5.16 Health and Safety

This section evaluates the potential for health and safety impacts associated with the project. (Note: For a discussion of the potential for flooding and associated risk, see Section 5.12, *Hydrology*.)

The discussion of hazardous materials in this section is based on those technical reports prepared by SCS Engineers and an Envirofacts search (January 2019) conducted for the project site (Appendix V). In order to conduct a Phase I environmental site assessment for the project, the Specific Plan area was divided into three areas (see Figure 5.16-1, *Project Site Subareas for Purposes of the Hazardous Materials Evaluations*). Area 1 encompasses the areas of the Riverwalk Golf Course located north of the MTS trolley right-of-way and south of Friars Road. Area 2 includes the areas of the golf course located south of the MTS trolley right-of-way and is transected by the San Diego River. Area 3 is developed with the southeastern-most portion of the golf course, immediately north of Hotel Circle North, the Presidio View Apartments, and Handlery Hotel. SCS Engineers prepared a *Phase I Environmental Site Assessment* (January 20, 2017) for each of three project site areas (Appendix T). Additionally, SCS Engineers prepared a *Subsurface Assessment* (October 20, 2014) for each of three areas (Appendix U). SCS also prepared a Soil Management Plan (SMP) for the project. The SMP, dated July 21, 2020 and included as Appendix FF, summarizes the Phase I Environmental Site Assessment and subsurface environmental site assessment activities. The County Department of Environmental Health has issued a letter, dated August 5, 2020, accepting the SMP, which is included in Appendix FF-1.

5.16.1 Existing Conditions

5.16.1.1 Current and Historical Land Use

Currently, the project site is developed primarily as a golf course, identified as Riverwalk Golf Club, and encompasses the areas of the golf course located north and south of the MTS/trolley right-of-way. Based on review of information sources used to conduct the Phase I ESAs, agricultural uses occurred on the project site from approximately 1915 to 1945. In 1948, urban development begins to extend on the project site. These activities possibly took place at the time when organochlorine pesticides such as dichlorodiphenyltricholoroethane (DDT), chlordane, and metals-based pesticides, such as arsenic, were in wide general use for pest or weed control. These classes of pesticides are known to have the potential to remain in detectable concentrations in the subsurface for extended periods of time. It is possible that organochlorine and metals-based pesticides may have been used, stored, and/or mixed at the project site. With the exceptions of use of pesticides and herbicides at the project site, and the possible use of other hazardous materials associated with farming activities, no obvious historical facilities, features of concern, or land uses indicative of the use, storage, or generation of hazardous materials/wastes or petroleum products were found in the historical resources reviewed.

5.16.1.2 Sensitive Receptors

Sensitive receptors are determined based upon special factors which may include the age of the users or occupants, the frequency and duration of the use or occupancy, continued exposure to hazardous substances as defined by Federal and State regulations, and the user's ability to evacuate a specific site in the event of a hazardous incident. Land uses considered to be sensitive receptors include residential, school, childcare centers, acute care hospitals, and long-term health care facilities.

Residential land uses, in the form of apartments and condominiums, are located immediately adjacent to the project site on the west, east, and south; and north of the project site across Friars Road. Additional residential development, including single family homes and multi-family units occur farther to north of the project site.

No schools, childcare centers, or hospitals and long-term health care facilities are located within 0.25 mile of the project site. The closest schools to the project site include the University of San Diego (USD), located just over a mile north of the project site, and two private schools: Francis Parker Lower School, located approximately 2.4 miles from the project site; and Francis Parker Middle and Upper School, located approximately 0.7 mile from the project site. A new public school is planned at the Civita development, which would be located approximately two miles from the project site. Other public schools located proximate to the project site are Carson Elementary School (approximately two miles north of the project site), Alice Birney Elementary School (approximately three miles southeast of the project site), and Longfellow Elementary School (approximately five miles north of the project site). A childcare center is provided at the YMCA, located approximately four miles east of the project site. The closest hospitals are Scripps Mercy and UCSD Medical Center, located approximately 1.5 miles south of the project site. Sharp Hospital is located approximately 3.5 miles north of the project site. (See Figure 5.16-2, *Location of Sensitive Receptors*.)

5.16.1.3 Hazardous Materials

On-site hazardous material conditions associated with the existing uses were assessed through a review of historical documents, an interview with property owner representatives, site reconnaissance, and a review of Federal, State, and local regulatory agency databases. Significant sites/facilities within the project site and vicinity that were identified in the database search are presented in Table 5.16-1, *Environmental Regulatory Database Report Findings*. As shown in Table 5.16-1, there are no Federal or State identified hazardous materials on the project site. Underground/above ground storage tanks, other hazards, and historical auto stations have been identified within a 0.5-mile radius of the project site.

Additional records research included reviewing databases of the SDFD, San Diego Building Department (SDBD), SDAPCD, San Diego Industrial Wastewater Program (IWP), RWQCB, and the San Diego County Department of Agriculture, Weights, and Measures. SDFD records yielded inspection reports showing the need for additional occupancy and hazard identification signage across all three areas. SDBD records showed installations and building permit applications for all three areas and a UST in Area 1. The SDAPCD,

IWP, RWQCB, and San Diego County Department of Agriculture, Weights, and Measures all responded that there were no records available for any of the three areas of the project site.

The California Division of Oil and Gas Map was reviewed regarding oil and gas well locations within one mile of the site. There was one well interpreted to be within this vicinity, located approximately one-half mile to the southeast of the site. Based on the distance from the site, this well is not considered to represent a recognized environmental condition to the project site, and is not addressed further in the Phase I reports and this PEIR.

An environmental regulatory database report ("Radius Map Report") was prepared by Environmental Data Resources, Inc. (EDR) for the project site and is included in the appendices to each of the Phase I ESAs prepared for the project. Local, State, and Federal regulatory databases were reviewed for the project site and for those facilities within up to one mile of the site. This report was prepared in general accordance with the ASTM standard for the regulatory database review for Phase I ESAs. Current addresses of the project site were not listed on any of the regulatory databases reviewed by the report, with the exception of former address of 5900 Friars Road within Area 1. This address was listed on the Leaking Underground Storage Tank (LUST) and San Diego Site Assessment and Mitigation (SAM) databases.

On-Site Conditions

Based on the analysis conducted by SCS, the following recognized environmental conditions/ concerns (RECs) were determined to be within the Specific Plan area.

Area 1

Site reconnaissance for Area 1 included the observation of site grounds, the site perimeter, and two buildings located in the western portion of the Riverwalk Golf Course, just south of Friars Road generally south of the Via Las Cumbres terminus at Friars Road. Existing buildings consist of offices, storage areas, a dining area, restrooms and lockers, carts and a mower wash area, and a service bay with one aboveground lift. The eastern-most building was identified as "Building 1," and the western-most building as "Building 2."

An inground wastewater clarifier, which has the potential to release wastewater containing petroleum products, solvents, and hazardous wastes into the subsurface, was observed proximate to Building 1. One metal container, reported to formerly store hazardous materials, was observed north of Building 2. An aboveground storage tank (AST) was observed west of Building 2. An open area used to store fertilizers was observed southeast of Building 1.

Table 5.16-1. *Environmental Regulatory Database Report Findings*

Federal or State Government Database	Search Radius	Number of Reported Facilities	On Site	Adjacent to the Site
National Priorities List (NPL)	1.00 mile	0	No	No
NPL Delisted	1.00 mile	0	No	No
Comprehensive Environmental Response Compensation and Liability System (CERCLIS)	0.50 mile	0	No	No
No Further Remedial Action Planned (NFRAP)	0.50 mile	0	No	No
Resource Conservation and Recovery Act– Corrective Action (RCRA COR ACT)	1.00 mile	0	No	No
RCRA Treatment and Disposal Facilities (RCRA TSD)	0.50 mile	0	No	No
RCRA Generators (RCRA GEN)	0.25 mile	1	No	No
Federal Engineering and Institutional Controls (IC/EC)	0.50 mile	0	No	No
Emergency Response Notification System (ERNS)	0.12 mile	0	No	No
State/Tribal- Equivalent NPL	1.00 mile	0	No	No
State/Tribal-Equivalent CERCLIS (Envirostor)	1.00 mile	6	No	No
State/Tribal Solid Waste List (SWL)	0.50 mile	1	No	No
State/Tribal Leaking Underground Storage Tanks (LUST) (San Diego Site Assessment and Mitigation [SAM]) (State Leaks, Investigation, and Cleanup [SLIC])	0.50 mile	32	No	Yes
State/Tribal Underground/Aboveground Storage Tanks (USTs/ASTs)	0.25 mile	3	No	Yes
State/Tribal Voluntary Cleanup Program (VCP)	0.50 mile	0	No	No
Federal Brownfields	0.50 mile	0	No	No
Local Lists of Hazardous Waste/Contaminated Sites (San Diego HMMD)	Site only	0	No	N/A
Local Lists of Registered Storage Tanks	0.25 mile	14	No	Yes
Local Land Records (DEED)	0.50 mile	0	No	No
Other (Haznet, Cortese)	0.12 mile	1	No	Yes
EDR Proprietary Records (Historical Auto Stations and Cleaners)	0.25 mile	6	No	Yes

N/A = Not applicable

One 2,000-gallon gasoline underground storage tank (UST) and one 550-gallon waste oil UST, located 60 feet southeast of Building 1, were removed from Area 1 on February 1, 1988. The soil within the vicinity of the removed USTs was impacted with gasoline. A sample of groundwater collected from the area reportedly contained high levels of hydrocarbon components. The County of San Diego Department of Health Services (DHS) opened an unauthorized release case in May 1988. In March 1989, DHS issued a letter indicating that remedial action took place, which consisted of contaminated soil removal and groundwater monitoring for one year. A new 2,000-gallon gasoline UST was installed 45 feet south of Building 1 in May 1988 and removed in 1997.

An inspection report prepared by the Fire Department 2016 for the Riverwalk Golf Course maintenance yard in Area 1 noted the need to obtain permits for the allowance of compressed gases and storage of

hazardous materials, a hazardous materials business plan, and proper labeling and secondary containment in the fertilizer storage area.

Hazardous Materials, Petroleum Products, and Hazardous Wastes. Small retail quantities (SRQs) (quantities of hazardous materials in containers of five gallons or less, and less than 50 gallons total) of automotive maintenance supplies were observed at various locations throughout Area 1. Hazardous materials and petroleum products observed to be used or stored in Area 1 include diesel, gasoline, motor oil, antifreeze, fertilizers, fungicides, maintenance/janitorial supplies, growth regulator, and herbicides. Hazardous wastes included waste oil and waste antifreeze. Hazardous materials, petroleum products, and hazardous wastes found within Area 1 were observed to be properly stored with no obvious evidence of spills or releases. With the exception of minor surficial staining observed at various locations on asphalt-paved parking areas and concrete surfaces, no obvious indications were observed that a release of hazardous materials/wastes or petroleum products had occurred within Area 1.

Area 2

Site reconnaissance for Area 2 included the observation of site grounds, the site perimeter, the Riverwalk Golf Club clubhouse building located generally in the east-central portion of the project site north of the San Diego River, and the interiors of all structures. The clubhouse building is located at the northern portion of Area 2 and consists of offices, storage areas, a dining area, kitchen, restrooms, a concession area, and a pro shop. Hazardous materials/wastes were not observed to be stored or generated at the clubhouse. A portable manufactured building, used as an instructional area, was observed at the eastern edge of Area 2. Various bathroom buildings are located throughout Area 2. In addition, the San Diego River, which generally trends from northeast to southwest and flows down to the southwest, transects the central portion of Area 2. A 55-gallon drum containing cooking grease and grease interceptor were observed east of the clubhouse. It was reported that the contents of the grease drum were transported off-site on a regular basis.

Hazardous Materials, Petroleum Products, and Hazardous Wastes. No obvious indications of the storage or use of hazardous materials, petroleum products, and/or hazardous wastes were observed in Area 2.

Area 3

Site reconnaissance for Area 3 included the observation of site grounds and the site perimeter. Two restroom facilities are located in Area 3 and were observed to have concrete masonry unit walls constructed over concrete foundations. Two water wells were observed at the southeast portion of Area 3.

Hazardous Materials, Petroleum Products, and Hazardous Wastes. No obvious indications of the storage or use of hazardous materials, petroleum products, and/or hazardous wastes were observed in Area 3.

In addition to the area-specific evaluations described above, all areas were also evaluated for on-site utility facilities, such as SDG&E transformers, high-power transmission lines, storm drains, heating/cooling sources, potable water sources, and wastewater conveyances. In areas where SDG&E transformers were observed, SDG&E was contacted regarding the possibility of polychlorinated biphenyls (PCBs) being present. SDG&E reported that they have never specified PCBs in their transformers. No obvious indications of leaks were noted near the transformers.

A review of the September 2010 County Department of Environmental Health (DEH) database of facilities storing hazardous materials, generating hazardous wastes, and discharging unauthorized releases was conducted for all three areas on the project site. While records exist for Area 1 in regard to the previously removed UST, DEH confirmed that there are no files associated with Areas 2 and 3.

