended to include this item so the group may discuss the issue. Allen Jones seconded. The motion passed 17-2 (Broad, White)-0.

Karen Ruggels reminded the group that Brittany's last meeting will be July and a new minute-taker will need to be selected.

**F. TREASURER'S REPORT -- Emmett Durnan**

The account balance is \$684.83.

**G. PUBLIC SAFETY REPORTS**

1. Police Department -- Ed Zwibel -- The SDPD arrested a serial car burglar responsible for the theft of 15 to 20 cars per day within San Diego. Another car burglary series has sparked up at Riverwalk. The SDPD has solved three series of condo burglaries. A suspected elder abuser will be released into the Valley. She is suspected of stealing wallets after getting into elderly people's homes. She and her partner drive a silver or tan Nissan sedan and are suspected of 50 to 60 counts of burglary.

Board questions.

2. Fire Department -- no report

**H. NEW BUSINESS**

1. Hazard Center Planning Commission Response

Doris Payne-Camp moves that the MVPG send a letter to the Planning Commission and City Council stating that the public had adequate input into the planning process. Allen Jones seconded. After some board discussion, this motion was tabled to the May 5, 2010, meeting.

**I. PRESENTATION**

1. California High Speed Rail Alternative Alignment (Informational Item -- 15 min) -- Mike Zdon, California High Speed Rail Authority

This item has been postponed until the May 5, 2010, meeting.

2. Quarry Falls: Phase A Status/Residential Project No. 1 Review (Informational Item -- 15 min) -- Marco Sessa, Sudberry Properties

The first project of Quarry Falls has been submitted for a Process 1 SCR. Quarry Falls is expected to record the first final map before the end of 2010. The project will include 306 apartment units developed as Type 5 three-story apartments with a few fourth floor mezzanines. The project will include a leasing office, pool, fitness facility, and 1.5-acre open space element. Marco also noted that Quarry Falls has been renamed Civita.

This item was before the DAB on April 6, 2010. The DAB was pleased with the architecture as a nice trend and change from the prevailing architecture in the Valley. The DAB had questions about on-street parking and ultimately endorsed the project as proposed in substantial conformance with the Quarry Falls Specific Plan

Board questions and discussion.

SR-163/Friars Road Interchange (Action Item -- 15 min) -- Mark Koll, City of San Diego



Gerard Lumabas gave brief presentation of project and design simulations. The environmental document is now out for public review.

The DAB recommended approval with of the project 4-0 as proposed, subject to the following: 1) retaining wall impacts be mitigated with design features and landscaping; 2) sound attenuation walls be consistent in appearance to the extent feasible; 3) design of side railings of flyovers be aesthetically enhanced; and 4) the sign package under the jurisdiction of the City be presented to community groups with a goal of improving design and function.

Board comments and questions.

Karen Ruggels left the meeting at 1:30 p.m.

Tom Sudberry left at the 1:36 p.m.

Linda Kaufman left at meeting at 1:36 p.m.

Allen Jones moved to approve the SR-163/Friars Road Interchange project based on Design Advisory Board's recommendations, additionally asking that the project applicant address sidewalk widths with the goal of increasing the sidewalk widths, explore ways to improve the pedestrian crossing on the north side of Friars Road at SR-163, and correspond with State and Federal representatives to secure support for project funding. Randy Dolph seconded. The motion passed 14-1 (White)-1 (Corwin abstained after not being able to fully review the environmental document).

## J. OLD BUSINESS

### 1. Approval of February 3 and March 3, 2010 Minutes

Marco Sessa moved to approve the February minutes. Doris Payne-Camp second. The motion passed 12-0-4. (Grant, Jones, Corwin, Bell abstained – not members of the board in February).

Marco Sessa moved to approve the March minutes. Doris Payne-Camp second. The motion passed 12-0-4. (Grant, Jones, Corwin, Bell abstained – not members of the board in February).

Lisa Gualco left the meeting at 1:49 p.m.

### 2. Community Plan Update – Brian Schoenfish – no report.

### 3. City Council Office – Chet Barfield

Chet presented a certificate to the former board members from Donna Frye, thanking them for their service.

### 4. Subcommittee Reports:

a. Design Advisory Board – Bruce Warren – Randy Dolph was elected as Chair of the DAB and Allen Jones was elected as Vice Chair.

Allen Jones left the meeting at 1:50 p.m.

b. Stakeholders Committee – Jason Broad – no report.

c. Transportation and Zoning – Pat Grant/Karen Ruggels – no report.

d. Stadium Committee – Randall Dolph – no report.

e. Project Area Committee – Dottie Surdi –no report.

f. Mission Valley Community Council – Lynn Mulholland – no report.

g. San Diego River Coalition – Nat Cohen – Rob Hutsel reported that the next Coalition meeting will be on April 16, 2010. Mike Nelson of the River Conservancy will be in attendance, updating the group and discussing the new San Diego Restoration Habitat Permit. The San Diego River Days will take place May 8-16. The 16<sup>th</sup> annual Riverfest will take place on the Qualcomm practice field on May 16. A working group on trail safety and design is being formed.

- g. Community Planning Chairs Meeting – Doris Payne-Camp – The CPPC is working on revisions to the administrative procedures.
  - h. Parks Subcommittee – Jason Broad – no report.
  - j. Westfield Redevelopment – Bruce Warren – no report.
5. Miscellaneous Mail – no miscellaneous mail

**K. GOVERNMENTAL STAFF REPORTS**

- 1. Mayor's Office – Denise Garcia – no report.
- 2. Senate Member's Office – Deanna Spehn – no report.

- L. **ADJOURNMENT** – There being no further business to be brought before the Committee, the meeting was adjourned at 1:52 p.m. The next meeting will be Wednesday, May 5, at 12:00 p.m. at the Mission Valley Library, Community Room.

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Dottie Surdi  
Secretary



LINDA VISTA PLANNING GROUP



P.O. Box 711994, San Diego, CA 92171
Notice of Public Meeting
Monday, Feb. 22, 2010, 6:00pm-8:00pm
Linda Vista Library Community Room
2160 Ulric Street @ Comstock Street



AGENDA for Monday, February 22

Agenda items should be submitted to the Chair by the first day of the month to be included on the same month's agenda.

Time Items

6:00 Call to Order

- Presentation of Colors and Pledge of Allegiance.
• Roll call of Linda Vista Planning Group (LVPG) members
• Approval of the Draft Agenda
• Approval of prior meeting minutes

6:10 Western Division Police Department

Government Aides' Reports

Cultural Fair status report if represented

6:25 Public Comment and Non-Agenda Items (2 minutes per person)

6:40 Chair Report, Jeff Perwin

6:45 Main Presentation

Action Item 1. Support or reject the recommendations from the Medical Marijuana Task Force. Invite City representative for a Q & A session. 20 minutes

Action Item 2: Vote for or against the Verizon Tower plans at the Padre Gold location at the corner of Linda Vista Road and Genesee. 15 minutes

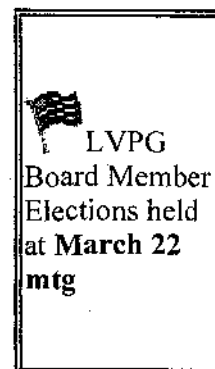
Action Item 3: Appoint an Election committee to prepare for the LVPG elections in March. Dixie Wilson presenting. 5 minutes

Action Item 4: Friars Rd / 163 Interchange. Updates and vote on proposed project to improve this interchange. 15 minutes

Information Item 1. Report from Doug Beckham concerning possible child safety issue resulting from the location of the Picnic Shelter proposed by the Linda Vista Park and Rec committee.

Information Item 2. Community Gospel Fest for L.V. at Morley Park on Saturday, April 3 - Pastor Oscar Marin - 5 minutes.

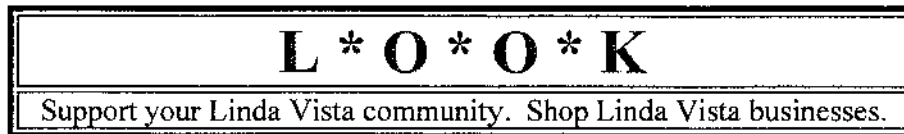
Unfinished Business (Committees)



<ul style="list-style-type: none"> <li>• <b>Zoning, TBD</b></li> <li>• <b>Traffic, Doug Beckham.</b> Stop signs, street lights, curb painting, etc.</li> <li>• <b>Landscape Maintenance Assessment District (LMAD), TBD.</b></li> <li>• <b>North Bay Redevelopment District, Gail Cole</b></li> <li>• <b>Mission Bay Park update, Rick Bussell.</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Transportation, TBD</b></li> <li>• <b>Morena Blvd. Enhancement and Beautification, TBD</b></li> <li>• <b>Tecolote Canyon</b> bi-monthly report (odd-numbered months), <i>Rob Spahitz</i></li> <li>• <b>Mission Bay / Seaworld update, Roy Hughes</b></li> <li>• <b>Review and approval of previous minutes.</b></li> </ul>
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### Adjournment

Next Meeting: **Monday, March 22, 2010**



**For questions about the agenda, contact the LVPG Chair, Jeff Perwin, 619.806.9559**

Visit the *Official Linda Vista Web Site* at: <http://www.LindaVistaSD.com>  
LVPC agendas and minutes are available at <http://www.LindaVistaSD.com/groups/lvpc.htm>

LV Community plan: <http://www.sandiego.gov/planning/community/profiles/pdf/cp/cplvfullversion.pdf>  
Linda Vista Facilities Financing Plan: <http://www.sandiego.gov/planning/facilitiesfinancing/plans/pdf/lvfv.pdf>  
Existing Conditions Linda Vista Land Use Map (As of November 2003):  
<http://www.sandiego.gov/planning/community/profiles/lindavista/pdf/11ulindavista.pdf>

North Bay Redevelopment Project Area: <http://www.sandiego.gov/redevelopment-agency/northbay.shtml>  
Linda Vista Redevelopment Project Area: <http://www.sandiego.gov/redevelopment-agency/lindavis.shtml>  
Linda Vista Maintenance Assessment District Annual Report: <http://www.sandiego.gov/park-and-recreation/pdf/08lindavistacommunity.pdf>

Community Orientation Workshop Handbook (This book has tons of very useful information relating to planning group operations): <http://www.sandiego.gov/planning/community/pdf/cow/cowfullversion.pdf>  
City Council Policy 600-24: [http://docs.sandiego.gov/councilpolicies/cpd\\_600-24.pdf](http://docs.sandiego.gov/councilpolicies/cpd_600-24.pdf)  
Community Planning Group Monthly Meeting Agendas: <http://www.sandiego.gov/planning/community/cpg/agendas.shtml>

Engaging in Public Dialogue Handbook:  
<http://www.sandiego.gov/planning/community/pdf/cpg/engagingpublic030924.pdf>  
City of San Diego Municipal Code (Includes Land Development Procedures, Zoning, etc): <http://www.sandiego.gov/city-clerk/officialdocs/legisdocs/muni.shtml>

City of San Diego Official Zoning Map: <http://www.sandiego.gov/development-services/zoning/zoning.shtml>  
Listing of all Public Notices: <http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml>

Service requests for repairs or services on street related issues: <http://apps.sandiego.gov/streetdiv/>  
Overview of the City's development process - Step by Step: <http://www.sandiego.gov/development-services/devprocess/index.shtml>

Neighborhood Code Compliance - How to Report A Violation: <http://www.sandiego.gov/nccd/report/>

(Note: Most links courtesy of Brian Schoenfisch, Senior Planner, City of San Diego, (619) 533-6457, 9/27/2007)