Off-Site Sources/Facilities Proximate to Project Site

Conditions of the various land uses within the vicinity of the project site—including commercial, residential, and open space—were observed for off-site sources of hazardous materials. No obvious indications of the use, storage, or generation of hazardous materials/wastes or petroleum products were observed.

5.16.1.4 Emergency Response/Evacuation

Emergency Response Plans

The City is a participating jurisdiction in the San Diego County Multi-Jurisdictional Hazard Mitigation Plan (MHMP), a countywide plan to identify risks and minimize damage from natural and man-made disasters (County 2018). The primary goals of the Plan include efforts to promote and provide compliance with applicable regulatory requirements (including through the promulgation/ enhancement of local requirements), increase public awareness and understanding of hazard-related issues, and foster inter-jurisdictional coordination.

The San Diego Office of Homeland Security (SD-OHS) oversees the City's Homeland Security, Disaster Preparedness, Emergency Management, and Recovery/Mitigation Programs. The primary focus of this effort is to ensure comprehensive emergency preparedness, training, response, recovery, and mitigation services for disaster-related effects. The SD-OHS also maintains the City Emergency Operations Center (EOC) and an alternate EOC in a ready-to-activate status, ensures that assigned staff are fully trained and capable of carrying out their responsibilities during activations, and manages the EOC during responses to multi-department and citywide emergencies to support incident response activities and maintain citywide response capabilities (County 2010).

Emergency Evacuation Plans

The City is also a participating agency in the County's Unified San Diego County Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan (EOP; County 2014), which addresses emergency issues including evacuation. Specifically, Annex Q (Evacuation) of the Plan notes that: *Primary evacuation routes consist of major interstates, highways and prime arterials within San Diego County…*, with I-5, I-8, and SR 163 identified as the primary evacuation routes in the project vicinity.

5.16.1.5 Airport Influence Areas and Helipads/Heliports

Airport Influence Areas

As presented in Section 2.0, *Environmental Setting*, the project site is located within the Montgomery Field and San Diego International Airport Influence Areas (AIAs), as presented in the ALUCPs for those airports (see Figure 2-10, *Montgomery Field ALUCP Airport Influence Area*, and Figure 2-11, *San Diego International Airport ALUCP Airport Influence Area*). The ALUCP provides policies and criteria for the City of San Diego to implement and for the Airport Land Use Commission (ALUC) to use when reviewing development proposals. The AIA is *the area in which current or future airport related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses*. To facilitate implementation and reduce unnecessary referrals of projects to the ALUC, the AIA is divided into Review Area 1 and Review Area 2. The composition of each area is determined as follows:

Review Area 1

Review Area 1 consists of locations where noise and/or safety concerns may necessitate limitations on the types of land uses. Specifically, Review Area 1 encompasses locations exposed to noise levels of 60 dB CNEL or greater together with all of the safety zones depicted on the associated maps in this chapter. Within Review Area 1, certain types of land use actions, including rezones and plan amendments, are to be submitted to the ALUC for review and consistency determination with the ALUCP.

Review Area 2

Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or overflight areas depicted on the associated maps in the ALUCP. Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land uses within Review Area 2. The additional function of this area is to define where various mechanisms to alert prospective property owners about the nearby airport are appropriate. Within Review Area 2, only land use actions for which the height of objects is an issue are subject to ALUC review.

The northeast corner of the Riverwalk site is located within AIA Review Area 2 of the Montgomery-Gibbs Executive Airport and within AIA Review Area 2 of the SDIA ALUCP. Additionally, the site is located within the Airspace Protection Boundary and the Overflight Notification Boundary of the SDIA ALUCP. See Section 5.1, *Land Use*, for a discussion of the project's relationship with the Montgomery Field and San Diego International Airport ALUCPs.

Helipads/Heliports

In addition to the helipads located at the Montgomery-Gibbs Executive Airport and the SDIA, there are private heliports within a two-mile radius of the project site. These include: a heliport at the Hazard Center Office Tower, located approximately 1.3 mile east of the project site; at UCSD Medical Center and at Scripps-Mercy Hospital, located approximately 1.5 miles south of the project site; and at the Sharp Hospital, located approximately 3.5 miles northeast of the project site. (See Figure 5.16-4, *Helipad/Heliport Locations*.)

5.16.1.6 Wildfire Hazards

Potential wildfire risk zones include areas that have steep slopes, limited precipitation, and plenty of available vegetation fuel. The project site is developed as a golf course, with three nine-hole golf courses, driving range, clubhouse building, maintenance facilities, surface parking, access roadways, and golf cart paths/bridges. The San Diego River flows through the central portion of the project site. The San Diego MTS Green Line Trolley crosses the site parallel to the river, approximately 300 to 800 feet north of the river.

The *Very High Fire Hazard Severity Zone (VHFHSZ) Map*, as shown on Figure 5.16-8, was established on February 24, 2009 in coordination between the San Diego Fire Department and Cal-Fire. The VHFHSZ map identifies areas within and adjacent to the project site that would fall into a risk zone. However, the project site is mostly surrounded by urban development. The remaining area of vegetated fuel load is located along the San Diego River, which traverses the project site.

5.16.2 Regulatory Framework

Numerous Federal, State, and local laws and regulations regarding hazardous materials have been developed with the intent of protecting public health, the environment, surface water, and groundwater resources. Over the years, the laws and regulation have evolved to deal with different aspects of the handling, treatment, storage, and disposal of hazardous substances. Relevant laws and regulations are discussed below.

5.16.2.1 Federal

Resource Conservation and Recovery Act of 1976

Federal hazardous waste laws are largely promulgated under the Resource Conservation and Recovery Act (RCRA) (Code of Federal Regulations [CFR] Title 40, Part 260), as amended by the Hazardous and Solid Waste Amendments of 1984 (which are primarily intended to prevent releases from LUSTs). These laws provide for the "cradle to grave" regulation of hazardous wastes. Specifically, under RCRA, any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed of. The USEPA has the primary responsibility for implementing RCRA, although individual states can obtain authorization to implement some or all RCRA provisions.

Occupational Safety and Health

In regard to worker safety, Federal Occupational Safety and Health Administration (OSHA) along with the California OSHA define and enforce worker safety standards and require proper handling and disposal of hazardous materials according to OSHA and EPA regulations. These regulations ensure that safety standards and potential risks, for example to asbestos or lead exposure, are considered and remediated in accordance with the National Emissions Standards for Hazardous Air Pollutants, OSHA, and other applicable State and Local regulations.

Federal Aviation Administration Noticing Requirements

The FAA, under CFR Title 14, Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace*, requires submittal of a Notice of Construction or Alteration for applicable projects within identified airport Noticing Surface Areas. Specific requirements for such notices include structures more than 200 feet above the ground surface, construction or alteration that extends within identified (theoretical) slopes projecting from airport runways (or other applicable locations), all airport projects, and certain other transportation projects. After submittal of the required notice, the FAA conducts an aeronautical review prepared under the provisions of 49 US Code Section 44718 and, if applicable, CFR Title 14, Part 77. Objects determined to be an obstruction or hazard by Part 77 or Terminal Instruction Procedures, or create change to flight operations, approach minimums, or departure routes would be considered incompatible.

Proposed developments may be incompatible and would require evaluation if they would generate other obstructions, such as release of any substance that would impair visibility (e.g., dust, smoke, or steam); emit or reflect light that could interfere with air crew vision; produce emissions that would interfere with aircraft communication systems, navigation systems or other electrical systems; or attract birds or waterfowl. Upon completion of the aeronautical review, the FAA issues either a Determination of Hazard to Navigation (i.e., if a project would exceed an obstruction standard and result in a "substantial aeronautical impact") or a Determination of No Hazard to Navigation. In the latter case, the FAA may include site-specific conditions or limitations to ensure that potential hazards are avoided (e.g., noticing requirements or lighting restrictions).

5.16.2.2 State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act restricts the disposal of wastes and requires cleanup of wastes that are below hazardous waste concentrations but could impact ground and surface water quality. California regulations that address waste management and prevention and cleanup of contamination include CCR Title 22 Division 4.5 Environmental Health Standards for the Management of Hazardous Waste, CCR Title 23 Waters, and CCR Title 27 Environmental Protection.

California Code of Regulations

Most State and Federal regulations and requirements that apply to generators of hazardous waste are codified in CCR Title 22, Division 4.5. Title 22 contains detailed compliance requirements for hazardous waste generation, transportation, treatment, storage, and disposal facilities. Because California is a fully authorized state under RCRA, most RCRA regulations are integrated into Title 22. CalEPA/Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the USEPA through Title 22, which does not include as many exemptions or exclusions as the equivalent Federal regulations. Similar to the CHSC (as outlined below), Title 22 also regulates a wider range of waste types and waste management activities than RCRA. The State has compiled a number of additional regulations from various CCR titles related to hazardous materials, wastes, and toxics into CCR Title 26 (Toxics), and

provides additional related guidance in Titles 23 (Waters) and 27 (Environmental Protection), although California hazardous waste regulations are still commonly referred to as Title 22.

Title 24 of the CCR provides a number of requirements related to fire safety, including applicable elements of Part 2, the CBC; Part 2.5, the California Residential Code (CRC); and Part 9, the California Fire Code (CFC). Specifically, CBC Chapter 7 (Fire and Smoke Protection Features) includes standards related to building materials, systems, and assembly methods to provide fire resistance and prevent the internal and external spreading of fire and smoke (such as the use of non-combustible materials and fire/ember/smoke barriers). CBC Chapter 9 (Fire Protection Systems) provides standards regarding when fire protection systems (such as alarms and automatic sprinklers) are required, as well as criteria for their design, installation, and operation. Section R327 of the CRC includes measures to identify Fire Hazard Severity Zones and assign agency responsibility (i.e., Federal, State, and Local Responsibility Areas, refer to the discussion below under California Department of Forestry and Fire Protection), and provides fire-related standards for building design, materials, and treatments. The CFC establishes minimum standards to safeguard public health and safety from hazards including fire in new and existing structures. Specifically, this includes requirements related to fire hazards from building use/occupancy (e.g., access for fire-fighting equipment/personnel and the provision of water supplies), the installation or alteration/ removal of fire suppression or alarm systems, and the management of vegetative fuels and the provision of defensible space.

California Health and Safety Code

The CalEPA/DTSC established rules governing the use of hazardous materials and the management of hazardous wastes. CHSC Section 25531, et seq., incorporates the requirements of SARA and the CAA as they pertain to hazardous materials. Under the California Accidental Release Prevention Program (CalARP, CHSC Section 25531 to 25545.3), certain businesses that store or handle more than 500 pounds, 55 gallons, or 200 cubic feet (for gases) of acutely hazardous materials at their facilities are required to develop and submit a Risk Management Plan (RMP) to the appropriate local authorities, the designated local administering agency, and the USEPA for review and approval. The RMP is intended to satisfy Federal "right-to-know" requirements and provide basic information to regulators and first responders, including identification/quantification of regulated substances used or stored on site, operational and safety mechanisms in place (including employee training), and potential on- and off-site consequences of release and emergency response provisions.

Under CHSC Sections 25500-25532, businesses handling or storing certain amounts of hazardous materials are required to prepare a Hazardous Materials Business Emergency Plan (HMBEP), which includes an inventory of hazardous materials stored on site (above specified quantities), an emergency response plan, and an employee training program. HMBEPs are also required to include a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material, and must be prepared prior to facility operation (with updates and amendments required for appropriate circumstances such as changes in business location, ownership, or operations).

Pursuant to CHSC Chapter 6.11, CalEPA established the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program), which consolidated a number of existing state programs related to hazards and hazardous materials. The Unified Program also allows the designation of Certified Unified Program Agencies (CUPAs) to implement associated state regulations within their jurisdiction. For businesses within the City, applicable hazardous materials plans (such as RMPs and HMBEPs) are submitted to and approved by the San Diego County Department of Environmental Health (DEH)/Hazardous Materials Division (HMD), which is the local CUPA as outlined below under County requirements.

Division 12 (Fires and Fire Protection) of the CHSC provides a number of standards related to fire protection methods, including requirements for the management of vegetation comprising a potential fire hazard under Part 5, Chapters 1 through 3.

Division 39 (Office of Environmental Health Hazard Assessment) establishes the Office of Environmental Health Hazard Assessment (OEHHA), which is the lead state agency for the assessment of health risks posed by environmental contaminants. OEHHA implements the Safe Drinking and Toxic Enforcement Act of 1986, commonly known as Proposition 65, and compiles the state's list of substances that cause cancer or reproductive harm. OEHHA also develops health-protective exposure levels for contaminants in air, water, and soil as guidance for regulatory agencies and the public.

Investigation and Cleanup of Contaminated Sites

The oversight of hazardous materials release sites often involves several different agencies that may have overlapping authority and jurisdiction. The DTSC and the RWQCBs are the two primary state agencies responsible for issues pertaining to hazardous material release sites. Investigation and remediation activities that would involve potential disturbance or release of hazardous materials must comply with applicable Federal, State, and local hazardous materials laws and regulations. DTSC has developed standards for the investigation of sites where hazardous materials contamination has been identified or could exist based on current or past uses. These regulations would be applied during grading activities if, for example, previously unknown underground tanks or other potential contaminant sources were uncovered.

California Department of Forestry and Fire Protection - State Responsibility Areas System

Legislative mandates passed in 1981 (SB 81) and 1982 (SB 1916) require the CAL FIRE to develop and implement a system to rank fire hazards in California. Areas are rated as moderate, high, or very high based primarily on the assessment of different fuel types. CAL FIRE also identifies responsibility areas for fire protection, including Federal, State, and local responsibility areas (FRAs, SRAs, and LRAs, respectively).

5.16.2.3 Local

County of San Diego

The County DEH/HMD is the local CUPA and has jurisdiction over hazardous materials plans in the City. The County DEH/HMD also requires businesses that handle reportable quantities of hazardous materials, hazardous wastes, or extremely hazardous substances to submit a Hazardous Materials Business Plan (HMBP), which includes detailed information on the storage of regulated substances. The County DEH/HMD provides guidelines for the preparation and implementation of HMBPs, including direction on submittal requirements, covered materials, inspections, and compliance.

The DEH/HMD is also the administering agency for the San Diego County Operational Area Hazardous Materials Area Plan (County 2011). This Plan identifies the system and procedures used within the County to address hazardous materials emergencies and provides guidelines for topics such as transportation (including international crossings/inspections), industry/agency coordination, planning, training, public safety, and emergency response/evacuation.

The OES and Unified Disaster Council administer the MHMP, as outlined in Section 5.8.1.5 of the San Diego County Operational Area Hazardous Materials Area Plan. This Plan is generally intended to promote and provide a multi-jurisdictional approach to compliance with applicable regulatory requirements. The OES also administers the EOP (County 2014), which provides guidance for responding to major emergencies and disasters.

San Diego Air Pollution Control District

Per the California Air Toxics "Hot Spots" Information and Assessment Act (AB 2588), toxic air emissions in the region are regulated by the SDAPCD. A toxic air contaminant is defined as an *air pollutant that may increase a person's risk of developing cancer and/or other serious health effects*. Approximately 800 chemical compounds have been identified as having potential adverse health effects.

Hazardous air polluters in San Diego include the following types of businesses: chromium electroplating and anodizing; dry cleaning; aerospace manufacturing and rework facilities; shipbuilding and repair operations; halogenated solvent cleaning; ethylene oxide sterilizing; and miscellaneous organic chemicals process. Other types of businesses are considered hazardous air polluters; however, they are not expected to be major contributors in San Diego. These include: gasoline distribution (bulk terminals), wood furniture manufacturing, boat manufacturing, printing and publishing, research and development facilities, and off-site waste and recovery operations.

The SDAPCD requires a review of businesses which may emit air contaminants from non-vehicular sources. The purpose of this review is to determine whether an Authority to Construct and Permit to Operate are required for certain equipment at the business. In addition, the review will determine whether notification is required for demolition and renovation projects involving asbestos. Permits and notifications help San Diego County protect the public health by attaining and maintaining ambient air quality standards and preventing public nuisance.

There are no set initial limitations or prohibited types of business in relation to closeness to sensitive receptors; however, during the permitting process some issues may arise that would need to be addressed or changed in order for standards to be met, though these are on a case specific basis. The only exception to this rule is, should the business dealing with hazardous materials be in the vicinity of a school (K-12), it must be a minimum distance of 1,000 feet away from the school. Notification of such use to the parents of each child in the school is also required.

City of San Diego

The Fire-Rescue Department implements the City Hazardous Materials Program (City 2018e), which requires applicable uses/processes related to hazardous materials to provide disclosure through submittal of a Hazardous Material Information Form and acquisition of an associated permit. The Hazardous Materials Program also includes guidelines and requirements for topics such as education, code enforcement, and safe business practices related to hazardous processes and the use/storage of hazardous materials.

The City's Local Enforcement Agency (LEA) enforces State minimum standards on public and private solid waste services within the City, including waste collection/disposal, illegal solid waste dumping, and hazardous solid waste sites requiring remediation. The City's ESD carries out Federal, State, and local waste management requirements, including requirements in the California Public Resources Code, such as AB 939, AB 341, and AB 1862, as well as requirements in the SDMC, including the People's Ordinance (collection), the Recycling Ordinance, the Construction and Demolition Debris Ordinance, and the Storage Ordinance. The City's ESD also works to move the City toward compliance with its Zero Waste Plan, which is part of its CAP.

The SDMC includes general hazardous materials regulations in Chapter 4 (Health and Sanitation), Sections 42.0801, 42.0901 (et seq.); and Chapter 5 (Public Safety, Morals and Welfare), Section 54.0701; as well as regulations regarding specific hazardous materials such as explosives (Chapter 5, Section 55.3301).

Chapter 14 (General Regulations) of the LDC also the includes requirements pertaining to fire hazard concerns, such as brush management (Section 142.0412), adequate fire flow (Section 144.0240), and construction materials for development near open space (Section 145.0701 et seq.).

Emergency Response Plans

The City is a participating jurisdiction in the San Diego County MHMP, a Countywide plan to identify risks and minimize damage from natural and man-made disasters (County 2010, as amended through 2017). The primary goals of the MHMP include:

- Goal 1: Promote public understanding, support, and demand for hazard mitigation;
- Goal 2: Improve hazard mitigation coordination and communication with Federal, State, local, and tribal governments;

- Goal 3: Reduce the possibility of damage and losses to people, critical facilities/ infrastructure, and State-owned facilities, due to wildfire/structural fire, coastal storms/ erosion/tsunami, landslide, hazardous materials, and other manmade hazards;
- Goal 4: Reduce the possibility of damage and losses to people, critical facilities/infrastructure and State-owned facilities due to severe weather (e.g., El Niño storms, thunderstorms, lightning, tsunami, and extreme heat and drought);
- Goal 5: Reduce the possibility of damage and losses to people, critical facilities/infrastructure and State-owned facilities due to earthquake and dam failure; and
- Goal 6: Reduce the high probability of damage and losses to people, critical facilities/ infrastructure, and State-owned facilities due to floods.

The SD-OHS oversees the City's Homeland Security, Disaster Preparedness, Emergency Management, and Recovery/Mitigation Programs. The primary focus of this effort is to ensure comprehensive emergency preparedness, training, response, recovery, and mitigation services for disaster-related effects. The SD-OHS also maintains the City EOC and an alternate EOC in a ready-to-activate status, ensures that assigned staff are fully trained and capable of carrying out their responsibilities during activations, and manages the EOC during responses to multi-department and Citywide emergencies to support incident response activities and maintain Citywide response capabilities.

Emergency Evacuation Plans

As noted above, the City is a participating agency in the County's Unified San Diego County Emergency Services Organization and County of San Diego Operational Area EOP (County 2014), which addresses emergency issues including evacuation. Specifically, Annex Q (Evacuation) of the Plan notes that: *Primary evacuation routes consist of major interstates, highways and prime arterials within San Diego County…* I-5, I-8, I-805, I-15, and SR 163 identified as the primary evacuation routes in the project vicinity and Mission Valley community.

5.16.3 Impact Analysis

5.16.3.1 Issue 1

Issue 1 *Would the* project *expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including when wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

Impact Threshold

Based on the City's CEQA Significance Determination Thresholds, impacts related to wildfire hazards could be significant impact if a project would:

- *Expose people or structures to a significant risk of loss, injury, or death involving wildland fires.*

Additionally, based on CEQA Guidelines Appendix G, if a project is location in or near State responsibility areas or lands classified as VHFHSZ, impacts could be significant if a project would:

- *Substantially impair an adopted emergency response plan or emergency evacuation plan.*
- *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.*
- *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or on-going impacts to the environment.*
- *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.*

Analysis

For a discussion of emergency response plan and emergency evacuation plan, see the discussion under Issue 3, below.

As described in Section 5.16.1.6, a portion of the site is mapped within the VHFHSZ located along the San Diego River which traverses the project site. The City's Municipal Code requires brush management review on properties mapped within the VHFHSZ where habitable structures are located within 100 feet of areas with native and naturalized vegetation. Standard brush management zones consist of a 35-foot Zone One with a corresponding 65-foot Zone Two as measured from the façade of habitable structures. Modification of these standard zone widths is built into the brush management regulations.

Per Section 142.0412(f), the Zone Two width may be decreased by 1½-feet for each 1-foot increase in Zone One width. Under this allowance, where Zone One is expanded to 79 feet, Zone Two would be 0 feet. No formalized Brush Management program would be required beyond a 79-foot Zone One. Most structures within the project would be sited over 79 feet from the native and naturalized condition, separated from the fuel load through a combination of parcel setbacks and developed fire breaks such as the MTS Green Line Trolley tracks, the proposed Riverwalk River Park, the San Diego River Pathway, and various trails. Where the Zone One width is reduced, or where the equivalency of full brush management is not achieved per Section 142.0412(f), a project would be subject to alternative compliance measures as allowed under Section 142.0412(i) and in conformance with FPB Policy B-18-01. Brush management for the project is shown in Figure 5.16-3, *Brush Management,* development within Lots 36 through 40 would be separated from the native and naturalized condition by a brush management Zone One varying from 26 feet to 70 feet with no Zone Two, and therefore subject to alternative compliance. With implementation of alternative compliance measures, the project would meet the purpose and intent of the brush management regulations.

The project has been designed in accordance with and would be built to fire code requirements, including provision of fire hydrants and proper street/aerial access for emergency vehicles. The project has been reviewed by the City's Fire and Rescue Department, which has determined that the project is consistent with City regulations pertaining to fire protection.

While the project would construct internal roads to serve development within the Specific Plan area and would improve adjacent roadways (i.e., Fashion Valley Road and Hotel Circle North), the project does not require fuel breaks and emergency water sources. Power service for the project would require installation and connection of utilities. Construction and improvement of roadways and utility installation/connection would be done in accordance with City regulations and would not exacerbate fire risk or result in temporary or on-going impacts to the environment beyond what has been evaluated in this EIR.

As discussed in Section 5.11, *Geologic Conditions*, the project is not susceptible to landslides. Additionally, the project is not located in an area experiencing post-fire slope instability.

As evaluated in Section 5.12, *Hydrology*, the project would not result in increased risk associated with flooding. While the project may change drainage patters, the project would provide storm water control facilities to manage storm water runoff.

Significance of Impacts

The project would comply with applicable State and City standards associated with fire hazards and prevention. Defensible space between habitable structures and the native/naturalized vegetation are provided through a combination of parcel setbacks and developed fire breaks such as the MTS Green Line Trolley tracks, the proposed Riverwalk River Park, the San Diego River Pathway, and various trails. Where the defensible space is reduced, alternative compliance measures would be implemented. Construction and improvement of roadways and utility installation/connection would be done in accordance with City regulations and would not exacerbate fire risk. The project is not susceptible to landslides. Additionally, the project is not located in an area experiencing post-fire slope instability. The project would not result in increased risk associated with flooding, and would provide storm water control facilities would be constructed to manage storm water runoff. Therefore, potential impacts related to wildfire hazards would be less than significant.

Mitigation Measures

Mitigation would not be required.

5.16.3.2 Issue 2

Issue 2 *Would the project result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school?*

Impact Threshold

Based on the City's CEQA Significance Determination Thresholds, impacts related to health and safety could be significant if a project would:

- *The project proposes the handling, storage and treatment of hazardous materials, e.g., a Hazardous Waste Facility, falling under Municipal Code Section 141.1001 Hazardous Waste Research Facilities and Section 141.1002.*

- Result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1⁄4-mile of an existing or proposed school.

Analysis

The construction of the project would require the transport, temporary storage, and use of asphalt fuels, paints, and solvents, which could potentially be released and result in exposure to these chemicals. The use and handling of materials associated with the construction of the project would follow all applicable Federal, State, and local regulations. Uses associated with buildout of the Specific Plan may use minor amounts of hazardous materials such as cleaning solvents. Additionally, pesticides and herbicides would be used in landscape and park areas. However, usage would not be at levels that would result in substantial hazardous emissions or waste.

No schools are located within 0.25 mile of the project site, and no new SDUSD-operated school facilities are currently planned within 0.25 mile of the project site. The closest schools to the project site include the University of San Diego (USD), located just over a mile north of the project site, and two private schools: Francis Parker Lower School, located approximately 2.4 miles from the project site; and Francis Parker Middle and Upper School, located approximately 0.7 mile from the project site. A new public school is planned at the Civita development, which would be located approximately two miles from the project site. Other public schools located proximate to the project site are Carson Elementary School (approximately two miles north of the project site), Alice Birney Elementary School (approximately three miles southeast of the project site), and Longfellow Elementary School (approximately five miles north of the project site). Thus, the project would not result in hazardous emissions or the handling of hazardous emissions or substances within 0.25 mile of a school.