<b>Linda Vista's Governmental Aides available to assist you</b>		
<b>Public Office Representative</b>	<b>Contact</b>	<b>Phone Number and E-Mail</b>
Mayor Jerry Sanders City of San Diego	Denice Garcia Community Outreach Representative	619-236-7056 fax: 619-236-7228 DeniceG@SanDiego.gov
Donna Frye City Council 6th District	Mark Sauer	619-533-6462 fax: 619-236-7329 msauer@SanDiego.gov www.sandiego.gov/citycouncil/cd6
Ron Roberts County Supervisor District 4	Jason Farran	619-531-5544 fax: 619-531-6262 Jason.Farran@SDCounty.CA.gov
Lori Saldaña 76th District, CA State Assembly	Melanie Cohn	619-645-3090 fax: 619-645-3094 Melanie.Cohn@Asm.CA.gov
Christine Kehoe 39th District, CA State Senate	Jason Weisz	619-645-3133 x102 fax: 619-645-3144 Jason.Weisz@Sen.CA.gov
Susan Davis 53rd U.S. Congressional District	Katherine Fortner	619-280-5353 x13 fax: 619-280-5311 Katherine.Fortner@mail.house.gov
San Diego Police Western Division (L.V.) 619-692-4800 Non-emergency business: 619-531-2000	Sgt. Tish Taylor Officer Adam Sharki Officer Scott Spillane Linda Vista Contact Police Officers	619-692-4853 fax: 619-692-4867 TaylorL@PD.SanDiego.gov ASharki@PD.SanDiego.gov SSpillane@PD.SanDiego.gov W. Div. (L.V.) Police: 619-692-4800
San Diego Fire Dept. 2190 Comstock St @ Linda Vista Rd.	Captain Steve Linges Linda Vista Fire Station #23	619-533-4300 fax: 619-544-9351
City Planner's Office	Brian Schoenfisch Senior City Planner	619-533-6457 fax: 619-533-5951 BSchoenfisch@SanDiego.gov
City of San Diego Redevelopment Agency	Libby Day Project Manager	619-236-6272 fax: 619-533-3219 LDay@SanDiego.gov
Park and Recreation Department	Calvin Tani L.V. Parks & Recreation Area Manager	858-573-1407 fax: 858-573-1429 CTani@SanDiego.gov
San Diego Police Department	Graffiti Strike Force Officer Bryan Hewitt	619-531-2561 fax: 619-515-2715 BHewitt@PD.SanDiego.gov
North Bay Redevelopment Project Area	Lydia Goularte-Ruiz, Redevelopment Assistant Project Manager	619-236-6539 fax: 619-533-3219 lgoularteruiz@SanDiego.gov
USD Public Relations	Tom Cleary Director of Community and Gov't Relations	619-260-4659 fax: 619-260-6820 TCleary@SanDiego.edu
City of San Diego Neighborhood Code Compliance Department	Eric Picou, Land Development Investigator II Ivan Kornblau Combination Inspector II	619-533-6293 fax: 619-533-6142 EPicou@SD.gov 619-533-6133 fax: 619-533-6142
Linda Vista Tenant and Property Owner Rights	Esteta Rubalcaba-Klink Bayside Housing Counselor	858-278-0771x3032 fax: 858-278-6193 EKlink@BaysideCC.org

<b>Linda Vista Planning Group Committees and meeting times</b>		
<b>Committee</b>	<b>Meeting Time / Place</b>	<b>Chair or LVPG Representative</b>
LVPG Meeting	Linda Vista Library Meeting Room 2160 Ulric Street Monthly, 4th Monday, 6:00-8:00pm	LVPG Chair, Jeff Perwin, 619-806-9559 *
LVPG Agenda	Linda Vista Library Meeting Room 2160 Ulric Street Monthly, 2nd Monday, 5:30-7:00pm	LVPG Chair, Jeff Perwin, 619-806-9559 *
LVPG Zoning / Land-Use	(as needed)	Margarita Castro, 858-278-3134 *
LVPG Traffic	(as needed)	Doug Beckham, 858-576-6308 *
LVPG Transportation	(as needed)	TBD *
LVPG Bylaws / Elections	(as needed)	TBD *
LVPG Code Compliance (Beautification Committee)	Linda Vista Library Meeting Room 2160 Ulric Street Monthly, 4th Tuesday, 5:30pm	Sandy Duncan, 858-277-8886 *
North Bay Redevelopment Project Area Committee	County Health Services Complex in San Diego Conference Room 3851 Rosecrans Street (@ Pacific Hwy) 1st Wednesday, 7:30-9:30am, (Mar/Jun/Sep/Dec)	Gail Cole, 858-560-7937 *
Landscape Maintenance Assessment District (LMAD)	Friars Village Clubhouse 1190 Camino Copete Monthly, 3rd Tuesday, 8:30am	Ron Tomcek, 619-701-5925 *
Mission Bay Park Committee	Santa Clara Recreation Center 1008 Santa Clara Place Monthly, 1st Tuesday, 6:00pm	Rick Bussell, cell 619-917-7494 *
Tecolote Canyon Citizen's Advisory Committee (TCCAC)	Tecolote Nature Center 5180 Tecolote Road, 3rd Wednesday, jan/mar/may/jul/sep/nov, 7:00-9:00pm	Rob Spahitz, 858-292-9759 *
Linda Vista Collaborative	Bayside Community Center 2202 Comstock Street Monthly, 3rd Wednesday, 3:00-5:00pm	Grover Diemert, 858-349-1305 *
Linda Vista Historical Society	Contact Eleanor for details	Eleanor Frances (Rogers) Sennett, 858-277-3817*
Linda Vista Civic Association	Baha'i Center 6545 Alcalá Knolls Drive Monthly, 3rd Thursday, 6:30-8:00pm	Doug Beckham, 858-576-6308 *
Mission Valley River Preserve	Tecolote Nature Center 5180 Tecolote Road, 4th Thursday, feb/apr/jun/aug/oct/dec 6:00pm	TBD *
Linda Vista Recreation Council	Linda Vista Recreation Center, 7064 Levant St., 2nd Tuesday, 5:00-6:00pm	Doug Beckham, 858-576-6308 *
Kearny Mesa Recreation Council	Kearny Mesa Recreation Center, 3170 Armstrong St., 4th Wednesday of month, 6:30pm jan/feb/mar/apr/may/jun/ sep/oct/nov	Dixie Wilson, 619-465-4016 *
		* These are private phone numbers. Please respect these members' privacy when you call.

<b>ITEMS OF INTEREST</b>	
<b>Linda Vista Parade of Flags</b>	Volunteers are needed to raise and lower Linda Vista's Parade of American flags on various holidays. Call <b>Jo-Ann at 619-436-9700</b> .
<b>Television - Have a used, functional T.V.?</b>	Please donate to a Linda Vista Senior: Call <b>619-436-9700</b> .
<b>SDPD Graffiti Strike Force</b>	<b>Property owners:</b> Vandalized by graffiti? Immediately call, report and document your House or Business graffiti to <b>619-531-2561, Officer Bryan Hewitt</b> .
<b>Graffiti issues</b>	For free graffiti removal (Home or Business), call <i>Urban Corps of San Diego</i> at <b>800-829-6884</b>
	For free removal of graffiti anywhere else, call <i>Graffiti Control</i> at its 24-hour number: <b>619-525-8522</b> .
<b>FREE 15-gallon size</b>	Interested in a free 15-gallon size shade tree(s) for your house - or - business property? Contact <i>Urban Corps of San Diego: Claudia Gutierrez</i> at <b>619-235-6884 x313</b>

The Linda Vista Community Plan information can be found on the City website at <http://www.sandiego.gov/planning/community/profiles/lindavista/index.shtml>

Visit the *Official Linda Vista Web Site* at: <http://www.LindaVistaSD.com>  
or our sister site [www.LindaVista.Org](http://www.LindaVista.Org)

## Serra Mesa Planning Group

Post Office Box 23315 San Diego, CA 92193

**Minutes of Serra Mesa Planning Group Regular Meeting.**

**Thursday February 19, 2009**

**Serra Mesa/Kearny Mesa Library Community Room, 9005 Aero Dr.**

**CALL TO ORDER:** Meeting was called to order at 7:00pm.

9 of 12 board members were present constituting a quorum. There were 28 audience members present.

**Roll Call:** Present: M. Marion, J. Feinberg, D. Wescott, B. Ryan, J. Ander, B. Savall, R. McDowell, E. Jimerson, D. Shockey. 1 arrived after first 3 votes. Not present: K. Mock, A. Smith, R. McDowell

### **Approval of Minutes:**

July 2008 - B. Ryan made a motion to accept, 2nd by T. Wright. Vote (8/0/0) passes unanimously.

September 2008 - J. Feinberg made a motion to accept, 2nd by B. Savall. Vote (8/0/0) passes unanimously.

October 2008 - D. Shockey made a motion to accept, 2nd by B. Ryan. Vote (6/0/2) abstentions by 2 not present at 10/08 meeting.

November 2008 - B. Ryan made a motion to accept, 2nd by B. Savall. Vote (6/0/3) abstentions by 3 not present at 11/08 meeting.

January 2009 - D. Shockey made a motion to accept, 2nd by J. Feinberg. Vote (8/0/1) abstention by 1 not present at 01/09 meeting.

### **Community Forum:**

Michael Scott, resident and architect, talked about the solar water heater that is going to be installed at his home. There is a documentary being done on the process which will eventually be aired on KUSI about the benefits of solar water heaters. Sat 2/21 was when the installation was planned and he welcomed anyone interested to come and see. Hoping to make Serra Mesa a more green community.

Monica Fuentes, Friends of Ruffin Canyon had next planned canyon clean-up on March 7th. March 8th would be a meeting about monitoring man holes in the canyons, hoping to put together a team to help with this. April 25th will be an I Love a Clean San Diego creek to bay cleanup.

D. Wescott wanted to thank B. Ryan and Rady Children's Hospital for changing many references on their website from Kearny Mesa to Serra Mesa.

### **Legislative Aides and Community Planner:**

**Kristen Camper-Wozniak, District 6 / Council Office, 619-533-6460:** Planned community clean-up to be held at Taft, Sat. March 28th from 8am to 1pm. Could bring things like junk furniture, mattresses, etc. City budget season is starting again, more hearings outside the regular Wed hearings were planned. The first planned meeting is Feb 21st, at Hoover High, from 9am to 12pm. This was followed by talk of plans for water fees, what previous levels would be used to decide the baseline for conservation levels and/or fee hikes.

**Brian Shoenfisch, Long range planner, 619-236-6153:** Very close to opening the pedestrian tunnel under Friars Rd at Fenton Marketplace. He wanted to thank Tom Sudberry for being most responsible for getting the tunnel ready. Hopefully an opening ceremony would happen within the next month or so. He also had the latest copy of the latest draft of the Aero Dr street-scape guidelines. Plans were for the urban designer and team to join the process in about 2 months or so, having any people's comments ahead of time would be helpful.

**Main Topics:**

**Presentation on the Friars Rd / SR 163 Interchange Project, Information item:** Mark Cole, the City's project manager for the Friars Rd/163 interchange project presented along with members of Dokken Engineering which has been hired to design the project. The basics of the project are consolidating the intersections and flow between street and freeway. There will also be new segregating lanes for traffic depending on which route one will eventually take (e.g. 163S to 8 E or W will be segregated from traffic continuing S) as well as a fly-over bridge for traffic going from Friars to 163S. There was talk of funding, some is in place, some is based on expected diff fees from projects (such as Quarry Falls) and if things go as currently planned, the work would likely start on phase 1 in 2012-13. SMPG should be noticed if/when the EIR process proceeds.

There is a small overview page with an image of the project located on the web at:

<http://www.dokkenengineering.com/projects/friars.html>

**SMPG Elections, Candidates:** Running for re-election: J. Feinberg, E. Jimerson, R. McDowell, D. Wescott. New candidates: Dicken Hall, Brian Peterson, Bridget Lewis. Not returning: K. Mock, J. Ander. Voting will be to fill a total of 6 seats.

**Bylaws:** This city project has been ongoing for approximately 2 years. The bylaws that were approved in November stand, however we do not have a copy yet. 1 change D. Wescott remembers is that a community member only has to attend 2 meetings (vs 3) in the previous 6 months. Council policy 600-24 is the bases for the bylaws/regulations, the city has created a condensed guide for city Planning Groups, but it hasn't been released yet. There was a statement from the City Attorney clarifying that board members are indemnified; there was some lack of certainty previously. However, indemnification doesn't reach to non-board members of sub-committees; the CPC is working to get these people covered as well. There was also mention that the city is planning on creating a new eCOW system that would allow doing the COW (Comm. Orientation Workshop) requirement online vs having to attend in person on the city schedule.

**Sewer Line Project, Murray Canyon:** City wants to put in a new sewer line from Hummingbird Ln to the bottom of the canyon. Not clear on details or why city wants to install this new line, working on getting more details. There were concerns about effecting endangered species in the area as well as the flora. There was also discussion of poor water run-off on Ainsley Ct, not sure if it was sewer water or not. E. Jimerson said he could call the city water department to have them take a look to see if it's a leak or not.

**Misc:**

**Serra Mesa Street Fair in danger of being cancelled again:** D. Wescott wanted to let people know the danger that the fair might be cancelled again. If people really wanted it to happen, they should sign up for volunteer work. Fears that if it's cancelled a second time in a row, it might be difficult to get it started up again in the future. The current organizer was in the audience and said the tentative date is for the end of September. There is also talk of scaling down the size as there is little time to organize a large fair. People asked what was being done: re-crafting of the funding as it was very reliant on donations, mostly from businesses. The Charges and city helped out a bit in the past. Want to bring in more local businesses.