Significance of Impacts

The project would not result in hazardous emissions or the handling of hazardous emissions and substances or waste within 0.25 mile of an existing or proposed school. Impacts would be less than significant.

Mitigation Measures

Mitigation would not be required.

5.16.3.3 Issue 3

Issue 3 *Would the* project *impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?*

Impact Threshold

Based on the City's CEQA Significance Determination Thresholds, impacts related to health and safety could be significant if a project would:

- *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan*.

Analysis

Construction

Construction of the project could require temporary detours and/or lane closures that could temporarily disrupt travel along existing roadways for periods of time within the construction zone. Emergency access to all surrounding properties, however, would be maintained throughout the construction period. In addition, a traffic control plan and haul route plan would be prepared and implemented as a standard City requirement during project construction. With implementation of these plans, the project would not impede access to publicly or privately-owned land and would not interfere with emergency response during construction. Therefore, no significant public safety impacts related to emergency services would occur during construction.

Fire Emergency Access

The project would provide adequate emergency access within the site. Access for emergency vehicles would be provided at the main project entries along Friars Road, Fashion Valley Road, and Hotel Circle North. Internal roadways would meet the City Fire Marshal's standards. Additional emergency requirements, such as fire hydrants, fire hydrant markers (i.e., blue reflectors installed in the roadway), adequate vertical clearances, adequate turning radii, and fire ladder clearances, would be provided in accordance with City requirements. In addition, the signalized main access driveway would be equipped with signal pre-emption devices to assist emergency vehicles. Proposed buildings would be constructed with fire-resistant construction materials and would include a protective system of fire sprinklers, as required.

Evacuation

Primary evacuation routes consist of the major interstates, highways, and prime arterials within the City. For the project site, identified evacuation routes include I-8 south of the project site; I-805, SR 163, and I-15 to the east; and I-5 to the west. Friars Road on the north, Fashion Valley Road on the east, and Hotel Circle North on the south provide local access to the freeways and to SR 163. The project would construct public road connections to these adjoining streets. A County of San Diego Emergency Plan, including an Evacuation Annex, is in place to provide for the effective mobilization of all the resources of San Diego. The project would not impair implementation of, or physically interfere with, the San Diego Emergency Plan. Additionally, future development within the Specific Plan would be subject to review by the Fire-Rescue and the SDPD to ensure compliance with applicable safety standards.

In conjunction with the improvements to Fashion Valley Road, automated gates would be installed adjacent to the road to restrict traffic when the river reaches the level at which it crosses over the roadway. The gates would be connected to sensors in the river, which would measure the water level and would trigger the gates to close Fashion Valley Road to traffic, across the culvert, in a north and south direction. These automated gates would direct the flow of traffic during a heavy rain event, preventing

unsafe attempts to cross the San Diego River, as well as unnecessary vehicular traffic on Fashion Valley Road when crossing is not possible.

Significance of Impacts

The project would be designed in accordance with applicable safety standards. The project would not impair implementation of, or physically interfere with, an adopted emergency response or emergency evacuation plan; impacts would be less than significant.

Mitigation Measures

Mitigation would not be required.

5.16.3.4 Issue 4

Issue 4 *Would the* project *be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment?*

Impact Thresholds

Based on the City's CEQA Significance Determination Thresholds, a project could result in a significant impact associated with health and safety if one or more of the following would apply:

- Located on or near known contamination sources.
- *Located within 1,000 feet of a known contamination site.*
- *Located within 2,000 feet of a known "border zone property" (also known as a "Superfund'' site) or a hazardous waste property subject to corrective action pursuant to the Health and Safety Code.*
- Has a DEH site file closed.
- *Located in Centre City San Diego, Barrio Logan, or other areas known or suspected to contain contamination sites.*
- *Where dewatering is involved, prior to issuance of any permit that would allow excavation which requires dewatering, a plan for disposal of the dewatering effluent and a permit, if needed, from the Regional Water Quality Control Board or the Industrial Waste Division of MWWD, shall be provided to LDR by the applicant. A Dewatering Discharge Permit (NPDES No. CA 1018804) shall be obtained for the removal and disposal of groundwater (if necessary) encountered during construction. Discharge under this permit will require compliance with a number of physical, chemical, and thermal parameters (as applicable), along with pertinent site-specific conditions, pursuant to direction from the RWQCB. Wells, including test wells, and soil percolation tests are not considered dewatering activities.*

Analysis

The project site is not located in the Centre City San Diego, or Barrio Logan. However, as described in Section 5.16.1, *Existing Conditions*, the project site was evaluated to determine if there are any on-site or off-site facilities located proximate to the project site that would cause a health risk or safety issue. Based

on research conducted, the site is located in an area where suspected or known contamination sites – both on-site and off-site – have been identified.

Off-site Facilities

Off-site facilities listed in the Radius Map report referenced in Section 5.16.1, *Existing Conditions*, have been identified as located within 0.5-mile radius of the site and were evaluated according to their potential to impact the project site. The facilities were evaluated based on the following factors:

- Reported distance from the project site;
- The nature of the database on which the facility is listed and/or whether the facility was listed on a database reporting unauthorized releases of hazardous materials, petroleum products, or hazardous wastes;
- Reported case type (e.g., soil only, failed UST test only);
- Reported substance released (e.g., chlorinated solvents, gasoline, metals);
- Reported regulatory agency status (e.g., case closed, "no further action"); and
- Location of the facility with respect to the reported groundwater flow direction and depth to groundwater.

Due to one or more of the factors above, there is a low likelihood that the off-site facilities listed in the Radius Map report represent a recognized environmental condition in connection with the project site. However, based on proximity to the project site, as well as listings on various databases, additional research was conducted for select sites as presented below:

ARCO, 6899 Friars Road

This facility is located approximately 500 feet northwest of Area 1 and has been in operation as a gas station since before 1969. It currently functions as an AM/PM convenience store and gasoline station with four 10,000-gallon USTs and associated piping and dispensers. Two petroleum hydrocarbon-related releases occurred on this site, resulting in two open cases. The first open case was opened in December 1994 following discovery of a fuel release during the removal of one 550-gallon UST. The second case was subsequently opened in October 1995 as a result of the detection of additional contamination during the removal of four 6,000-gallon USTs and one 8,000-gallon UST. Site investigations identified significant soil and groundwater impacts in the area of the former USTs. The primary contaminants of concern (COCs) were compounds related to petroleum hydrocarbons. A corrective action plan (CAP) was submitted April 4, 2008 and accepted by DEH for implementation with remediation by natural attenuation as the most cost effective remedial measure. Based on the acceptance and implementation of the CAP by the DEH and ongoing monitoring, there is a low likelihood that a recognized environmental condition exists at the project site in connection with this facility.

6110 Friars Road

This facility is located adjacent to the north of Area 1. A listing on the EDR Historical Cleaners database indicates that a historical dry cleaner facility was present between the approximate years of 1980 and 2012. A Geotracker search and request to the DEH yielded no evidence of regulatory records associated with a dry-cleaning facility or a release of hazardous materials or waste at this location. Based on the

absence of disposal violations, regulatory records, and the lack of known and reported releases, there is a low likelihood that a recognized environmental condition exists at the project site in connection with this facility.

6416 Friars Road

This facility is located adjacent to the north of Area 1. A listing on the EDR Historical Auto Stations database indicates that a historical automobile service station was present at this location in 2001. A Geotracker search and request to the DEH yielded no evidence of regulatory records or a release of hazardous materials or waste at this location. Based on the absence of disposal violations, regulatory records, and the lack of known and reported releases, there is a low likelihood that a recognized environmental condition exists at the project site in connection with this facility.

Stardust Golf Course

This facility is located within Area 1. According to DEH files, one 2,000-gallon gasoline UST and one 550-gallon waste oil UST were reported removed from this location on February 1, 1988. It was reported that impacted soil in the immediate vicinity of the removed USTs was also removed and replaced. The case was closed by the DEH on June 4, 1990. Based on the depth to groundwater and the closed nature of the case, there is a low likelihood that a recognized environmental condition exists at the project site in connection with this facility.

ARCO, 2085 S Hotel Circle

This facility is located approximately 450 feet southwest of Area 2. A County of DEH case closure letter described that *[five] USTs were removed in 1984 prior to regulation by DEH and no inspector was present at the time of removal. A Phase II assessment for a real estate transition in 1988 identified both soil and groundwater contamination. Follow-up site assessment activities showed the impact to soil was limited to the former USTs and piping systems…To remediate the soil and groundwater impacts, ARCO initiated an on-site vapor extraction system (VES) in early 1994…Groundwater monitoring from November 1991 through November 1998 has demonstrated that dissolved groundwater contamination plume is stable…Based on the limited extent of contamination, the stability of the dissolved plume, and the City of San Diego input regarding their potential use of groundwater in this basin, no further remedial action is appropriate.* Based on the directional flow of groundwater, there is a low likelihood that a recognized environmental condition exists at the project site in connection with this facility.

Southwest Leasing/Atlas Hotels/Avon Car Rental, 1111 Fashion Valley Road

This facility is located adjacent to the east of Area 2. According to the UST closure report for this location, a 10,000-gallon gasoline tank was excavated from approximately 12 feet below grade and removed from the property in good condition. Soil samples taken from within the proximity of the tank had non-detectable concentrations of hydrocarbons. Based on the absence of disposal violations and the lack of known and reported releases, there is a low likelihood that a recognized environmental condition exists at the project site in connection with this facility.

HAZNET Database

Various facilities adjacent to the south and east of Area 3 were reviewed based on their listings in the Hazardous Waste Information System (HAZNET) database and proximity to the project site. These locations include: the Handlery Hotel & Country Club; Douglas All Red Company; CT Hotel; Essex Realty Management, Inc.; and Town & Country Resort. However, based on the types and quantities of hazardous materials, the absence of disposal violations, and the lack of known and reported releases, there is a low likelihood that a recognized environmental condition exists at the project site in connection with these facilities.

Hotel Circle 76 Station: 504 Hotel Circle North

A gasoline leak from a former UST took place at this location in 1989, approximately 366 feet to the east/southeast from Area 3. The DEH provided a no further action letter dated August 17, 1992, stating that no further action is required based on site characterization and mitigation activities performed. Based on the distance of this former reported release from the site, the reported assessment and mitigation activities performed, and the case closed status, there is a low likelihood that this facility represents a recognized environmental condition to the project site.

With the possible exception of historic auto repair and possible dry cleaning operations as discussed above, no obvious historical facilities, features of concern, or land uses indicative of the use, storage, or generation of hazardous materials/wastes or petroleum products were found in any of the historical resources reviewed for off-site land uses within the vicinity of the project site. Relative to the historic auto repair facility and the historic dry cleaner facility, based on the absence of disposal violations, regulatory records, and the lack of known and reported releases, there is a low likelihood that a recognized environmental condition exists at the project site in connection with this facility.

An Envirofacts search was conducted in January 2019. The USEPA has established Envirofacts as a multi-system search tool that enables users to search multiple environmental database for facility information, including toxic chemical releases, water discharge permit compliance, hazardous waste handling processes, and air emissions estimates. The Envirofacts search yielded no results for any EPA-regulated facilities or known contamination sources anywhere on or within 1,000 feet of the project site.

On-Site Conditions

In order to determine if there are any known contamination sources located on the project site, Phase I ESAs were conducted by SCS Engineers. The Phase I ESAs divided the plan area into three areas, Areas 1, 2, and 3, as described above in Existing Conditions, *Project Site Subareas for Purposes of the Hazardous Materials Evaluations*. Subsurface Assessments were also performed by SCS Engineers to further assess the potential recognized environmental conditions of the plan area identified by the Phase I ESAs for each respective area of the project site.

An inground wastewater clarifier was observed within Area 1, along with several USTs that had been previously removed from the project site. Inground wastewater clarifiers have the potential to release wastewater products. This potential increases over time as inground wastewater clarifier systems age. Due to the interpreted age of the clarifier at the site (over 60 years), there is a moderate likelihood that

releases have occurred and that an associated recognized environmental condition exists at the site. In addition, two water wells were observed at the southeast portion of Area 3 in a portion of the project site adjacent to Hotel Circle North. The possible environmental concerns with water wells are the direct access by contaminates to groundwater they allow, if improperly sealed or screened.

To assess the former USTs and the existing wastewater clarifier in Area 1, five borings were conducted in order to collect and analyze soil samples from various depths below grade. Because groundwater was not encountered at the maximum proposed boring depths of Areas 1 and 2, no groundwater samples were collected. One water sample was collected from one of the existing groundwater wells at Area 3.