**Palladium at Aero Update, C. Moore:** CEQA Environmental meeting due to the filing of the lawsuit planned for Monday (2/23) which is held to see if the 2 parties can negotiate an agreement. This meeting is held with the City Atty and developer to see if there's a way to avoid going to court. People have been going to door to door to help raise awareness and ask for donations. Signs have been the most effective, signs have also been vanishing all over the neighborhood. The city ruling of "no impact" is the biggest issue.

**Adjournment:** Meeting adjourned at approximately 8:41pm  
MTM 2/17/2009

PLANNING COMMISSION RESOLUTION NO.  
SITE DEVELOPMENT PERMIT NO. 222387  
**SR-163/FRIARS ROAD INTERCHANGE – PROJECT NO. 72782 [MMRP]**

WHEREAS, CITY OF SAN DIEGO, a municipal corporation, and the STATE OF CALIFORNIA, Owner/Permittee, filed an application with the City of San Diego for a permit to implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road (as described in and by reference to the approved Exhibits “A” and corresponding conditions of approval for the associated Permit No. 222387), along approximately 2.1 miles of public right-of-way of State Route 163 and 0.8 mile of public right-of-way of Friars Road and other local roads in the immediate vicinity to State Route 163 at Friars Road;

WHEREAS, the project site is located within the public right-of-way of State Route 163 and Friars Road and other local roads in the immediate vicinity to State Route 163 at Friars Road in the OF-1-1, OR-1-1, RS-1-7, RM-1-1 Zones and MVPD-MV-M/SP, MVPD-MV-1, MVPD-MV-CO and MVPD-MV-CR Zones of the Mission Valley Planned District within or adjacent to the Mission Valley, Linda Vista and Serra Mesa Community Plan areas;

WHEREAS, the project site is legally described as public right-of-way;

WHEREAS, on June 17, 2010, the Planning Commission of the City of San Diego considered Site Development Permit No. 222387 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated June 17, 2010.

**Site Development Permit - Section 126.0504**

**A. Findings for all Site Development Permits**

- 1. The proposed development will not adversely affect the applicable land use plan.** The project will implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road.

The overarching objective of the Transportation Element of the Mission Valley Community Plan is to facilitate transportation into, throughout and out of Mission Valley while seeking to establish and maintain a balanced transportation system. The project will improve traffic operations in the vicinity of the State Route 163/Friars Road interchange by substantially upgrading State Route 163/Friars Road interchange ramps, State Route 163 freeway mainlines between Interstate 8 and the Genesee Avenue interchange to the north, and Friars Road between the Fashion Valley Center and Hazard Center. Upgrades to the circulation system will accommodate both the current vehicular traffic volumes and the projected traffic volume increase, improve



vehicular traffic operations through the addition of travel lanes, and eliminate current weaving patterns at the State Route 163/Friars Road merge. The project will be consistent with the Transportation Element of the Mission Valley Community Plan. The project also will be consistent with objectives of the Open Space, Conservation and Urban Design elements of the Mission Valley Community Plan.

The project would support the goals of the Transportation Element in the Linda Vista Community Plan, which include maintaining and improving the street system to enhance traffic flow; providing safe and pleasant pedestrian walkways and bikeways to connect residential neighborhoods, schools, parks and commercial areas; and providing street landscaping along major streets and at community entrances. The project will be consistent with the Transportation Element in the Linda Vista Community Plan. The project also will be consistent with objectives of the Open Space and Urban Design elements of the Linda Vista Community Plan.

A small portion of State Route 163 is located in the Serra Mesa Community Plan. The goal of the Transportation Element is to provide a safe, balanced, efficient transportation system with minimal adverse environmental effects. The project will improve the transportation system and minimize environmental impacts to the greatest extent possible. The project will be consistent with the Serra Mesa Community Plan.

Vehicle congestion relief is an overall goal of the General Plan's Mobility Element and subsequent policies are included in each community plan to limit traffic congestion and enhance traffic flow as part of a balanced multi-modal transportation network, reducing automobile congestion and pollution, thus improving the quality of life in the region. Therefore, the proposed development implements the Mission Valley, Linda Vista and Serra Mesa Community Plan guidelines, as well as goals and objectives of the General Plan, and will not adversely affect the applicable land use plans.

The project was deemed complete on June 24, 2005, prior to the update of the General Plan in March 2008. Therefore, the project was reviewed with consideration of the policies of the previous General Plan. The project is consistent with the broader goals and objectives of updated General Plan of 2008.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The project will implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road.

The project has been designed to alleviate traffic congestion at the State Route 163/Friars Road interchange and along the State Route 163 corridor. The project is sensitive to residents in the area and would include the construction of noise barriers to avert traffic noise impacts. The project design and implementation process would meet all relevant federal and local requirements for floodplain encroachment. Since the project will improve traffic flows, emissions associated with idling due to traffic congestion will ultimately be reduced, resulting in a beneficial effect with regard to air quality. In addition, emergency services, including police and fire services, will benefit as a result of reduced traffic congestion.

Vehicle congestion relief is an overall goal of the General Plan's Mobility Element and subsequent policies are included in each community plan to limit traffic congestion and enhance traffic flow as part of a balanced multi-modal transportation network, reducing automobile congestion and pollution, thus improving the quality of life in the region. The proposed project will support the provision of public services; such as, police, fire, medical, schools, public parks and libraries through the improvements to the local and regional circulation system of freeways and local streets. The proposed project will support the economy by improving the flow of goods and services at the local and regional scale by the improvements to the circulation system. The proposed project will incorporate energy and water efficient materials and efficiency strategies, and has been planned and designed to conform with the wide variety of the City of San Diego's codes, policies, and regulations, whose primary focus is the protection of the public's health, safety, and welfare. The proposed project is sensitive to the natural open space and view opportunities surrounding the project and is designed to provide a quality development that will not be detrimental to the public health, safety, and welfare. The proposed development will provide public benefits which would not have occurred otherwise. The development will also provide for the public's health, safety, and welfare by constructing all structures in accordance with current construction standards and codes. All structures constructed will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, mechanical and fire codes to assure the structures will meet or exceed the current regulations. As such the proposed development will not be detrimental to the public health, safety, and welfare.

**3. The proposed development will comply with the applicable regulations of the Land Development Code.** The project will implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road. The project will meet the purpose and intent of the Mission Valley Planned District regulations to ensure the development will be accomplished in a manner that enhances and preserves sensitive resource areas, except where there are no viable alternatives; improves the local and regional vehicular, bicycle, pedestrian and public transit circulation network; and contributes to the aesthetic and functional well-being of the community. These regulations link development intensity to the traffic levels allowed under the adopted community plan, and respond to the unique topography and biology of Mission Valley through land use and design criteria.

The proposed improvements in all respects comply with the Land Development Code, as applicable, except for one deviation required for impacts to biological resources. Although the project requires one deviation, the project will comply with the purpose and intent of the Mission Valley Planned District and the Environmentally Sensitive Lands regulations.

## **B. Supplemental Findings--Environmentally Sensitive Lands**

**1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.** The project will implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west

of Mission Center Road. Through the environmental review process impacts which might occur were identified and project revisions were made to avoid potential impacts to the greatest extent possible.

The project will be constructed immediately adjacent to existing roadways to minimize impacts to sensitive habitats and the Multi-Habitat Planning Area. The project alignment will result in fewer impacts to sensitive habitats than a more dispersed alignment. The project footprint was refined to eliminate incursion into sensitive upland habitat where possible and specifically along Ulric Street. The project, including associated facilities, will impact 0.26 acres of disturbed southern willow scrub and 0.43 acres of southern cottonwood-willow riparian forest. These wetland/riparian habitats do support sensitive plant or animal species, yet cannot be avoided because they are located immediately adjacent to the existing State Route 163 bridge and southbound on-ramp from Ulric Street, where the project would be constructed. The impacts resulting from the implementation of the project will be minimized to the greatest extent feasible.

The project will result in impacts to environmentally sensitive lands yet are the minimum disturbance possible and construct the needed public improvements vital to result in the project benefits to the community and region.

**2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The project will implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road.

The project will minimize grading to the greatest extent possible. In some locations within the scope of the project the use of retaining walls will be employed to minimize grading and preserve private properties. All slopes within the project scope will be revegetated with landscaping to stabilize the slopes and minimize erosion.

The site is located within Geologic Hazard Zones 31, 32, 52, and 53 as shown on the City's Seismic Safety Study Geologic Hazards Maps. Zone 31 is characterized by a high potential for liquefaction-shallow groundwater, major drainages, and hydraulic fills. Zone 32 is characterized by low potential for liquefaction, fluctuating groundwater, and minor drainages. Zone 52 is characterized by other level areas, gently sloping to steep terrain with favorable geologic structure of low risk. Zone 53 is characterized by level or sloping terrain, unfavorable geologic structure of low to moderate risk.

The geotechnical consultant indicated, in their report "Addendum 1 to Geotechnical Design Report SCS&T 0311116," report no. 3R and "Structure Foundation Design Report SCS&T 0311116," report no. 4R, Friars Road at State Route 163, Bridge No. 57-595, 11-SD-163-R069-84, EA Number 11-085780, San Diego, California, prepared by Southern California Soil & Testing, Inc., dated October 30, 2008; there is a high potential for liquefaction within the site and indicated mitigation of this condition should require design and construction of deep foundations

The project will not result in any increased risk of flood or fire hazards. The project site crosses the San Diego River, a federally protected wetland and waterway. The project will not result in any negative alteration to the river and will comply with all federal requirements for streambed alteration. The improved circulation system resulting from the implementation of the project will improve the emergency services response in the community and will not result in any increased risk from fire hazards.

The project has been designed to result in the minimum disturbance possible to environmentally sensitive lands while allowing development of the public improvement project.

**3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The project will implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road.

The southernmost portion of the project site, adjacent to the San Diego River, is located within the Multi-Habitat Planning Area. The project will be constructed immediately adjacent to existing roadways to minimize impacts to sensitive habitats both on abutting slopes and within the Multi-Habitat Planning Area. The proposed bridge crossing of the San Diego River would minimize impacts on special flood hazard areas. The proposed project will be consistent with all regulations of the Environmentally Sensitive Lands ordinance, with the exception of the one deviation.

The project, including associated facilities, will impact 0.26 acres of disturbed southern willow scrub and 0.43 acres of southern cottonwood-willow riparian forest. These wetland/riparian habitats do support sensitive plant or animal species, yet cannot be avoided because they are located immediately adjacent to the existing State Route 163 bridge and southbound on-ramp from Ulric Street, where the project would be constructed. The impacts resulting from the implementation of the project will be minimized to the greatest extent feasible.

The project will result in impacts to environmentally sensitive lands yet are the minimum disturbance possible and construct the needed public improvements vital to result in the project benefits to the community and region.

**4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.** The project will implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road.

Only the southernmost portion of the study area contains land, adjacent to the San Diego River, within the Multi-Habitat Planning Area. The Multiple Species Conservation Program MSCP Subarea Plan specifically states that existing roads are considered compatible uses within the Multi-Habitat Planning Area, and that where locating new roads outside of the Multi-Habitat Planning Area is not feasible the road will be designed to cross the shortest length possible of the Multi-Habitat Planning Area in order to minimize impacts and fragmentation of sensitive species

and habitat, with bridges being the preferred construction method. With regard to the project, the need for the new lanes is directly related to weaving traffic patterns on the abutting portion of State Route 163, and by necessity must be sited in this area as doing so will result in the greatest safety and most prudent and feasible location. The new lanes are proposed for the west side of the bridge, which is the area where the Multi-Habitat Planning Area is most narrow, as well as the area with the least amount of sensitive habitat. In addition, all sensitive habitats will be flagged and monitored for avoidance during project construction. The project design minimizes both construction and operational impacts to the greatest extent possible in terms of ground disturbance and uses bridge construction rather than culverts to provide the greatest potential for wildlife movement without impediment. Impacts to disturbed southern willow scrub and southern cottonwood-willow riparian forest will be mitigated at a 3:1 ratio, impacts to Diegan coastal sage scrub, including pristine and disturbed areas, will be mitigated at a 1:1 ratio, and impacts to non-native grassland will be mitigated at a 0.5:1 ratio. Furthermore, mitigation for impacts to vegetation communities will occur within or adjacent to the Multi-Habitat Planning Area, enhancing the value of resources in the preserve. The project will comply with the City's Multi-Habitat Planning Area Land Use Adjacency Guidelines regarding drainage, toxics, lighting, noise, barriers and invasive species. Noise impacts to sensitive avian species would be significant; however, with implementation of mitigation, impacts would be reduced to below a level of significance. Therefore, the project would be consistent with the City's MSCP Subarea Plan.