Soil samples were collected from each boring location at depths of approximately 0.5, 1.5, and 3.0 feet below ground surface (bgs) and analyzed for the possible presence of organochlorine pesticides, chlorinated herbicides, and arsenic in connection with historical and current use of pesticides at the project site. The subsurface investigation for pesticides involved 18 borings in Area 1, eight borings in Area 2, and 11 borings in Area 3. No detectable concentrations of TPH or VOCs were reported in the soil samples collected from Area 1, where former USTs were excavated. While organochlorine pesticides were detected above laboratory reporting limits in Areas 2 and 3, no samples were above their respective RSLs or CHHSLs. No detectable concentrations of TPH or organochlorine pesticides were reported in the groundwater sample collected from the well in Area 3. Therefore, there is a low likelihood that significant residual petroleum hydrocarbons are left in place from the previous release reported in this portion of the project site.

Arsenic concentrations at all three areas exceeded the CHHSL and RSL in all samples. However, arsenic is commonly present in California soils in concentrations that exceed risk criteria under naturally occurring conditions, and the arsenic concentrations in shallow soil at the project site are within naturally occurring background concentrations. Thus, these concentrations do not appear to be indicative of a release of arsenic.

The ESAs concluded that no obvious indications were observed that a release of hazardous materials/wastes or petroleum products had occurred within the project site. However, based on the laboratory results, current regulatory guidelines, and conclusions presented in the Subsurface Assessment, there is the potential for the presence of arsenic and organochlorine pesticides in soil within the project site. Therefore, in order to avoid the potential health risks associated with grading and excavation of soils potentially containing hazardous materials, an SMP has been prepared for the project by SCS (see Appendix FF) and approved by DEH (Appendix FF-1). The SMP summarizes the previous Phase I Environmental Site Assessment and subsurface environmental site assessment activities and describes how soil impacted with elevated concentrations of arsenic, organochlorine pesticides, or other constituents of concern will be properly segregated, managed, and reused in accordance with DEH requirements. The project would be conditioned to implement the SMP. Impacts would be less than significant.

~~the following shall be made conditions of project approval. Prior to site development but subsequent to the completion of grading plans, additional shallow sampling for arsenic and organochlorine pesticides shall be conducted.~~

- ~~If soil is ultimately exported from the project site, additional soil sampling and analysis shall be required. Any soil exported from the project site must be properly managed and transported to an appropriately permitted facility, if it is characterized as a regulated or hazardous waste.~~
- ~~The project shall develop a site-specific soil management plan in order to account for project site development activities and integrate environmental issues into the project site development process.~~

For Area 3, additional research of the production well shall occur in order to better understand what the groundwater data are representative of. Once this research is completed, additional groundwater sampling may be required.

Significance of Impacts

Due to the presence of previously removed USTs along with the existing wastewater clarifier, there is the potential for the presence of arsenic and organochlorine pesticides in soils within the project site. The project would be required to implement specific recommendations presented in the SMP specifically prepared for the project and approved by DEH, which ~~outlined in the Subsurface Assessment, and compliance with Federal, State, and local regulations~~ would ensure the impact would be less than significant.

Mitigation Measures

Mitigation would not be required.

5.16.3.5 Issue 5

Issue 5 *Would the* project *expose people to toxic substances, such as pesticides and herbicides, some of which have long-lasting ability, applied to the soil during previous agricultural uses?*

Impact Threshold

Based on the City's CEQA Significance Determination Thresholds, impacts related to health and safety could be significant if a project would be:

- *Located on a site presently or previously used for agricultural purposes* and *pesticides are routinely used during agricultural operations.*

Analysis

As described in the Phase I, historical aerial photographs of the project site dating back to 1949 show that agricultural activities took place at the project site and in the site vicinity from circa 1915 to the mid-1940s. These activities possibly took place at the time when organochlorine and metals–based pesticides

were in wide general use for pest or weed control. These classes of pesticides are known to have the potential to remain in detectable concentrations in the subsurface for extended periods of time.

The California Environmental Protection Agency developed a guidance document titled *Use of California Human Health Screening Levels (CHHSLs) in Evaluation of Contaminated Properties*. CHHSLs can be used to screen sites for potential human health concerns where releases of hazardous chemicals to soils have occurred. An additional guidance document titled *Regional Screening Levels (RSL) Summary Table* was developed by the EPA to *provide default screening tables and a calculator to assist […] with decision making concerning CERCLA hazardous waste sites and to determine whether levels of contamination found at the site may warrant further investigation or site cleanup, or whether no further investigation or action may be required.* The contaminants of concern for this project site were conservatively compared to their respective residential CHHSL or RSL, whichever was lower.

Some of the tested organochlorine pesticide samples, including chlordane, dieldrin, DDE, and DDT, were detected above their respective laboratory reporting limits. However, none of the samples in Areas 1 and 2 were above their respective RSLs or CHHSLs. One sample collected from the western portion of Area 3 was reported to exceed the CHHSL and RSLs for chlordane and dieldrin, respectively. A soil sample collected in this same location did not contain chlordane or dieldrin above the laboratory reporting limits.

There is a moderate likelihood that residual concentrations of organochlorine and metals-based pesticides are present in the soil beneath the project site. Assuming the legal and permitted application of these pesticides along with the assumption that existing site use remains the same, this common occurrence is unlikely to lead to a health risk or enforcement action. Nonetheless, grading activities associated with development of the project site could result in the disturbance of soils where agricultural activities occurred in the past. These soils could have been applied with toxic substances such as pesticides and herbicides. Therefore, as presented under Issue 4 above, in order to avoid the potential health risks associated with grading and excavation of soils that may contain residual concentrations of organochlorine and metals-based pesticides, an SMP has been prepared. The project would be conditioned to implement the SMP ~~to ensure management contaminated soil that may be encountered during project grading~~. Impacts would be less than significant.

~~the following shall be made conditions of project approval.~~

- ~~Limited soil sampling shall be conducted as a precautionary measure to ensure that future occupants of the project site are not exposed to elevated concentrations of COCs, if present. If contaminated soils are encountered, the soil would be classified as hazardous or regulated waste. Regulations are in place that shall be followed for disposal of classified and regulated waste. In addition, if soil is excavated and exported as a part of redevelopment activities, soil sampling shall be conducted to assess whether the soil contains concentrations of COCs that would cause the soil to be classified as hazardous or regulated waste.~~

Significance of Impacts

There is a moderate likelihood that residual concentrations of organochlorine and metals-based pesticides are present in the soil beneath the project site, which could pose health risks associated with

grading and excavation of soils. The project would be required to implement specific recommendations presented in the SMP specifically prepared for the project and approved by DEH, which ~~specific recommendations outlined in the Subsurface Assessment , and compliance with Federal, State, and local regulations~~ would ensure the impact would be less than significant.

Mitigation Measures

Mitigation would not be required.

5.16.3.6 Issue 6

Issue 6 *Would the* project *result in a safety hazard for people residing or working in a designated airport influence area?*

Impact Thresholds

Based on the City's CEQA Significance Determination Thresholds, impacts related to health and safety could be significant if a project would be:

- Be located *in a designated airport influence area and where the Federal Aviation Administration (FAA) has reached a determination of "hazard" through FAA Form 7460- 1, "Notice of Proposed Construction or Alteration" as required by FAA regulations in the Code of Federal Regulations (CFR) Title 14 §77.13*; or
- Be inconsistent with an Airport's Land Use Compatibility Plan.

Analysis

The project site is located within AIAs of San Diego International Airport and Montgomery Field. The project site is located within the Overflight Notification Area of the San Diego International Airport, as shown in Figure 5.16-5, *San Diego International Airport Compatibility Policy Map: Overflight*. An Overflight Notification is a buyer awareness tool that ensures prospective buyers of residential land use development near an airport are informed about the airport's potential impact on the property. As shown in Figure 5.16-6, *San Diego International Airport Airspace Protection Boundary*, the project site is located within the Airspace Protection Boundary for the San Diego International Airport, but outside of the FAA Part 77 certification of non-obstruction area. The project site is located outside of the noise contours and safety zones for San Diego International Airport.

The proposed project has been determined to be consistent with the San Diego International Airport and Montgomery-Gibbs Executive Airport ALUCPS by the SDCRAA (see Appendix Z: *ALUC Consistency Determination Letters*). Based on the Consistency Determination Letter, the ALUC found the project to be consistent with the Montgomery Field ALUCP.

A portion of the project site is located within the FAA Height Notification Boundary of Montgomery Field, as shown in Figure 5.16-7, *Montgomery Field ALUCP: Part 77 Airspace Protection*. The Part 77 Height Notification Boundary extends 20,000 feet from the nearest point of any runway. Within the boundary,

Part 77, Subpart B requires that the FAA be notified of any proposed construction of alteration having a height greater than an imaginary surface extending 100 feet outward and one foot upward (slope of 100 to one) from the runway elevation. The project site is more than five miles from Montgomery-Gibbs Executive Airport and within Mission Valley, which sits below the mesa where Montgomery Field is located. Tallest structures would be 247 feet in height AMSL. The FAA determined that the project would not result in any hazard to air navigation (see Appendix Y, *FAA Determination of No Hazard Letters*). The project would not result in obstruction to airport operations from Montgomery-Gibbs Executive Airport.

Significance of Impacts

Although the project site is within the AIAs of San Diego International Airport and Montgomery-Gibbs Executive Airport, the project would not result in impacts associated with the four compatibility concern areas. As a result, impacts would be less than significant.

Mitigation Measures

Mitigation would not be required.

5.16.3.7 Issue 7

Issue 7 *Would the* project *result in a safety hazard for people residing or working within two miles of a private airstrip or a private airport or helicopter facility that is not covered by an adopted Airport Land Use Compatibility Plan?*

Impact Thresholds

Based on the City's CEQA Significance Determination Thresholds, impacts related to health and safety could be significant if a project would:

- *Result in a safety hazard for people residing or working within two miles of a private airstrip by a private helicopter facility that is not covered by an adopted Airport Land Use Compatibility Plan.*

Analysis

As identified previously in 5.16.1, in addition to the helipads located at the Montgomery-Gibbs Executive Airport and the SDIA, there are private heliports within a two-mile radius of the project site. These include: a heliport at the Hazard Center Office Tower, located approximately 1.3 mile east of the project site; at UCSD Medical Center and at Scripps-Mercy Hospital, located approximately 1.5 miles south of the project site; and at the Sharp Hospital, located approximately 3.5 miles northeast of the project site. (See Figure 5.16-4, *Helipad/Heliport Locations*.) There are no private airstrips within a two-mile radius of the plan area. There would be no project structures that would impair heliport or private airstrip operations. Any helicopter operations associated with the either the office building or medical facilities would be undertaken in accordance with FAA safety and flight regulations. As a result, the project would not have an impact on the safety of aircraft activity at heliports or private airstrips near the project site and would not result in a safety hazard for people residing or working within two miles of a private airstrip or heliport facility.

Significance of Impacts

Future buildout of the Specific Plan would not have an impact on people residing or working within 2 miles of a private airstrip or heliport facility. There would be no structures that would impair heliport or private airstrip operations and all helicopter operations would be done in accordance with FAA regulations. Impacts would be less than significant.

Mitigation Measures

Mitigation would not be required.