**5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.** The project will implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road. All appropriate and effective erosion control measures will be implemented during construction to prevent inappropriate storm water runoff and soil erosion. The project site is located several miles inland from public beaches and local shoreline and development of the project will not contribute to erosion of public beaches or adversely affect shoreline sand supply.

**6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.** The project will implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road. The project design and mitigation measures have been refined to alleviate all potentially adverse impacts identified through the environmental review process. All mitigation measures identified in the Environmental Impact Report No. 72782 associated with the project have been adopted and will be incorporated by reference into the Site Development Permit. Thus, all mitigation reasonably related to and calculated to alleviate negative impacts created by the project will be incorporated in the conditions of the development permit.

### C. Supplemental Findings--Environmentally Sensitive Lands Deviations

**1. There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands.** The project will implement proposed improvements along

State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road.

The project will impact 0.26 acres of disturbed southern willow scrub and 0.43 acres of southern cottonwood-willow riparian forest. These wetland/riparian habitats do support sensitive plant or animal species, yet cannot be avoided because they are located immediately adjacent to the existing State Route 163 bridge and southbound on-ramp from Ulric Street, where the project would be constructed. The impacts to southern cottonwood-willow riparian forest are unavoidable due to the location of the habitat abutting the existing bridge crossing the San Diego River. These impacts are unavoidable due to engineering design constraints related to minimum curve radii and skew of the proposed flyover on-ramp to southbound SR 163 from Ulric Street necessary to achieve public safety. The proposed bridge has been placed adjacent to the existing bridge at the narrowest habitat point to limit impacts to the least amount practical. Impacts to Diegan coastal sage scrub are unavoidable due to the location of the habitat abutting the existing State Route 163 roadway and the inclusion of two additional southbound lanes will result in the roadway being widened to the west. In addition to impacting the minimum amounts of these habitats necessary to accommodate permanent roadway improvements, temporary impacts will also be minimized. Where the project will cross the San Diego River, the construction corridor has been restricted to forty feet, which is the minimum required for the bridge construction equipment and activities. All temporary construction easements will be restricted to the minimum necessary for construction. No construction buffer will be provided. Instead, Diegan coastal sage scrub and riparian habitats will be flagged and monitored during construction to ensure that incursions within the habitat do not occur.

The project right-of-way and grading will be narrowed to the maximum extent possible to minimize the potential adverse effects on Environmentally Sensitive Lands. There are no feasible measures that can further minimize the potential adverse effects from the project on Environmentally Sensitive Lands. Mitigation will occur within the same segment of the river where the impact has occurred. Where this is not possible, mitigation will be created elsewhere within the study area.

The impacts resulting from the implementation of the project will be minimized to the greatest extent feasible. The project will result in impacts to environmentally sensitive lands yet are the minimum disturbance possible and construct the needed public improvements vital to result in the project benefits to the community and region.

**2. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making.** The project will implement proposed improvements along State Route 163 from the merge with Interstate 8 at the southern extent to the State Route 163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road.

The project incorporates the City of San Diego Street Design Manual and California Department of Transportation requirements while endeavoring to minimize impacts to environmentally sensitive biological resources. The design of the project must also comply with engineering standards to address public safety, as well as the design goals of the Mission Valley and Linda

Vista community plans. In so doing, disturbance of environmentally sensitive biological resources will be unavoidable yet minimized to the greatest extent possible. The request for a deviation to disturb environmentally sensitive biological resources is the minimum necessary to afford relief from special circumstances or conditions of the land. The condition of the land is not of the applicant's making. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land and not of the applicant's making.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 222387 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 222387, a copy of which is attached hereto and made a part hereof.

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Jeannette Temple  
Development Project Manager  
Development Services

Adopted on: June 17, 2010

Job Order No. WBS#S-00851.02.06

**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL STATION 501

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WBS No. S-00851.02.06

**SITE DEVELOPMENT PERMIT NO. 222387**  
**SR-163/FRIARS ROAD INTERCHANGE – PROJECT NO. 72782 [MMRP]**  
**PLANNING COMMISSION**

This Site Development Permit No. 222387 is granted by the Planning Commission of the City of San Diego to the CITY OF SAN DIEGO, a municipal corporation, and the STATE OF CALIFORNIA, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504. The project is generally described as approximately 2.1 miles along State Route 163 and 0.8 mile along Friars Road and is located in the OF-1-1, OR-1-1, RS-1-7, RM-1-1 Zones and MVPD-MV-M/SP, MVPD-MV-1, MVPD-MV-CO and MVPD-MV-CR Zones of the Mission Valley Planned District within the Mission Valley, Linda Vista and Serra Mesa Community Plan areas. The project site is legally described as public right-of-way.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to implement proposed improvements along SR-163 from the merge with Interstate 8 at the southern extent to the SR-163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 17, 2010, on file in the Development Services Department.

The project shall include:

- a. Approximately 2.1 miles along State Route 163 and 0.8 mile along Friars Road to implement proposed improvements along SR-163 from the merge with Interstate 8 at the southern extent to the SR-163/Genesee Avenue interchange in the northern extent, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road;
- b. Deviations for impacts to sensitive biological resources;



- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Retaining walls, fences, signs, lighting; and
- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Applicant/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Applicant/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Applicant/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Applicant/Permittee shall secure all necessary construction permits. The Applicant/Permittee is informed that to secure these permits, substantial modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Applicant/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Applicant/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Applicant/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Applicant/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Applicant/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Applicant/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

11. This Permit may be developed in phases.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

12. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

13. The mitigation measures specified in the MMRP and outlined in Environmental Impact Report No. 72782 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Applicant/Permittee shall comply with the MMRP as specified in Environmental Impact Report No. 72782 to the satisfaction of the Development Services Department and the City Engineer. Prior to the issuance of the "Notice to Proceed" with construction, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- Biological Resources;
- Historical Resources;
- Paleontological Resources;
- Noise;
- Air Quality; and
- Public Facilities and Services

15. The issuance of this permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 (EAS) and any amendments thereto (16 U.S.C. Section 1531 et seq.). In accordance with authorization granted to the City of San Diego from the USFWS pursuant to Sec. 10(a) of the ESA and by the CDFG pursuant to Fish & Game Code sec. 2835 as part of the Multiple Species Conservation Program (MSCP), the City of San Diego through the issuance of this Permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement (IA), executed on July 17, 1997 and on File in the Office of the City Clerk as Document No. 00-18394.

16. Third Party Beneficiary status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS or CDFG, except in the limited circumstances described in Section 9.6 and 9.7 of the IA. For lands identified as mitigation but not yet dedicated, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

**INFORMATION ONLY:**

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on June 17, 2010, and Planning Commission Resolution No. PC-XXXX

Permit Type/PTS Approval No.: SDP 222387  
Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

\_\_\_\_\_  
Jeannette Temple  
Development Project Manager

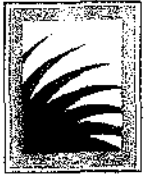
\_\_\_\_\_  
**The undersigned Owner/Permittee**, by execution hereof, agrees to each and every condition of  
this Permit and promises to perform each and every obligation of Applicant/Permittee hereunder.

**CITY OF SAN DIEGO,**  
**A Municipal Corporation**  
Owner/Permittee

By \_\_\_\_\_  
NAME  
TITLE

**CALIFORNIA, State of**  
Owner/Permittee

By \_\_\_\_\_  
NAME  
TITLE



San Diego  
Regional  
Economic  
Development  
Corporation

**ATTACHMENT 13**

February 12, 2010

The Honorable Barbara Boxer  
United States Senate  
112 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Boxer:

On behalf of the San Diego Regional Economic Development Corporation, I am writing in support the City of San Diego's federal funding request for critical improvements to the State Route 163 (SR-163) to accommodate the high-volume of residential, commuter and commercial traffic on this corridor.

The SR-163 links the Interstate 15 at Miramar to the Interstate 5 and downtown San Diego. The proposed project includes widening and restriping of Friars Road from Ulric Street to Avenida de Las Tiendas, at the entrance of the Fashion Valley Mall. The project will incorporate sidewalks and bike lanes on both sides of Friars Road which will enhance safety and pedestrian walkability. In addition, restriping and resurfacing of Avenida de las Tiendas will resolve significant safety issues associated with queuing on Friars Road.

San Diego Regional Economic Development Corporation is pleased to support the City's efforts to increase access to regional retail, commercial, and sports venues. EDC urges your support of the City of San Diego's funding application.

Sincerely,

Andrew Poat  
Vice President, Policy

530 B Street  
Seventh Floor  
San Diego  
CA 92101

Ph: 619-234-8484  
Fax: 619-234-1935

[www.sandiego-business.org](http://www.sandiego-business.org)

February 19, 2010

The Honorable Barbara Boxer  
United States Senate  
112 Hart Senate Office Building  
Washington, DC 20510

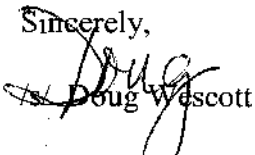
Dear Senator Boxer:

On behalf of the Serra Mesa Planning Group, I am writing in support of the City of San Diego's federal funding request for the State Route 163 (SR-163)/Friars Road interchange project. This interchange is currently rate at F by the City of San Diego. The project is desperately needed to accommodate the high volume of residential, commuter and commercial traffic currently using this interchange and surrounding roads, and in anticipation of the impact of nearly 5,000 new dwelling units and commercial and retail projects at the approved Quarry Falls project. This interchange continues to grow more and more congested. Future projects at Hazard Center, Riverwalk Golf Course, and others, will add to the congestion.

The SR-163 links the Interstate 15 near MCAS Miramar to Interstate 5 and downtown San Diego. It also handles traffic from events held at Qualcomm Stadium on Friars Road, including that from San Diego Charger football games, San Diego State Aztecs football games, and many other events throughout the year. The project incorporates new sidewalks and bike lanes on both sides of Friars Road and so will enhance safety and pedestrian walkability.

The Serra Mesa Planning Group believes strongly that this project is one of the most important projects planned for San Diego, and so fully supports the City's efforts to gain federal funding to bring needed improvements to this interchange. We urge your support of the City of San Diego's funding application.

Sincerely,

  
Doug Wescott

Doug Wescott  
Chair, Serra Mesa Planning Group



RESOLUTION NUMBER R- \_\_\_\_\_

ADOPTED ON \_\_\_\_\_

WHEREAS, on June 24, 2005, the City of San Diego Engineering and Capital Projects Department submitted an application to Development Services Department for a Site Development Permit; and

WHEREAS, the permit was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on June 17, 2010; and

WHEREAS, the Planning Commission of the City of San Diego considered the issues discussed in Environmental Impact Report No. 72782/SCH No. 2005111032; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission that it be, and it is hereby certified, that Environmental Impact Report No. 72782/SCH No. 2005111032, in connection with the Site Development Permit No. 222387 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines thereto (California Administrative Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code Section 21081 and Administrative Code Section 15091, the Planning Commission hereby adopts the Findings made with respect to the project, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that pursuant to California Administrative Code Section 15093, the Planning Commission hereby adopts the Statement of Overriding Considerations, a copy of which is attached hereto and incorporated herein by reference, with respect to the project.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code, Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: Jeannette Temple, Development Project Manager

By: \_\_\_\_\_  
Jeannette Temple, Development Project Manager

ATTACHMENT(S): Exhibit A, Findings  
Exhibit B, Statement of Overriding Considerations  
Exhibit C, Mitigation Monitoring and Reporting Program

**CANDIDATE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS  
REGARDING THE ENVIRONMENTAL IMPACT REPORT  
FOR THE STATE ROUTE 163/FRIARS ROAD PROJECT**

Project No. 72782  
SCH No. 2005111032  
June 17, 2010

**I. INTRODUCTION**

The following Findings and Statement of Overriding Considerations are made for the Environmental Impact Report (EIR) for the State Route (SR) 163/Friars Road project (Project). The EIR (City of San Diego Project No. 72782 and SCH No. 2005111032), which is incorporated by reference herein, analyzes the significant and potentially significant environmental impacts that may occur as a result of the Project.

The California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations Section 15000 et seq.) require that no public agency shall approve or carry out a project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.

The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

[CEQA, Section 21081(a); Guidelines, Section 15091(a).]

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

CEQA further requires the decision-making agency to balance, as applicable, the economic, legal, social, technical, or other benefits of a proposed project against its unavoidable

environmental effects when determining whether to approve the project. If the specific economic, legal, technological, or other benefits, including region-wide or state-wide environmental benefits, of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable" (Section 15093(a) of the State CEQA Guidelines). When the lead agency approves a project that will result in the occurrence of significant effects that are identified in the EIR, but are not avoided or substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the EIR and/or other information in the record (Guidelines, Section 15093(b)). This statement of overriding considerations shall be supported by substantial evidence in the record, and does not substitute for, and shall be in addition to, findings required pursuant to Section 15091 (Sections 15093(b) and (c) of the State CEQA Guidelines).