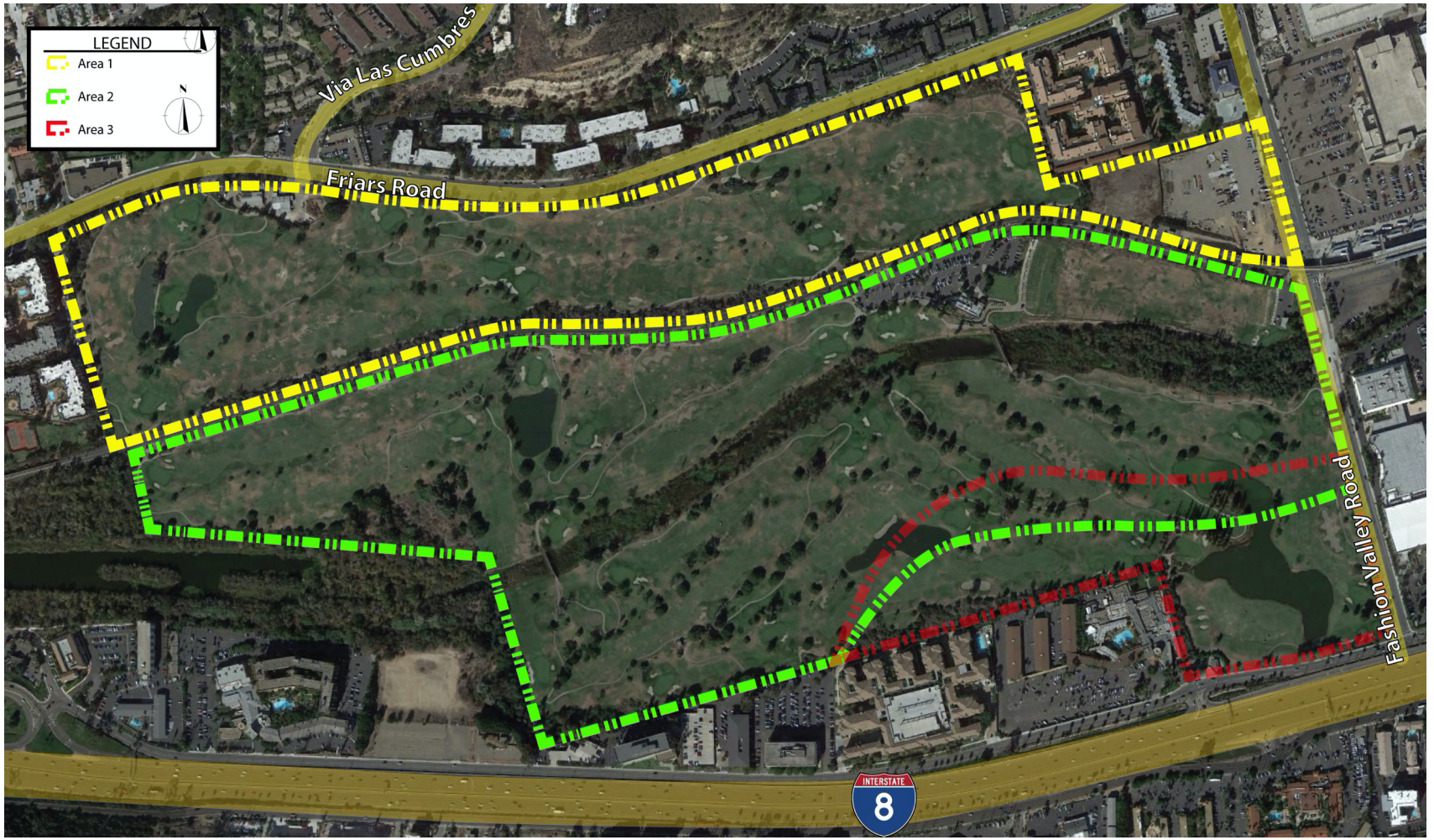

Figure 5.16-1. ***Project Site Subareas for Purposes of Hazardous Materials Evaluations***

Figure 5.16-2. *Location of Sensitive Receptors*

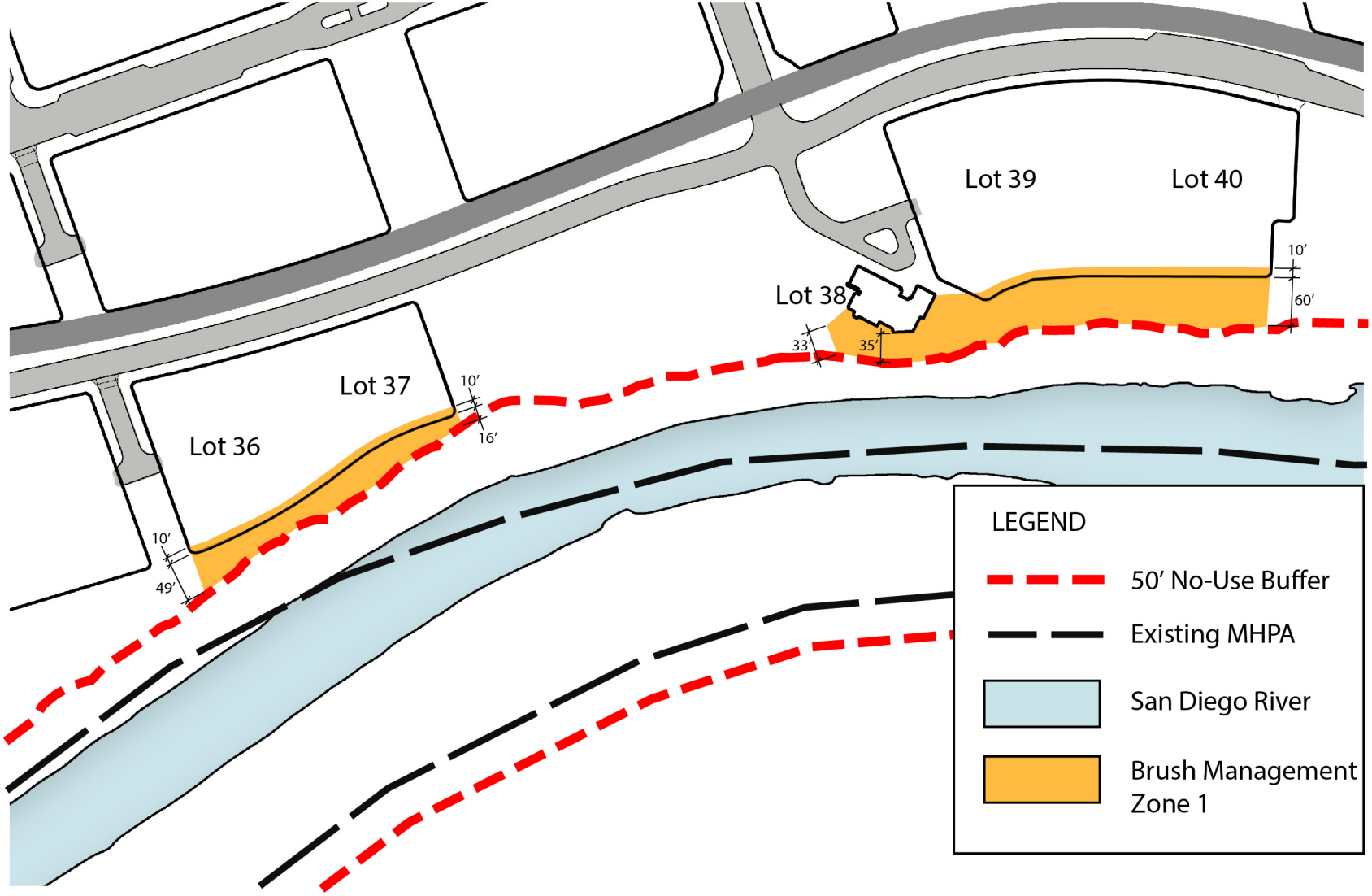

Figure 5.16-3. *Brush Management*

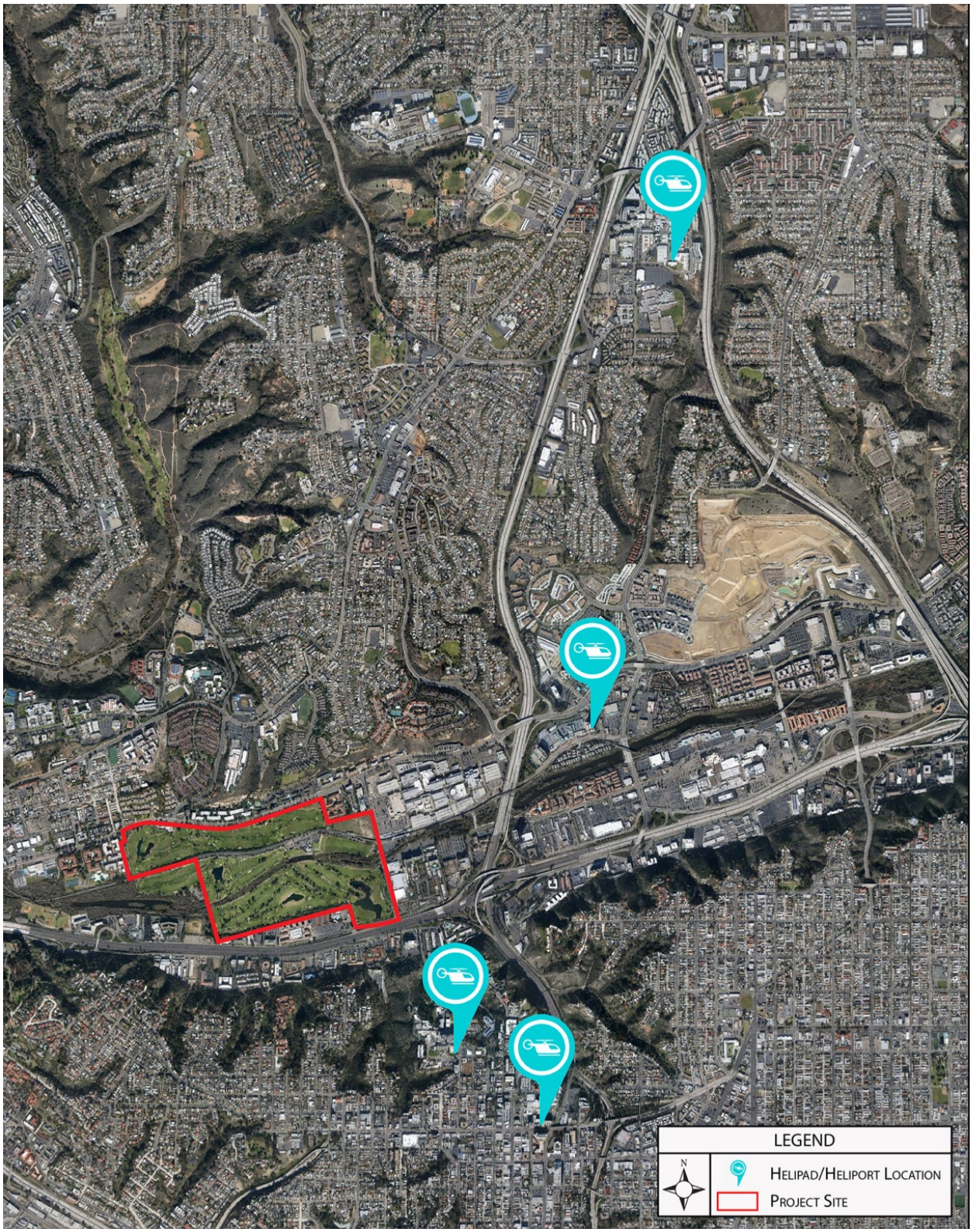

Figure 5.16-4. *Helipad/Heliport Locations*

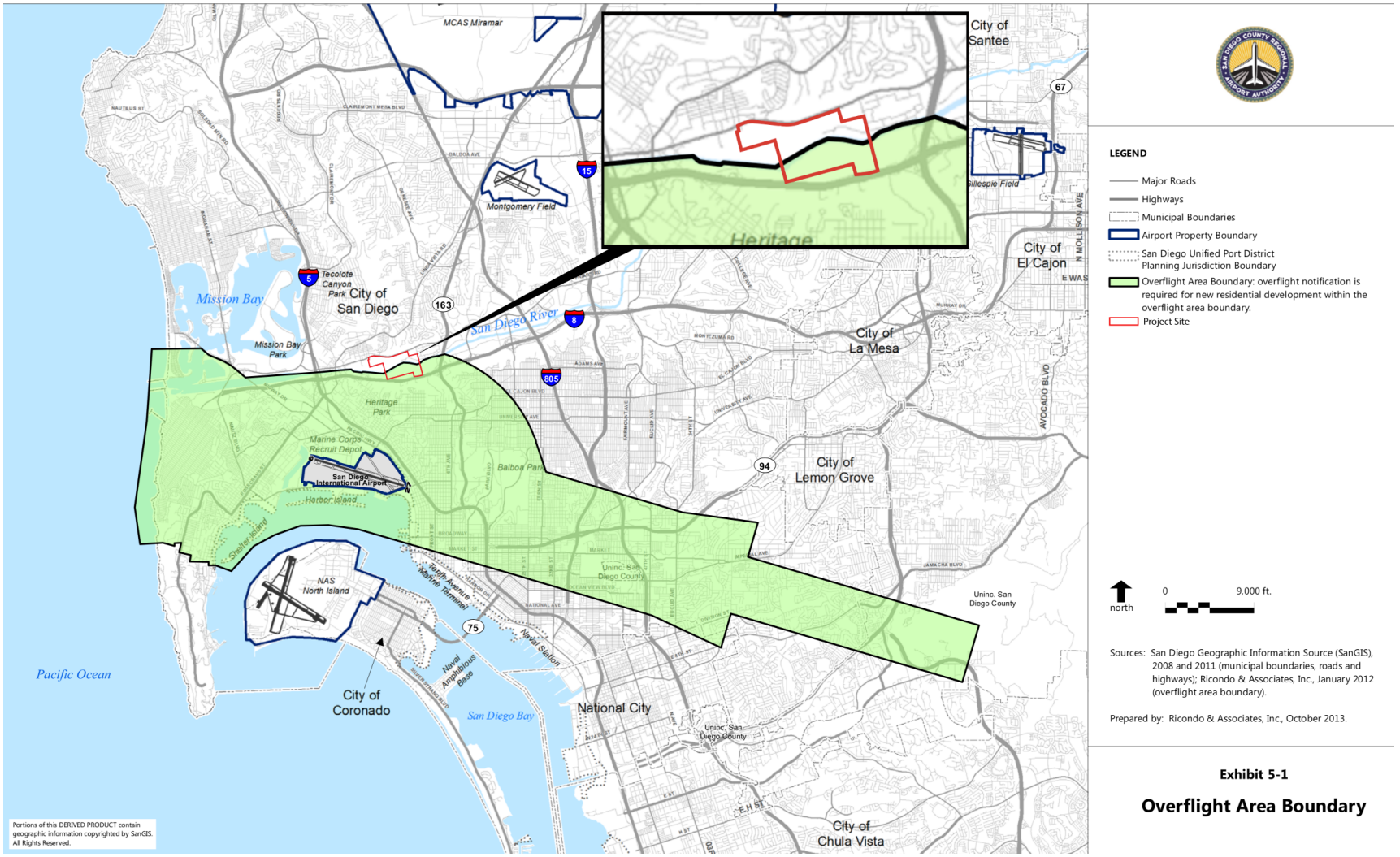

Figure 5.16-5. ***San Diego International Airport Compatibility Policy Map: Overflight***