The following Findings and Statement of Overriding Considerations have been submitted by the Project applicant as candidate Findings to be made by the decision-making body. The Development Services Department, Environmental Analysis Section, does not recommend that the discretionary body either adopt or reject these Findings. They are attached to allow readers of this report an opportunity to review potential reasons for approving the Project despite the significant unmitigated effects identified in the EIR.

## **II. PROJECT DESCRIPTION AND PURPOSE**

Project improvements would encompass SR 163 from the merge with Interstate 8 (I-8) in the south to the SR 163/Genesee Avenue interchange in the north, as well as the Friars Road corridor from west of Avenida de las Tiendas to west of Mission Center Road. The study area lies within the boundaries of three City of San Diego community plans: Mission Valley, Linda Vista and Serra Mesa.

The total length of the Project is approximately 2.1 miles along the SR 163 mainline and 0.8 mile on Friars Road. The Project would include construction of new at-grade lanes (also referred to as a "collector-distributor") on the west side of southbound SR 163 approaching Friars Road, connecting to westbound I-8/Hotel Circle North. Additional design elements would involve modifications to the existing SR 163/Friars Road interchange partial cloverleaf, including the addition of a flyover bridge from Ulric Street to southbound SR 163 and the widening of Friars Road and the Friars Road Bridge. The Friars Road Bridge would be widened over SR 163 from 6 to 10 lanes, and sidewalks would be added along both sides of the bridge. Friars Road east of the northbound SR 163 on-ramp would be widened. The west side of Frazee Road immediately north and south of Friars Road also would be widened. The median in Avenida de las Tiendas would be removed and the roadway would be restriped to provide three southbound lanes and three northbound lanes. Traffic signals would either be installed or upgraded at Friars Road/Ulric Street, Ulric Street/southbound SR 163 on-ramp, Friars Road/northbound SR 163 on-ramp, and Frazee Road/Murray Canyon Road. Fifteen retaining walls and up to 10 noise attenuation barriers would be constructed along SR 163 and Friars Road.

Implementation of the Project would require the following discretionary actions: Site Development Permit (City), temporary and permanent land and easement acquisitions (City), Noise Control Permit (City), Right-of-Entry Permit (City), Section 404 Permit (U.S. Army Corps

of Engineers), Section 7 Consultation (informal) (U.S. Fish and Wildlife Service), Longitudinal Encroachment Permit(s) (Caltrans District 11), Section 106 Compliance (State Historic Preservation Officer), Section 1602 Streambed Alteration Agreement (California Department of Fish and Game), Section 401 Certification (California Regional Water Quality Control Board [RWQCB]), conformance with Municipal Storm Water Permit (RWQCB), conformance with General Groundwater Extraction Waste Discharge Permit (RWQCB), conformance with Caltrans Permit for Storm Water Discharges from Caltrans Properties, Facilities, and Activities (State Water Resources Control Board [SWRCB]), General Construction Activity Storm Water Permit (SWRCB), and approval of a bus turnout at the northwest and southeast corners of Friars Road/Frazee Road (Metropolitan Transit System).

The Project has been designed to:

- Achieve acceptable levels of service on the interchange and surrounding local street system, and reduce traffic weaving where possible, through the Project design year 2030.
- Relieve traffic congestion, delays and queues on the interchange and surrounding local street system caused by population growth and planned land use development in the Mission Valley area.
- Provide a standard and efficient interchange facility for vehicle traffic on SR 163 and for vehicle, pedestrian and bicycle traffic on Friars Road.
- Enhance operational characteristics.
- Comply with the intent of the *Mission Valley Community Plan* to improve the SR 163/Friars Road interchange and widen Friars Road.

### III. ISSUES ADDRESSED IN EIR

The EIR contains an environmental analysis of the potential impacts associated with implementing the proposed Project. The major issues addressed in this EIR were determined to be potentially significant based on review by the City. These issues include land use, traffic/circulation, hydrology/water quality, biological resources, historical resources, geology/seismicity/soils, paleontological resources, aesthetics/neighborhood character/visual quality, noise, air quality, public facilities and services, and hazardous materials.

The following issues are not discussed further in this document, as the EIR analysis found the related impacts to be less than significant:

- Land use
- Traffic/circulation
- Hydrology/water quality
- Geology/seismicity/soils
- Hazardous materials

The following issues are discussed in Section IV, as these issues have related impacts that would be mitigated to below a level of significance:

- Biological resources (loss of sensitive habitats, plants, and animals)

- Historical resources (loss of significant historical resources)
- Paleontological resources (loss of significant paleontological resources)
- Noise (residential vibration impacts from pile installation)
- Public facilities and services (demolition and construction waste disposal)

The following issues are discussed in Section V, as these issues have related impacts that cannot be mitigated to below a level of significance:

- Aesthetics/neighborhood character/visual quality (retaining walls and construction appearance)
- Noise (nighttime construction noise)
- Air quality (oxides of nitrogen [NO<sub>x</sub>] construction emissions)

#### **IV. FINDINGS REGARDING IMPACTS THAT CAN BE MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE (PUBLIC RESOURCES CODE §21081(a)(1))**

The City, having reviewed and considered the information contained in the EIR, finds pursuant to Public Resources Code Section 21081(a)(1) and Guidelines Section 15091(a)(1) that changes or alterations have been required in, or incorporated into, the Project, which would mitigate, avoid, or substantially lessen to below a level of significance the following potentially significant environmental effects identified in the EIR: biological resources (direct and indirect), historical resources (direct), paleontological resources (direct), noise (temporary direct), and public facilities and services (temporary direct).

##### **A. Biological Resources - Loss of Sensitive Habitats, Plants, and Animals (Direct and Indirect)**

**Potential Impacts:** The Project would have direct significant but mitigable impacts to southern willow scrub, southern cottonwood-willow riparian forest, Diegan coastal sage scrub and non-native grassland; direct impacts to San Diego barrel cactus, San Diego County viguiera and orange-throated whiptail; and potential indirect impacts to western bluebird, yellow-breasted chat, raptors, least Bell's vireo, and southwestern willow flycatcher.

**Facts in Support of Findings:** The Project's significant direct and indirect impacts to biological resources would be mitigated to below a level of significance with the implementation of Mitigation Measures BR-1 to BR-11. These mitigation measures were formulated to satisfy the requirements of the City of San Diego's MSCP (1997) and Biology Guidelines (2002).

With the implementation of Mitigation Measures BR-1 to BR-6, all significant sensitive habitat impacts would be mitigated to below a level of significance. Impacts to wetlands (0.26 acre of disturbed southern willow scrub and 0.43 acre of southern cottonwood-willow riparian forest) would be mitigated at a 3:1 ratio (with a minimum 1:1 creation component) at Mast Park (Mitigation Measures BR-1 and BR-2). The temporary and permanent loss of sensitive upland habitat (Diegan coastal sage scrub and non-native grassland) would be mitigated through the purchase of upland habitat credits through the City of San Diego Habitat Acquisition Fund (Mitigation Measure BR-3). This habitat mitigation also would mitigate impacts to San Diego



County viguiera and orange-throated whiptail. To ensure other habitat impacts are avoided and restoration plans are appropriately implemented, Mitigation Measure BR-4 includes requirements related to construction-related permits and plans, pre-construction meetings, construction monitoring, and post-construction mitigation monitoring and reporting requirements. To ensure avoidance of Multi-Habitat Planning Area (MHPA) impacts, Mitigation Measure BR-5 requires verification that the MHPA boundaries and the delineation of the limits of disturbance are shown on all construction documents, as well as implementation of measures to minimize indirect impacts. The appropriate Clean Water Act Section 401 and 404 and California Department of Fish and Game Code Section 1600 approvals shall be secured (Mitigation Measure BR-6).

Significant impacts to San Diego barrel cacti would be reduced to less than significant levels through implementation of Mitigation Measure BR-7. This measure requires the salvage and relocation of San Diego barrel cacti from the impact area to suitable habitat within the biological study area.

Potential impacts to nesting sensitive bird species (western bluebird, yellow-breasted chat, raptors, least Bell's vireo and southwestern willow flycatcher) would be mitigated through Mitigation Measures BR-8 to BR-11. These measures require pre-grading surveys for active nests on site and within the potential indirect impact range (specific to each species) if grading is proposed to occur during the species' breeding season (varies by species). If nesting birds are located or considered likely, mitigation in conformance with the City's Biology Guidelines shall be completed. If no nesting birds are located or expected to occur, no further action is required.

#### **B. Historical Resources - Loss of Significant Historical Resources (Direct)**

Potential Impacts: The Project would have a potential significant but mitigable impact to unknown buried historical resources within the alluvial portions of the area of potential effect associated with the San Diego River.

Facts in Support of Findings: Implementation of Mitigation Measures HR-1 to HR-6 would reduce any impacts related to the discovery of unidentified historic resources during Project (including off-site wetland mitigation) implementation to less than significant levels. This mitigation would require a qualified principal investigator for historical resources to attend key pre-construction meetings, monitor all grading/excavation/trenching activities, have the authority to divert or halt trenching activity in the area of discovery, determine significance of any discoveries, ensure any necessary curation is completed, and complete/submit monitoring reports. The Native American monitor would determine the extent of his/her presence during construction-related activities. Also, any discovery of human remains would be addressed and treated in accordance with California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5), which requires immediate notification to the County Medical Examiner and within 24-hours to the Native American Heritage Commission. Completion of these measures would ensure any significant historical resources are properly curated and preserved for future generations, and that human remains are properly handled. Thus, potential impacts to historical resources would be reduced to less than significant levels.

**C. Paleontological Resources - Loss of Significant Paleontological Resources (Direct)**

**Potential Impacts:** The Project would have the potential for significant direct impacts to sensitive paleontological resources during excavation.

**Facts in Support of Findings:** Potential direct impacts to paleontological resources would be mitigated to below a level of significance through the implementation of Mitigation Measures PR-1 to PR-4. This mitigation requires a qualified paleontologist to implement a monitoring program. The monitor would be present during all grading/excavation/trenching activities, have the authority to divert or halt such activities if fossils are located, ensure recordation of fossils at the San Diego Natural History Museum, and provide documentation in monitoring reports. This mitigation would reduce the Project's potential paleontological resource impacts to below a level of significance.

**D. Noise - Residential Vibration Impacts from Pile Installation (Direct)**

**Potential Impacts:** The Project would have potential temporary, short-term direct impacts if vibratory pile installation is completed within 500 feet of residences.

**Facts in Support of Findings:** Mitigation Measure N-1 would require the contractor to baffle the equipment and/or reduce the number of hours per day the vibratory pile installation equipment is in operation to achieve a 12-hour noise level of 75 average A-weighted decibels (dBA  $L_{eq}$ ) or less at the closest home in compliance with the City's Municipal Code. Thus, residential vibration impacts during construction would be reduced to less than significant levels.

**E. Public Facilities and Services - Demolition and Construction Waste Disposal (Direct)**

**Potential Impacts:** The Project would have temporary, short-term direct impacts associated with demolition and construction waste disposal.

**Facts in Support of Findings:** To reduce demolition and construction waste to less than significant levels, Mitigation Measure PF-1 would be implemented. This measure would require implementation of a waste management plan that minimizes waste sent to landfills and would result in reduction of potentially significant impacts to less than significant levels.

**V. FINDINGS REGARDING INFEASIBLE MITIGATION MEASURES AND ALTERNATIVES (PUBLIC RESOURCES CODE SECTION 21081(A)(3))**

The City, having independently reviewed and considered the information contained in the EIR, finds that pursuant to CEQA Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3): (1) the EIR considers a reasonable range of alternatives, and (2) specific economical, legal, social, technological, or other considerations make mitigation or Project alternatives infeasible for impacts to aesthetics/neighborhood character/visual quality (direct/temporary direct), noise (temporary direct), and air quality (temporary direct).

## **A. Infeasibility of Mitigation for Significant Unmitigated Impacts**

### **1. Aesthetics/neighborhood Character/Visual Quality - Retaining Wall and Construction Appearance (Direct)**

Potential Impacts: The Project would have significant visual impacts related to two retaining walls for which adequate vegetative screening cannot be accomplished. In addition, the Project construction activities would create a “disorganized appearance” that is considered a temporary significant impact.