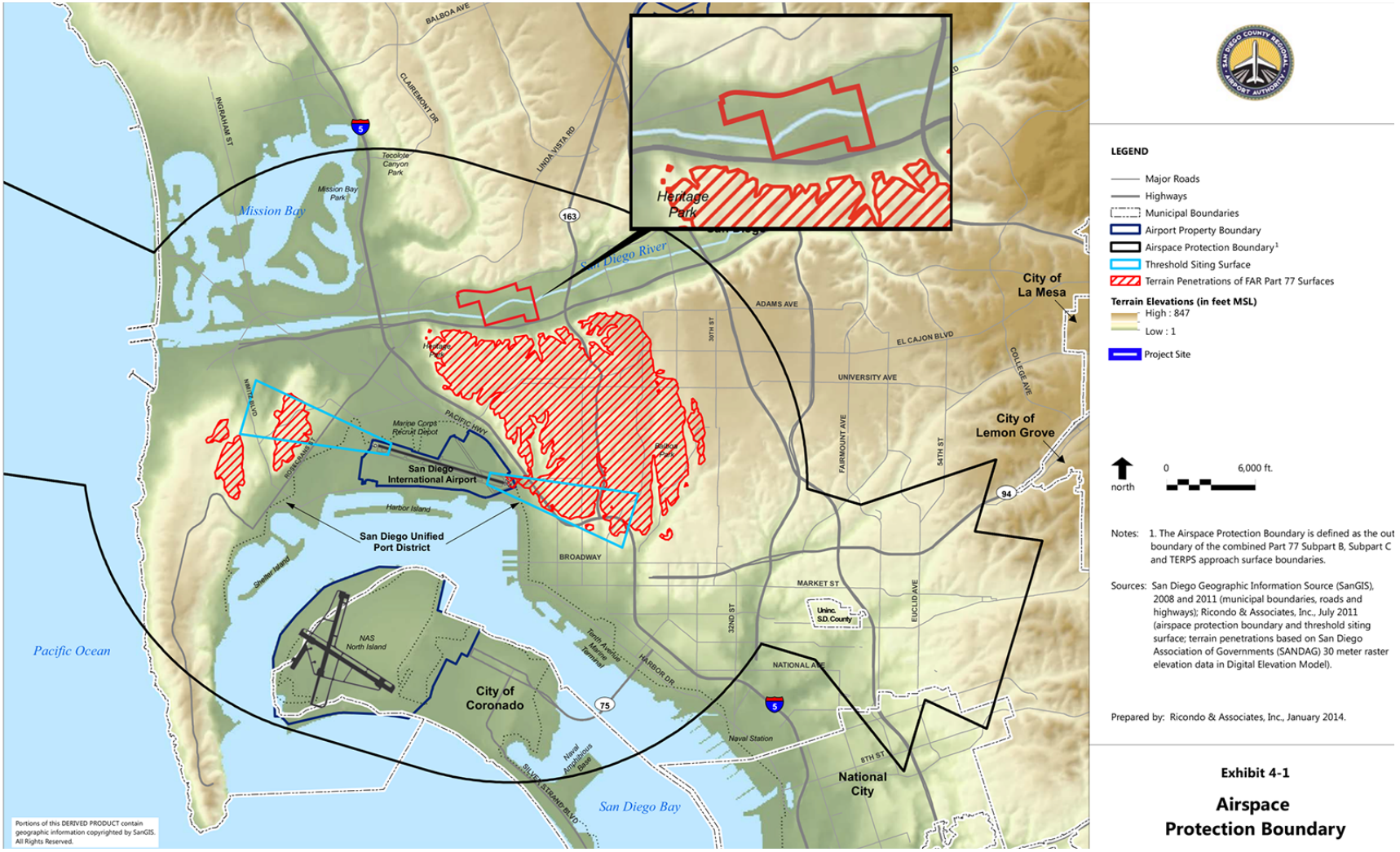

Figure 5.16-6. *San Diego International Airport Airspace Protection Boundary*

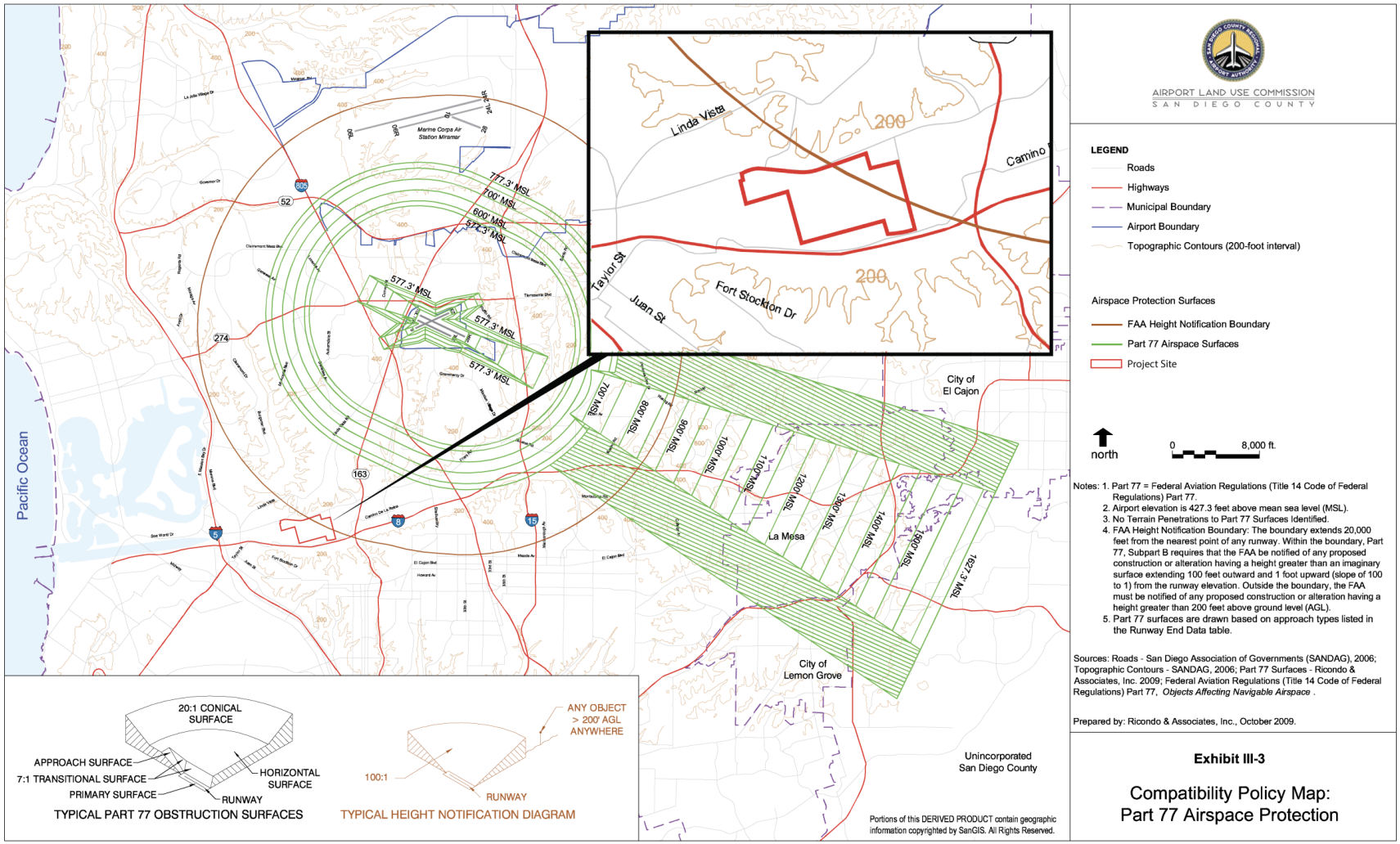

Figure 5.16-7. *Montgomery Field Airport Compatibility Policy Map: Part 77 Airspace Protection*

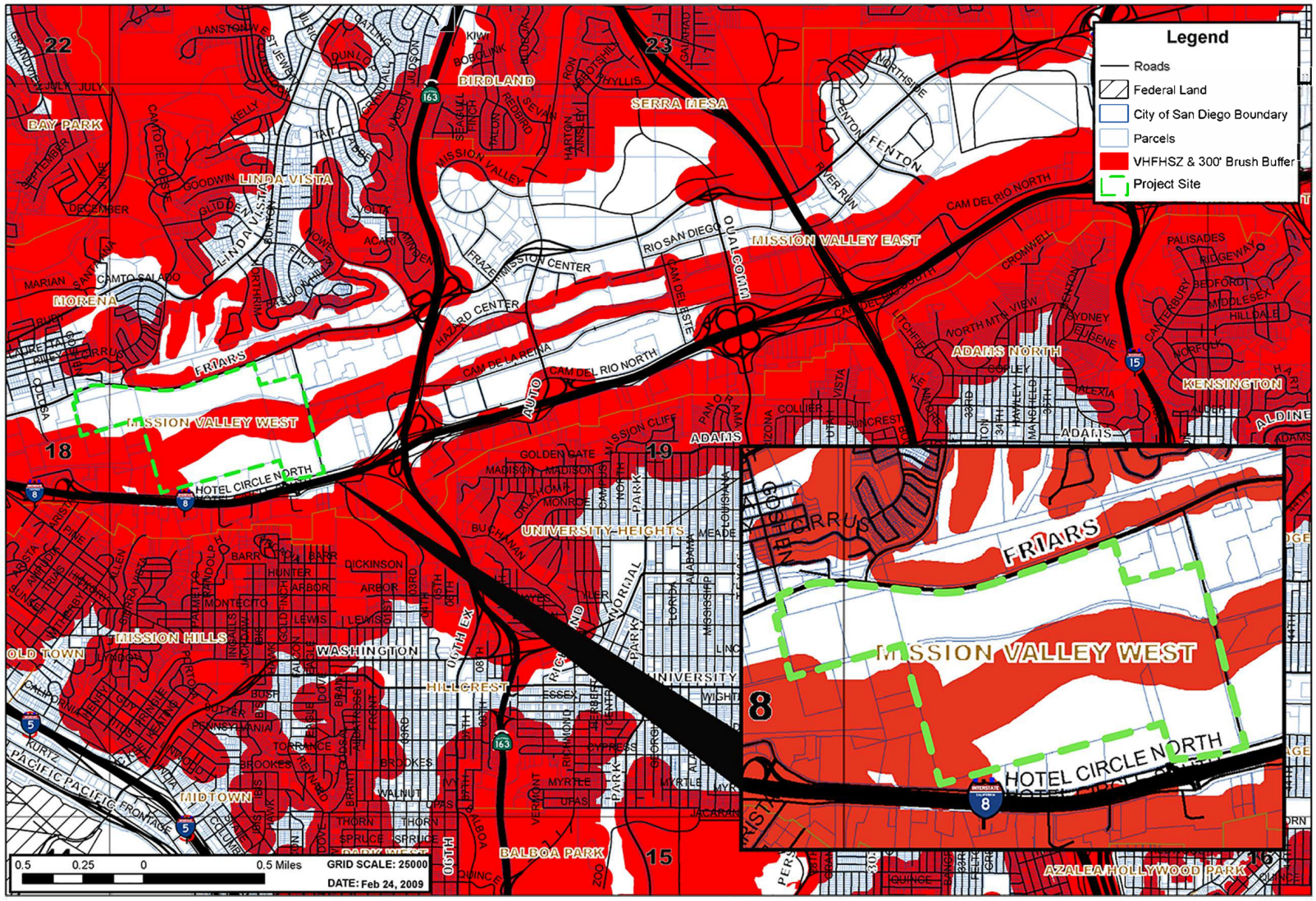

Figure 5.16-8. ***Very High Fire Hazard Severity Zone Map***

6.0 CUMULATIVE EFFECTS

Section 15355 of the State CEQA Guidelines defines "cumulative impacts" as *two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts*. These individual effects may be changes resulting from a single project or a number of separate projects and can result from individually minor but collectively significant projects taking place over a period of time.