Facts in Support of Findings: The Project would improve roads located immediately adjacent to developed uses, private property, sensitive biological habitat and steep terrain. These right-of-way constraints result in the need for retaining walls in order to minimize property take or extensive encroachment into the sensitive habitat and steep hillsides abutting southbound SR 163. The 327 foot-long retaining wall (Retaining Wall 24) located south of Friars Road, just west of the intersection of Friars Road and Frazee Road, would have a maximum height of approximately 5 feet and an average height of 1.5 feet. This wall would be noticeable for pedestrians using the sidewalk. Streetscape consisting of ornamental and street tree plantings on Friars Road adjacent to the wall would be installed to the extent possible, but a consistent vegetative screen is not possible due to limited right-of-way. Thus, this wall was considered to result in a significant visual impact.

A 1,493 foot-long wall (Soil Nail Wall 75) would be constructed along SR 163 on the western edge of the southbound SR 163 shoulder, just north of the Friars Road off-ramp. This wall would have an average height of 26 feet, and a maximum height of approximately 32 feet. Residents east of SR 163 and motorists on SR 163 would have views of this wall. The wall would be textured concrete to match Stadium Conglomerate cobble and would include landscaping vines that could eventually cover much of the wall. Given the magnitude of the “engineered” wall, combined with its extreme visibility, this wall is considered to have a significant and unmitigatable visual impact. There is no feasible technology to reduce the required height or further reduce the visual impact of this wall.

During the six-year construction period, demolition, grading, bridge falsework, cranes, heavy machinery and other vehicles associated with construction would be highly visible on site and in the staging areas. The storage of construction equipment, fences, orange safety markings, barricades, temporary warning lights, signs and other construction-related items would temporarily create a disturbed and degraded view. While temporary, this impact is considered significant since construction would last approximately six years and would be highly visible on a daily basis. Removal of construction equipment, fencing and materials at the completion of construction, however, would eliminate the impact. There is no feasible mitigation measure available to avoid the visible presence of construction-related items during the Project construction period.

## 2. Noise - Nighttime Construction Noise (Direct)

Potential Impacts: Project construction would result in temporary direct nighttime construction noise impacts to residences in the vicinity.

Facts in Support of Findings: The Municipal Code specifies that the nighttime noise impacts to single-family residences shall not exceed a property line impact of 40 decibels dBA  $L_{eq}$  between 10:00 p.m. and 7:00 a.m. and 45 dBA for the same hours for multi-family residential. Implementation of Mitigation Measure N-2 would reduce the nighttime construction noise impacts to the existing typical worst-case hourly nighttime existing conditions of 65 dBA  $L_{eq}$  or less at the first floor of residences. While this would not comply with the Municipal Code limit of 40 dBA, the mitigated project would not create a new adverse noise effect or exacerbate existing noisy conditions at the first floor of these residences.

Control of noise impacts at second floor windows to 65 dBA  $L_{eq}$  (existing conditions) would require that potential barriers be up to 26 feet tall, which is not considered feasible due to the excessive height and potential visual impacts. Control of noise impacts at residences to 40 dBA  $L_{eq}$  (in accordance with the Municipal Code limit) would require that potential barriers be constructed of very thick material to reduce noise transmission through the barrier and in excess of 250 feet in height (estimated since normal barrier analysis is not applicable to this height of barrier). This height is considered extreme and would likely result in significant visual impacts. Therefore, no form of reasonable mitigation is available which would reduce noise impacts to less than 65 dBA  $L_{eq}$  at the second story of affected residences, or to 40 dBA  $L_{eq}$  at the impacted residences.

## 3. Air quality -NO<sub>x</sub> Construction Emissions (Direct)

Potential Impacts: The Project would have short-term direct impacts related to the emissions of NO<sub>x</sub> during the construction period.

Facts in Support of Findings: Mitigation Measure AQ-1 would partially mitigate significant short-term emissions of NO<sub>x</sub> during the construction period. The requirement that 10 percent of the construction fleet be retrofitted and/or repowered was determined to be a reasonable requirement based on the amount of contractors whose fleets have already been retrofitted and engines repowered as a result of the local Carl Moyer Programs. Specifically, these programs are funded by the state through the California Air Resources Board and/or local air pollution/air quality districts, and involve efforts for local construction equipment fleets to reduce air quality impacts through measures such as fleet modernization, repowering existing vehicles, and idling reduction. Conformance with appropriate Carl Moyer Programs would be included as a requirement in Project construction contracts to ensure implementation, as applicable (many local construction contractors have likely already implemented such measures). Although it would not reduce impacts to below a level of significance, it is considered to represent the maximum feasible mitigation at this time.

## **B. Infeasibility of Project Alternatives to Reduce or Avoid Significant Impacts**

The SR 163/Friars Road Project EIR examined several Project alternatives in terms of their ability to meet the primary objectives of the Project and eliminate or further reduce its significant environmental effects. Based on these two parameters, the following alternatives were considered but rejected: Alternative 6, Reduced Footprint Alternative, and the No Project Alternative. The rejected alternatives include all of the potential alternatives developed and fully evaluated for this project. There are no potential build alternatives that would reduce significant environmental effects of the Project because (1) the Project is severely constrained by the surrounding topography, natural resources and land uses; and (2) the Project development process consisted of extensive engineering and environmental evaluation of alternative project elements in an effort to provide the least impacting, most efficient design.

### **1. Alternative 6**

Alternative 6 would have implemented the same upgrades to SR 163 main line, Friars Road/Ulric Street, and the northbound on- and off-ramps. A major design element specific to Alternative 6 would have been the construction of a collector lanes/bypass viaduct structure<sup>1</sup>, which would have crossed over the existing Friars Road Bridge and under the elevated San Diego Trolley Bridge before crossing the San Diego River parallel to the existing SR 163 Bridge. The southbound SR 163 exit lanes for eastbound and westbound Friars Road would have passed under this structure and the Friars Road Bridge. The bypass structure over Friars Road would have directly conflicted with the lowest set of regional electrical conduits that cross SR 163. To rectify this, either two new and taller towers would have had to be constructed at the original site or the towers would have had to be relocated to a different site.

Potential Impacts: Alternative 6 was, overall, similar to the Project in terms of alternative benefits and footprint impacts related to road expansion. It would result in significant but mitigable impacts to utilities that would not occur with the Project. Significant and unmitigable impacts for the Project associated with noise, air quality and visual effects would be additionally increased under this alternative.

Fact is in Support in Findings: This alternative was rejected since no significant impacts of the Project would be reduced, the severity of several impacts would be increased, and impacts to utilities would occur that would not occur with Project implementation. Additionally, this alternative would have an extended construction period and delayed benefits when compared to the Project.

### **2. Reduced Footprint Alternative**

The Reduced Footprint Alternative would have improved Friars Road and Ulric Street as designated in the *Mission Valley Community Plan* (City 1985). Under this alternative, the Friars Road Bridge would have been widened on the south side to provide four through lanes in each direction plus two left-turn lanes to northbound SR 163 on-ramp. Improvements to SR 163

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<sup>1</sup> A "viaduct structure" is a combination retaining wall and bridge structure. A viaduct structure is useful in areas where bridges are constructed near steep hillsides.

would have been limited to its interchange with Friars Road; no improvements to the SR 163 mainlines would have occurred.

Potential Impacts: Environmental impacts would have been generally similar to or less than those assessed for the Project due to the more limited footprint. In particular, the potential for significant but mitigable impacts to historical resources identified for the Project would not occur under this alternative, due to the lack of disturbance in the San Diego River.

Facts in Support of Findings: While it would have improved future traffic conditions relative to the No Project Alternative, this alternative would not have alleviated unacceptable freeway weave operations on southbound SR 163 north of Friars Road in the future, relieved unacceptable ramp merge operations on southbound SR 163 at Friars Road or maintained acceptable freeway mainline operations on southbound SR 163 north of Friars Road. Thus, this alternative was rejected because it would not meet the basic objectives of the Project.

### **3. No Project Alternative**

The No Project Alternative assumes that the SR 163/Friars Road interchange would not be improved, and no major roadway construction would occur within the study area. Existing maintenance activities would continue. No approvals from the City or other agencies would be required (although a General Plan Amendment/Community Plan Amendment to delete the currently planned improvements potentially could be pursued).

Potential Impacts: Because the No Project Alternative would not involve any physical improvements, it would avoid potential impacts related to hydrology/water quality, biological resources, historical resources, geology/seismicity/soils, paleontological resources, aesthetics/neighborhood character/visual quality, utilities and hazardous materials. The No Project Alternative would not be consistent with the General Plan, as well as the Mission Valley and Linda Vista Community Plans. This would represent a significant and unmitigated impact related to land use and traffic/circulation, which would not occur with the Project. Although significant construction-related noise and air quality impacts would be avoided under this alternative, long-term impacts to these issue areas would be exacerbated.

Findings in Support of Fact: While this alternative would reduce significant environmental impacts to less than significant levels, it would result in additional land use, traffic/circulation, noise and air quality impacts. In addition, Project objectives would not be met with the implementation of the No Project Alternative. Thus, this alternative was rejected.

## **VI. STATEMENT OF OVERRIDING CONSIDERATIONS**

Pursuant to CEQA Guidelines Section 15093, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project.



If the specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable pursuant to Public Resources Code Section 21081. CEQA further requires that when the lead agency approves a project that would result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record.

The decision-making body, having considered all of the foregoing, finds that the following specific overriding economic, legal, social, technological, or other benefits associated with the proposed Project outweigh unavoidable adverse impacts to aesthetics/neighborhood character/visual quality, noise, and air quality; and has adopted all feasible mitigation measures with respect to these significant and unmitigable impacts. Each of the separate benefits of the proposed Project, as stated herein, is determined to be, unto itself and independent of the other Project benefits, a basis for overriding all unavoidable adverse environmental impacts identified in these Findings. The decision-making body also has examined alternatives to the proposed Project, none of which is both environmentally preferable to the proposed Project and meets the basic Project objectives.

Therefore the decision-making body expressly finds that the following environmental effects would be considered "acceptable" due to the following specific considerations which outweigh the unavoidable adverse environmental impacts of the proposed Project:

1. The Project would provide the improvements consistent with the intent of the Mission Valley Community Plan as it would improve the SR 163/Friars Road interchange.
2. All intersections in the study area would operate at an acceptable level of service (LOS) with implementation of the Project.
3. Most street segments, diverge/merge operations, freeway weave operations, and freeway segments would be improved to operate at an acceptable LOS on opening day and in 2030 with the Project, while operation of the remaining street segments would be improved relative to conditions without the Project.
4. The improvements in traffic operations would have the additional benefit of potentially reducing response times for emergency services by providing for more efficient traffic flow.
5. The project would provide for non-vehicular circulation through sidewalks and bicycle lanes.
6. The project would generate construction-related jobs in San Diego County.

## EXHIBIT C

## MITIGATION MONITORING AND REPORTING PROGRAM

**SITE DEVELOPMENT PERMIT NO. 222387**

PROJECT NO. 72782

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report 72782/SCH No. 2005111032 shall be made conditions of **Site Development Permit No. 222387**, as may be further described below.

**General Requirements**

1. Prior to issuance of a Notice to Proceed (NTP) or issuance of any construction permit, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Assistant Deputy Director (ADD) Environmental Designee of the Entitlements Division shall verify that the appropriate Mitigation Measures **Land Use/Multiple Species Conservation Program (MSCP), Historical Resources, Biological Resources, Paleontological Resources, Solid Waste Generation/ Disposal, and Health and Safety** have been included verbatim on the submitted construction documents and contract specifications, and included under the heading, "Environmental Mitigation Requirements." In addition, the requirements for a Preconstruction (Precon) Meeting shall be noted on all construction documents.
2. Prior to the commencement of work, a Precon Meeting shall be conducted and include the City of San Diego's Mitigation Monitoring Coordination (MMC) Section, Resident Engineer, Building Inspector, Applicant, Project Consultant (Biologist, Archaeologist and Paleontologist) and other parties of interest.
3. Evidence of compliance with other permitting authorities is required, if applicable. Evidence shall include either copies of permits issued, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD Environmental Designee.
4. Pursuant to Section 1600 et seq. of the State of California Fish & Game Code, evidence of compliance with Section 1602 is required. Evidence shall include either copies of permits issued, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD Environmental Designee.

## **Biological Resources**

### **Sensitive Habitats**

- BR-1** Impacts to 0.26 acre (consisting of 0.11 acre of temporary impact and 0.15 acre of permanent impact) of disturbed southern willow scrub shall be mitigated at a 3:1 ratio (with a minimum 1:1 creation component) through the creation of 0.26 acre and the restoration/enhancement of 0.52 acre of southern willow scrub, for a total of 0.78 acre, as detailed in Appendix D. If mitigation in accordance with the plan contained in Appendix D is determined not to be feasible, the City shall identify and implement an appropriate alternate mitigation program, subject to approval by the ADD, ACOE and CDFG.
- BR-2** Impacts to 0.43 acre total (consisting of 0.20 acre of temporary impact and 0.23 acre of permanent impact) of southern cottonwood-willow riparian forest shall be mitigated at a 3:1 ratio (with a minimum 1:1 creation component) through the creation of 0.43 acre and the restoration/enhancement of 0.86 acre of southern cottonwood-willow riparian forest, for a total of 1.29 acres, as detailed in Appendix D. If mitigation in accordance with the plan contained in Appendix D is determined not to be feasible, the City shall identify and implement an appropriate alternate mitigation program, subject to approval by the ADD, ACOE and CDFG.
- BR-3** Prior to issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits, and Building Plans/Permits, the owner/permittee shall contribute to the City of San Diego HAF to mitigate for the loss of 0.3 acre of Diegan coastal sage scrub (Tier II) and 1.8 acres of non-native grassland (Tier IIIB). This fee is based on mitigation ratios, per the City of San Diego Biology Guidelines, of 1:1 for Diegan coastal sage scrub and 0.5:1 for non-native grassland impacts (of which both impacts occurred outside the MHPA, yet mitigation would be required inside the MHPA). Therefore, the resulting total mitigation required for direct Project impacts is for a total of 1.2 acres equivalent contribution to the City's Habitat Acquisition Fund (HAF) plus a ten percent (10%) administrative fee.
- BR-4** Prior to the issuance of a NTP or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits, and Building Plans/Permits, the ADD or Environmental Designee of the City's Entitlements Division shall incorporate the following mitigation measures into the Project design and include them verbatim on all appropriate construction documents.

### **Prior to Permit Issuance**

#### **A. Entitlements Division Plan Check**

1. Prior to the NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits, and Building Plans/Permits, whichever is applicable, the ADD or environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of direct impacts to southern willow scrub (0.26 acre) and southern cottonwood-willow riparian forest (0.43 acre) have been shown and noted on the

appropriate landscape construction documents. The landscape construction documents and specifications must be found to be in conformance with the Wetland Restoration Plan prepared by HELIX Environmental Planning, November 2009, the requirements of which are summarized below:

B. Revegetation/Restoration Plan(s) and Specifications

1. Landscape Construction Documents (LCD) shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, Landscape Architecture Section (LAS) for review and approval. LAS shall consult with Mitigation Monitoring Coordination (MMC) and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation, and erosion control plans, including all required graphics, notes, details, specifications, letters, and reports, as outlined below.
2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego Land Development Code (LDC) Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/ Restoration Plans) of the City of San Diego's LDC Biology Guidelines (July 2002). The Principal Qualified Biologist (PQB) shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).
3. The Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Construction Manager (CM), and Grading Contractor (GC), where applicable, shall be responsible for ensuring that all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:
  - a. The RMC shall be responsible for the maintenance of the wetland mitigation areas for a minimum period of 120 days. Maintenance visits shall be conducted on a weekly basis throughout the plant establishment period.
  - b. At the end of the 120 day period, the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by the MMC.
  - c. The MMC will provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.
  - d. Existing indigenous/native species shall not be pruned, thinned, or cleared in the revegetation/mitigation area.
  - e. The revegetation site shall not be fertilized.

- f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.
  - g. Weed control measures shall include the following: (1) hand removal, (2) cutting, with power equipment, and (3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.
  - h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used as necessary. Diseased and infected plants shall be immediately disposed of off site in a legally-acceptable manner at the discretion of the PQB or Qualified Biological Monitor (QBM; City approved). Where possible, biological controls will be used instead of pesticides and herbicides.
4. If a Brush Management Program is required, the revegetation/restoration plan shall show the dimensions of each brush management zone and notes shall be provided describing the restrictions on planting and maintenance and identify that the area is impact-neutral and shall not be used for habitat mitigation/credit purposes.

#### C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to the MMC. This letter shall identify the PQB, Principal Restoration Specialist (PRS), and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet should be updated annually.
2. The MMC will provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City-approved persons involved in the revegetation/restoration plan and biological monitoring of the Project.
3. Prior to the start of work, the applicant must obtain approval from the MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the Project.
4. The PBQ must also submit evidence to the MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program training.

#### Prior to Start of Construction

##### A. PQB/PRS Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring:
  - a. The owner/permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, CM, and/or GC, Landscape Architect (LA), RIC, RMC, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC.
  - b. The PQB shall also attend any other grading/excavation-related Precon Meeting to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM, and/or GC.
  - c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with the MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE,



- and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the Project, including site grading preparation.
2. Where Revegetation/Restoration Work Will Occur
    - a. Prior to the start of any work, the PQB/PRS shall also submit a revegetation/restoration monitoring exhibit (RRME) based on the appropriate reduced LCD (reduced to 11" x 17" format) to the MMC and RE, identifying the areas to be revegetated/restored, including the delineation of the limits of any disturbance/grading and any excavation.
    - b. The PQB shall coordinate with the construction superintendent to identify appropriate BMPs on the RRME.
  3. When Biological Monitoring Will Occur
    - a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to the MMC and RE indicating when and where biological monitoring and related activities will occur.
  4. PQB Shall Contact MMC to Request Modification
    - a. The PQB may submit a detailed letter to the MMC prior to the start of work or during construction requesting a modification to the revegetation/ restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA), which may reduce or increase the potential for biological resources to be present.

#### During Construction

- A. PQB or QBM Present During Construction/Grading/Planting
  1. The PQB or QBM shall be present full-time during construction activities, including but not limited to, site preparation, cleaning, grading, excavation, and landscape establishment in association with Project construction and/or grading activity which could result in impacts to sensitive biological resources as identified in the LCDs and on the RRME. **The RIC and/or QBM is responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI, and MMC of the changes.**
  2. The PQB or QBM shall document field activity via the Consultant Site Visit Record Forms (CSVR). The CSVR shall be faxed by the CM on the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.
  3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that associated with biology).
  4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.
  5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (southern willow scrub, southern cottonwood-willow riparian

forest, Diegan coastal sage scrub and non-native grassland), as shown on the approved LCD.

6. The PBQ shall provide a letter to the MMC indicating that limits of potential disturbance have been surveyed, staked, and that the construction fencing is installed properly.
7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed, to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible for verifying the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSV.
8. The PQB shall verify in writing on the CSV that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking, or other construction-related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.
9. The long-term establishment inspection and reporting schedule per LCD must all be approved by the MMC prior to the issuance of the Notice of Completion or any bond release.

#### B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.
2. The PQB shall also immediately notify the MMC by telephone of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with the MMC and RE, the PQB and CM shall install the approved protection and agreement on BMPs.
3. The PQB shall also submit written documentation of the disturbance to the MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

#### C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to the MMC to obtain concurrence and formulate a plan of action that may include fines, fees, and supplemental mitigation costs.
2. The MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

### Post Construction

#### A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period
  - a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

- b. Maintenance visits will be conducted twice per month for the first six months, once per month for the remainder of the first year, and quarterly thereafter.
  - c. Maintenance activities will include all items described in the LCD.
  - d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of the MMC).
2. Five-Year Biological Monitoring
- a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.
  - b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.
  - c. After plant installation is complete, qualitative monitoring surveys will occur monthly during year one and quarterly during years two through five.
  - d. Upon the completion of the 120-days short-term plant establishment period, quantitative monitoring surveys shall be conducted at 0, 6, 12, 24, 36, 48, and 60 months by the PQB or QBM. The revegetation/restoration effort shall be quantitatively evaluated once per year (in spring) during years three through five, to determine compliance with the performance standards identified on the LCD. All plant material must have survived without supplemental irrigation for the last two years.
  - e. Quantitative monitoring shall include the use of fixed transects and photo points to determine the vegetative cover within the revegetated habitat. Collection of fixed transect data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable), and percent cover of non-native/non invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used to determine attainment of performance/success criteria identified within the LCD.
  - f. Biological monitoring requirements may be reduced if, before the end of the fifth year, the revegetation meets the fifth year criteria and the irrigation has been terminated for a period of the last two years.
  - g. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences, or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible for verifying the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSV.
- B. Submittal of Draft Monitoring Report
1. A draft monitoring letter report shall be prepared to document the completion of the 120-day plant establishment period. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/ reseeded, site

protection/signage, pest management, vandalism, and irrigation maintenance. The revegetation/ restoration effort shall be visually assessed at the end of a 120-day period to determine mortality of individuals.

2. The PQB shall submit two copies of the Draft Monitoring Report that describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to the MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results (including progress of the revegetation relative to the performance/success criteria), and the need for any remedial measures.
3. Draft annual reports (three copies) summarizing the results of each progress report (including quantitative monitoring results and photographs taken from permanent viewpoints) shall be submitted to the MMC for review and approval within 30 days following the completion of monitoring.
4. The MMC shall return the Draft Monitoring Report to the PQB for revision or for preparation of each report.
5. The PQB shall submit a revised Monitoring Report to the MMC (with a copy to the RE) for approval within 30 days.
6. The MMC will provide written acceptance to the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. The PQB shall prepare a Final Monitoring upon achievement of the fifth year performance/success criteria and completion of the five-year maintenance period.
  - a. This report may occur before the end of the fifth year if the revegetation meets the fifth year performance /success criteria and the irrigation has been terminated for a period of the last two years.
  - b. The Final Monitoring report shall be submitted to the MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, which the MMC will schedule after review of the report.
  - c. If any of the revegetated area fails to meet the Project's final success standards, the applicant must consult with the MMC. This consultation shall take place to determine whether the Revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

**Land Use/MHPA**

**BR-5** Prior to the issuance of a NTP or any construction permits, the ADD Environmental Designee shall verify that all MHPA boundaries and limits of disturbance have been delineated on all construction documents.

- A. Prior to the first Precon Meeting, the owner/permittee shall provide a letter of verification to the Mitigation Monitoring Coordination Section stating that a qualified Biologist, as defined in the City of San Diego Biological Review References, has been retained to implement the Project's MSCP monitoring Program. The letter shall include the names and contact information of all persons involved in the Biological Monitoring of the Project.
- B. At least thirty days prior to the Precon Meeting, the QB shall submit all required documentation to MMC, verifying that any special reports, maps, plans and time lines, such as but not limited to, revegetation plans, plant relocation requirements and timing, MSCP requirements, avian or other wildlife protocol surveys, impact avoidance areas or other such information has been completed and updated.
- C. The QB (Project biologist) shall attend the first Precon Meeting and discuss the Project's biological monitoring program.
- D. In addition the following mitigation measures related to the MHPA Land Use Adjacency Guidelines shall be implemented:
  1. Prior to initiation of any construction-related grading, the construction foreman and/or Project biologist shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor.
  2. The limits of grading shall be clearly delineated by a survey crew prior to brushing, clearing or grading. The limits of grading, as shown on approved Exhibit A, shall be defined with silt fencing or orange construction fencing and checked by the biological monitor before initiation of construction grading. All native plants or species of special concern, (i.e., the coast barrel cactus) as identified in the biological technical report, shall be staked, flagged and avoided within Brush Management Zone 2.
  3. Invasive non-native plant species shall not be introduced into areas adjacent to the MHPA. Landscape plans shall contain non-invasive native species adjacent to sensitive biological areas as shown on approved Exhibit A.
  4. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve areas using appropriate placement and shields. If lighting adjacent to the MHPA is required for nighttime construction, it shall be directed away from the preserve and the tops of adjacent trees with potentially nesting raptors, using appropriate placement and shielding.
  5. All construction activities (including staging areas and/or storage areas) shall be restricted to the development area as shown on the approved Exhibit A. No equipment maintenance shall be conducted within or near the adjacent open space and/or sensitive areas and shall be restricted to the development area as shown on the approved Exhibit A and shall not encroach into sensitive biological areas within



- either the open space and/or MHPA areas. The Project biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved Exhibit A.
6. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales, and/or mechanical trapping devices as specified by the City Engineer.
  7. No trash, oil, parking or other construction-related activities shall be allowed outside the established limits of grading, as shown on approved Exhibit A. All construction-related debris shall be removed off site to an approved disposal facility.

### **Jurisdictional Waters**

- BR-6** Pursuant to Sections 401 and 404 of the CWA and Section 1600 et seq. of the California Fish and Game Code, evidence of compliance is required, if applicable. Evidence shall include either copies of permits issued, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD or Environmental Designee.

### **Sensitive Plants**

- BR-7** Prior to the Precon Meeting, the two San Diego barrel cacti within the Project footprint shall be salvaged and relocated to areas of suitable habitat within the BSA.

### **General Avian**

- BR-8** If Project grading/brush management is proposed in or adjacent to native habitat during the typical bird breeding season (i.e., February 1 to September 15), the Project biologist shall conduct a pre-grading survey for active nests in the development area and within 300 feet of it. Similarly, if construction activities associated with the San Diego River Bridge are proposed during the typical bird breeding season (i.e., February 1 to September 15), the Project biologist shall conduct a pre-construction survey for active swallow nests under the bridge. A letter report describing the results of such surveys shall be submitted to the MMC prior to the Precon Meeting.
- A. If active nests are detected, or considered likely, the report shall include mitigation in conformance with the City's Biology Guidelines (i.e., appropriate follow-up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) to the satisfaction of the ADD of the Entitlements Division. Mitigation requirements determined by the Project biologist and the ADD shall be incorporated into the Project's Biological Construction Monitoring Exhibit

(BCME) and monitoring results incorporated in to the final biological construction monitoring report.

- B. If no nesting birds are detected per “A” above, mitigation under “A” is not required.

### **Raptors**

**BR-9** If Project grading is proposed during the raptor breeding season (February 1 through September 15), the Project biologist shall conduct a pre-grading survey for active raptor nests in within 500 feet of the development area and submit a letter report to the Mitigation Monitoring Coordinator prior to the Precon Meeting.

- A. If active raptor nests are detected, the report shall include mitigation in conformance with the City’s Biology Guidelines (i.e. appropriate buffers, monitoring schedules, etc.) to the satisfaction of the ADD of the Entitlements Division or Environmental Designee. Mitigation requirements determined by the Project biologist and the ADD of Entitlements Division shall be incorporated into the Project’s Biological Construction Monitoring Exhibit and monitoring results incorporated in to the final biological construction monitoring report.
- B. If no nesting raptors are detected during the pre-grading survey, no mitigation is required.

### **Listed Avian Species**

**BR-10 LEAST BELL’S VIREO (State Endangered/Federally Endangered)\_**

Prior to the Precon Meeting, the ADD or Environmental Designee shall verify that the following Project requirements regarding the least Bell's vireo are shown on the construction plans:

No clearing, grubbing, or other construction activities shall occur between March 15 and September 15, the breeding season of the least Bell’s vireo, until the following requirements have been met to the satisfaction of the ADD or Environmental Designee:

- A. A QB (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall survey those wetland areas that would be subject to construction noise levels exceeding 60 dB(A) hourly average for the presence of the least Bell’s vireo. Surveys for the least Bell’s vireo shall be conducted pursuant to the protocol survey guidelines established by the USFWS within the breeding season prior to the commencement of construction. If the least Bell’s vireo is present, then the following conditions must be met:
  - I. Between March 15 and September 15, no clearing, grubbing, or grading of occupied least Bell’s vireo habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a QB; and
  - II. Between March 15 and September 15, no construction activities shall

occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied least Bell's vireo habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a Qualified Acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animals) and approved by the ADD or Environmental Designee at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a QB; or

- III. At least two weeks prior to the commencement of any construction activities, under the direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the least Bell's vireo. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring\* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or QB, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 15).

\* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the ADD or Environmental Designee, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- B. If least Bell's vireo are not detected during the protocol survey, the QB shall submit substantial evidence to the ADD or Environmental Designee and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 15 and September 15 as follows:
  - I. If this evidence indicates the potential is high for least Bell's vireo to be present based on historical records or site conditions, then condition A.III shall be adhered to as specified above.
  - II. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

**BR-11 SOUTHWESTERN WILLOW FLYCATCHER (Federally Endangered)**

Prior to the Precon Meeting, the ADD or Environmental Designee shall verify that the following Project requirements regarding the southwestern willow flycatcher are shown on the construction plans:

No clearing, grubbing, or other construction activities shall occur between May 1 and September 1, the breeding season of the southwestern willow flycatcher, until the following requirements have been met to the satisfaction of the ADD Environmental Designee:

- A. A QB (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall survey those wetland areas that would be subject to construction noise levels exceeding 60 dB(A) hourly average for the presence of the southwestern willow flycatcher. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the USFWS within the breeding season prior to the commencement of any construction. If the southwestern willow flycatcher is present, then the following in conditions must be met:
  - I. Between May 1 and September 1, no clearing, grubbing, or grading of occupied southwestern willow flycatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a QB; AND
  - II. Between May 1 and September 1, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied southwestern willow flycatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a Qualified Acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the ADD or Environmental Designee at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a QB; or
  - III. At least two weeks prior to the commencement of any construction activities, under the direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the southwestern willow flycatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring\* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or QB, then the associated construction

activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 1).

\* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the ADD or Environmental Designee, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- B. If southwestern willow flycatcher are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the ADD or Environmental Designee and applicable resource agencies which demonstrates whether or not mitigation measures such as noise wall are necessary between May 1 and September 1 as follows:
  - I. If this evidence indicates the potential is high for southwestern willow flycatcher to be present based on historical records or site conditions, then condition A.III shall be adhered to as specified above.
  - II. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

### **Historical Resources**

#### **HR-1 Prior to Permit Issuance or Bid Opening/Bid Award**

- A. Entitlements Plan Check
  - 1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the appropriate construction documents. The requirement for monitoring will be determined prior to the Precon Meeting, based on the construction technique to be implemented in alluvial areas along the San Diego River (i.e., whether the selected construction technique would return spoil to the surface for evaluation).
- B. Letters of Qualification have been submitted to ADD
  - 1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the Project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training with certification documentation.
  - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the Project.

3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

**HR-2** Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

C. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.

1. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.

The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).

MMC shall notify the PI that the AME has been approved.

2. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final



construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

3. Approval of AME and Construction Schedule  
After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

### HR-3 During Construction

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

1. The Archaeological monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the AME and as authorized by the CM. The Native American monitor shall determine the extent of their presence during construction related activities based on the AME and provide that information to the PI and MMC. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.
3. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSRs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

#### B. Discovery Notification Process

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

#### C. Determination of Significance

1. The PI and Native American monitor shall evaluate the significance of the resource. If Human Remains are involved, protocol in HR 1-4 below shall be followed.

- a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
- b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.
- c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

#### **HR-4** Discovery of Human Remains

If human remains are discovered, work shall halt in that area and the following procedures as set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

##### A. Notification

1. The Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

##### B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

##### C. If Human Remains **ARE** determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with the California Public Resource and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

5. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:
  - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
  - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.
  - c. To protect these sites, the landowner shall do one or more of the following:
    - (1) Record the site with the NAHC;
    - (2) Record an open space or conservation easement; or
    - (3) Record a document with the County.
  - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Mitigation Measure HR-4.A.5.c., above.

**D. If Human Remains are NOT Native American**

1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant department and/or Real Estate Assets Department (READ) and the Museum of Man.

**HR-5 Night and/or Weekend Work**

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

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the Precon Meeting.
2. The following procedures shall be followed.
  - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8:00 a.m. of the next business day.
  - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Mitigation Measure HR-3 - During Construction, and Mitigation Measure HR-4 – Discovery of Human Remains.
  - c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Mitigation Measure HR-3 - During Construction shall be followed.

- d. The PI shall immediately contact the RE and MMC, or by 8:00 a.m. of the next business day to report and discuss the findings as indicated in Mitigation Measure HR-3.B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### **HR-6 Post Construction**

- A. Submittal of Draft Monitoring Report
1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring,
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
  2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
  3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
  4. MMC shall provide written verification to the PI of the approved report.
  5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
  2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

- C. Curation of artifacts: Accession Agreement and Acceptance Verification
1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this Project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  2. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
  3. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
  4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
  2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

### **Paleontological Resources**

#### **PR-1 Prior to Permit Issuance or Bid Opening/Bid Award**

- A. Entitlements Plan Check
1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the Project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
  2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the Project.
  3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

#### **PR-2 Prior to Start of Construction**

- A. Verification of Records Search
1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

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

**B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)  
The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the paleontological monitoring program.
3. Identify Areas to be Monitored
  - a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits. Monitoring shall begin at depths below 10 feet from existing grade or as determined by the PI in consultation with City staff. The determination shall be based on site specific records search data which supports monitoring at depths less than 10 feet.
  - b. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
  - c. MMC shall notify the PI that the PME has been approved.
4. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.
5. Approval of PME and Construction Schedule  
After approval of the PME by MMC, the PI shall submit to MMC written authorization of the PME and Construction Schedule from the CM.



**PR-3 During Construction**

- A. Monitor Shall be Present During Grading/Excavation/Trenching
1. The monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the PME and as authorized by the CM that could result in impacts to formations with high and/or moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances, OSHA safety requirements may necessitate modification of the PME.**
  2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
  3. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVRs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
  2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
  3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance
1. The PI shall evaluate the significance of the resource.
    - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
    - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval of the program from MMC, MC and/or RE. PRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.
    - c. If the resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.

- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

**PR-4 Night and/or Weekend Work**

- A. If night and/or weekend work is included in the contract
  1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the Precon Meeting.
  2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVN and submit to MMC via the RE via fax by 8:00 a.m. on the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
    - d. The PI shall immediately contact the RE and MMC, or by 8:00 a.m. on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
  1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

**PR-5 Post Construction**

- A. Preparation and Submittal of Draft Monitoring Report
  1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring,
    - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with the San Diego Natural History Museum  
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
  3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
  4. MMC shall provide written verification to the PI of the approved report.
  5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
- C. Curation of artifacts: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this Project are permanently curated with an appropriate institution.
  2. The PI shall submit the Deed of Gift and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
  3. The RE or BI, as appropriate shall obtain signature on the Deed of Gift and shall return to PI with copy submitted to MMC.
  4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC of the approved report.
  2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

## Noise

- N-1** If vibratory pile installation equipment is proposed to be used within 500 feet of a residence, the contractor shall baffle the equipment and/or reduce the number of hours per day the equipment is in operation to achieve a 12-hour noise level of 75 dBA  $L_{eq}$  or less at the closest home. Concurrent with the commencement of vibratory pile installation, noise monitoring shall be conducted at the property line of the nearest home to ensure that noise levels do not exceed 75 dBA  $L_{eq}$ . If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician, then the associated activities shall cease until such time that adequate noise attenuation is achieved.
- N-2** Based on final nighttime construction specifications, a qualified acoustician shall prepare and submit to the City Manager (or designee) specifications of appropriate noise attenuation measures to reduce noise impacts at the first floor of residences in the vicinity of construction activities to 65 dBA  $L_{eq}$  or less. This shall include construction or offering of approved permanent walls as the first order of work, which would also serve as temporary mitigation, in lieu of temporary walls. If temporary walls are

proposed as a noise attenuation measure for other residents within 400 feet of construction activities in excess of 65 dBA  $L_{eq}$  at the first floor of residences, the submittal shall include the results of coordination with residents to determine whether they agree to having a wall constructed at the edge of their property. All nighttime noise attenuation measures agreed to by the residents and specified by the City Manager shall be implemented during the construction period.

### **Air Quality**

**AQ-1** Ten percent of the Project construction fleet shall use any combination of diesel catalytic converters, diesel oxidation catalysts, diesel particulate filters and/or CARB certified Tier I, II or III equipment.

### **Public Facilities and Services**

**PF-1** The Project shall implement a Waste Management Plan, which would minimize the Project's solid waste impact. The plan shall address demolition and construction phases of the Project, as applicable. Measures may include reducing waste disposal and/or implementing compensatory measures, such as use of materials with post-consumer content. The plan must be approved by the City's Environmental Services Department.

**SR-163/FRIARS ROAD INTERCHANGE**

**PROJECT CHRONOLOGY**

PTS # 72782 WBS# S-00851.02.06

Date Response	Action	Description	City Review Time	Applicant
06/24/05	Customer Submits First Cycle			
09/20/05	Initial Assessment Letter Sent		2 months, 26 days	
4/22/09	Customer submits 2 <sup>nd</sup> Cycle	EIR Work begins		3 years, 7 months, 2 days
5/27/09	2 <sup>nd</sup> Assessment Letter Sent		1 month, 5 days	
10/22/09	Customer submits 3 <sup>rd</sup> Cycle			4 months, 26 days
11/27/09	3 <sup>rd</sup> Assessment Letter Sent		1 month, 5 days	
12/9/10	Customer submits 4 <sup>th</sup> Cycle			12 days
01/08/10	4 <sup>th</sup> Assessment Letter Sent	Holiday Furloughs	30 days	
03/12/10	Draft EJR out for Review		2 months 4 days	
XX/XX/10	EJR finalized		2 months, XX days	
06/17/10	Planning Commission Hearing		XX days	

<i>Total Staff Time (Average at 30 days per month):</i>	<i>Approximately 11 months and 14 days</i>
<i>Total Applicant Time (Average at 30 days per month):</i>	<i>Approximately 4 years and 9 days</i>
<i>Total Project Running Time (Years/Months/Days):</i>	<i>4 years, 11 months, 23 days</i>