The CEQA Guidelines Section 15130 provides guidance for analyzing cumulative impacts and requires that an EIR address cumulative impacts of a project *when the project's incremental effect would be cumulatively considerable*. Cumulatively considerable, as defined in Section 15065(a)(3), *means that the incremental effects of the individual project are considerable when viewed in connection with the effects of past projects, other current projects and the effects of probable future projects.* Where a lead agency determines the project's incremental effect would not be cumulatively considerable, a brief description of the basis for such a conclusion must be included. In addition, the CEQA Guidelines allow for a project's contribution to be rendered less than cumulatively considerable with implementation of appropriate mitigation.

According to Section 15130(b) of the CEQA Guidelines, the *discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact*. The evaluation of cumulative impacts is to be based on either:

- *A list of past, present and probable future projects producing related or cumulative impacts including, if necessary, those projects outside the control of the agency; or*

- *A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated region- or area-wide conditions contributing to the impacts, including, if necessary, those projects outside the control of the agency; or cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.*

This EIR utilizes the "Plan" approach for the project's cumulative analysis in accordance with CEQA Section 15130(b). CEQA Section 15130(e) identifies *If a cumulative impact was adequately addressed in a prior EIR for a community plan, zoning action, or general plan, and the project is consistent with that plan or action, then an EIR for such a project should not further analyze that cumulative impact, as provided in Section 15183(j).* According to CEQA Section 15152(f)(3), adequately addressed means mitigated or avoided by the prior EIR, or examined in detail sufficient to allow impacts to be mitigated or avoided by site specific project conditions. CEQA also provides that cumulative impacts caused by other projects do not necessarily mean the project undergoing environmental review has its own cumulative impacts. CEQA Guidelines Sections 15130 (d) and (e), 15064(h), and 15152(f)(3).

The Mission Valley CPU Program EIR adequately addressed cumulative impacts from buildout of the Mission Valley Community Plan for the environmental resources areas addressed in the CPU Program EIR. The City CEQA findings for the Mission Valley Community Plan EIR found cumulatively considerable impacts for the following resource issue areas: (1) air quality (conflicts with air quality plans and air quality standards); (2) historical, cultural, and tribal cultural resources; (3) hydrology and water quality (flooding and drainage patterns from riverine flooding); (4) noise (increase in ambient noise, land use compatibility, and construction noise); (5) public services and facilities; (6) public utilities and infrastructure; and (7) transportation (traffic circulation – roadway segments, intersections, and freeway facilities).

Consistent with CEQA Guidelines 15130(d), this section summarizes and incorporates by reference for purposes of tiering from the Mission Valley CPU PEIR cumulative effects analysis that adequately addresses each resource issue area. It analyzes the site-specific project-level cumulative impacts from the project without assuming that the project's cumulative impacts are the same as the seven cumulatively considerable and unmitigated impacts identified the Mission Valley CPU Program EIR. In doing so, this analysis identifies whether the City's CEQA findings for why the Mission Valley CPU Program EIR found cumulatively considerable and unmitigable impacts are applicable to the project, and whether there are alternatives available to avoid those cumulatively considerable impacts that are applicable to the project.

The cumulative analysis included in the Mission Valley CPU Program EIR assumes buildout of the Mission Valley Community Plan and, because it tiers of the General Plan's analysis of cumulative effects, anticipated development in surrounding communities known at the time the CPU Program EIR was developed. The Morena Corridor Specific Plan project post-dates the Mission Valley CPU and, therefore, was not anticipated in the cumulative effects analysis for the Mission Valley CPU Program EIR. Therefore, the cumulative effects analysis for the project includes buildout of the Morena Corridor Specific Plan to ensure its cumulative effects when combined with the Mission Valley Community Plan buildout, of which the project has been included, would not result in one or more new cumulative effects.

6.1 Plans Considered for Cumulative Effects Analysis

The following is a description of the planning documents utilized in the cumulative effects analysis. All plans discussed in this section are herein incorporated by reference.

6.1.1 Mission Valley Community Plan

The Mission Valley Community Plan provides a road map for future development and promotes the creation of walkable, mixed-use community areas, better connectivity, increased spaces for parks and recreation facilities, tailored infrastructure solutions, and more mobility choices, with a focus on celebrating the San Diego River. The Mission Valley Community Plan designates the site as Riverwalk Specific Plan, with land uses of Residential (High Density) in the northeastern and northwestern portions of the site; Office and Visitor Commercial in the northcentral, northeastern, and southeastern portions of the site; and Potential Park/Open Space in the central portion of the site (Figure 2-7, *Mission Valley Community Plan Planned Land Use Ma*p). As demonstrated in Section 5.1, *Land Use*, the project is

consistent with the Mission Valley Community Plan. The Mission Valley Community Plan included a community-wide rezone intended to implement the community Land Use Plan (see Figure 2-9, *Existing Zoning*). Consistent with the Mission Valley Community Plan, the Specific Plan includes the RM-4-10, CC-3-9, OC-1-1, and OP-1-1 zones, as modified in the Riverwalk Specific Plan.

The cumulative impacts assessment in the Mission Valley CPU Program EIR primarily relied on the cumulative impact determinations in the City's General Plan Program EIR. Consistent with CEQA Guidelines Section 15130(e), where the significance of cumulative impacts was previously identified for the General Plan PEIR, and the CPU is consistent, those impacts do not need to be analyzed further. The Mission Valley CPU Program EIR determine that build-out of the Community Plan would add incremental effects to several of the issues evaluated in the General Plan Program EIR; however, the effects associated with the CPU would also be cumulatively significant. Issue areas identified as cumulatively significant in the Mission Valley CPU Program EIR include: (1) air quality (conflicts with air quality plans and air quality standards); (2) historical, cultural, and tribal cultural resources; (3) hydrology and water quality (flooding and drainage patterns from riverine flooding); (4) noise (increase in ambient noise, land use compatibility, and construction noise); (5) public services and facilities; (6) public utilities and infrastructure; and (7) transportation (traffic circulation – roadway segments, intersections, and freeway facilities).

6.1.2 Morena Corridor Specific Plan

The site for the Morena Corridor Specific Plan is located north of the San Diego River, east of Mission Bay, south of Clairemont Drive, and west of the residential neighborhoods in Linda Vista and Clairemont Mesa. The Morena Corridor Specific Plan area includes the existing Morena/Linda Vista Trolley Station at Morena Boulevard and Linda Vista Road that connects the Morena Corridor Specific Plan area to Mission Valley and further east, and provides a connection to Old Town San Diego. Future trolley stations at the intersection of West Morena Boulevard and Tecolote Road and at the intersection of Morena Boulevard and Clairemont Drive will connect Downtown San Diego in the south to the Veterans Hospital; the University of California, San Diego (UCSD); and Westfield UTC in the north.

The Morena Corridor Specific Plan includes policy direction and supplemental development regulations intended to guide future development in the Morena Corridor Specific Plan area. Also included in the Morena Corridor Specific Plan are changes to the street system intended to improve mobility across all travel modes in the Morena Corridor Specific Plan area. The Morena Corridor Specific Plan includes land use designations intended to encourage a greater density and intensity of mixed-use residential and commercial land uses for areas near the future Mid-Coast Light Rail Trolley Station at Tecolote Road and the existing Morena/Linda Vista Trolley Station.

A Program EIR was prepared for the Morena Corridor Specific Plan project. The Morena Corridor Specific Plan Program EIR determined that significant cumulative impacts associated with transportation and circulation, air quality (operational), historical and tribal cultural resources, and visual effects and neighborhood character would result from development of the Morena Corridor Specific Plan.

6.2 Cumulative Effects Analysis

The following discussion provides an analysis of the project's potential cumulative effects and identifies those issue areas that have been excluded from discussion of cumulative effects, because those issue areas were adequately addressed in the Mission Valley CPU Program EIR.

6.2.1 Land Use

Land uses and development patterns are typically established in local land use planning documents specific to jurisdictions, but can have implications on surrounding areas. Therefore, the geographic scope for the land use cumulative analysis is generally the Mission Valley Community Plan area. Development on the Specific Plan area is governed by the Mission Valley Community Plan, a component of the City's General Plan, and the Land Development Code. Additionally, the project site is regulated by the San Diego River Park Master Plan, Montgomery Field ALUCP, San Diego International Airport ALUCP, and is within the City's MSCP Subarea. For a detailed discussion and analysis of all these plans, refer to Section 5.1, *Land Use*.

6.2.1.1 Mission Valley Community Plan

The Mission Valley CPU Program EIR concluded that the CPU is consistent with and would also implement the environmental goals and objectives of the Regional Plan. The CPU's land use framework is consistent with the City's MSCP Subarea Plan and the MHPA LUAGs and would accommodate the development proposed in the CPU area's Specific Plans. Development implemented in accordance with the CPU would not result in conflicts with the City's ESL Regulations, as the CPU contains policies that support these regulations. Any development within the CPU area that would encroach into environmentally sensitive lands would be subject to review in accordance with the ESL Regulations (LDC Section 143.0101 et seq.). Future development would also be required to comply with the City's Historical Resources Regulations, which protect designated and eligible historical resources throughout the City. Future development projects within the Airport Influence Areas for San Diego International Airport (SDIA) or Montgomery-Gibbs Executive Airport would be submitted to the San Diego County Regional Airport Authority, acting as the Airport Land Use Commission (ALUC), to ensure the consistency of future development with the Airport Land Use Compatibility Plan (ALUCP) for the relevant airport, until the ALUC determines that the updated Community Plan and development regulations are consistent with the relevant ALUCPs, or the City Council takes action to overrule the ALUC. Based on the compatibility of the CPU with the General Plan policy framework and other applicable regulations and land use plans, cumulative land use impacts associated with implementation of the Mission Valley Community Plan would be less than significant and have been adequately addressed.

6.2.1.2 Morena Corridor Specific Plan

As presented in the Morena Corridor Specific Plan Program EIR, future development within that Specific Plan area would also be consistent with the City's General Plan, Clairemont Mesa Community Plan, Linda Vista Community Plan, LDC, the San Diego River Park Master Plan, and SANDAG's San Diego Forward: The

Regional Plan. That Program EIR determined that cumulative land use impacts associated with build-out of the Morena Corridor Specific Plan and development within the surrounding area would be less than significant. Thus, development of the project in concert with development planned for the Morena Corridor Specific Plan would not combine to result in cumulatively significant land use impacts.

6.2.1.3 Riverwalk Project

As presented in Section 5.1, *Land Use*, of the EIR, the Riverwalk Specific Plan is overall consistent with all applicable goals, policies, and objectives of the General Plan, the Mission Valley Community Plan and the LDC, and SANDAG's San Diego Forward: The Regional Plan. The project would not result in a significant cumulative impact due to inconsistency or conflict with an adopted land use plan, land use designation, or policy. Additionally, the project would not result in conflicts the Montgomery Field ALUCP, the San Diego International Airport ALUCP, and the MSCP. The Riverwalk Specific Plan, when taken into account with other cumulative projects, would not result in a significant land use impact. As the project would not result in a cumulatively considerable contribution to a land use compatibility impact.

The Regional Plan noted that regional reduction targets for GHG emissions would be met and exceeded by *using land in ways that make developments more compact, conserving open space, and investing in a transportation system that provides people with alternatives to driving alone*. The project is consistent with the Regional Plan's policies by constructing a mixture of uses, including 4,300 multi-family residential units for both market rate and low-income residents, 1,152,000 square feet of employment-generating office and retail space, a series of bike paths consistent with the regional bicycle network, and approximately 97 acres parks, trails and open space. The project provides increased housing as a large scale, smart growth neighborhood where residents can live, work, and play in a VMT-efficient matter, located immediately adjacent to both an existing transit stop and a proposed new trolley stop included with the project. Build-out of the Riverwalk Specific Plan, when taken into account with other cumulative projects, would not result in a cumulatively significant land use impact.

6.2.2 Transportation and Circulation

Since the time of adoption of the General Plan, the update of the Mission Valley Community Plan, and the Morena Corridor Specific Plan, evaluation of transportation and circulation environmental effects have changed from a level of service (LOS)-based discussion to one based on vehicle miles traveled (VMT), in accordance with SB 743. A VMT analysis, like that prepared for the project as part of the Transportation Impact Analysis (TIA) and addressed in Section 5.2, *Transportation and Circulation*, is by nature a cumulative issue. The state of California Office of Planning and Research (OPR) determined that: *A project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa.*

Due to the fact that VMT analysis measures the VMT efficiency of a project compared to the average VMT efficiency of the region covered by SANDAG, the geographic scope for the transportation cumulative analysis is the San Diego Region. A Mobility Assessment, separate from the CEQA analysis, analyzes a

project's consistency with the applicable Community Plan and determines transportation improvements to be provided as the project builds out. The geographic scope of the Mobility Assessment is the Mission Valley Community Plan area.

6.2.2.1 Mission Valley Community Plan

The Community Plan allows for increased density in transit priority areas and a complementary mix of land uses that puts origins and destinations closer together and links them with a more complete active-transportation network, thus reducing the distances travelled and the need to travel by car. Nonetheless, as concluded in the Mission Valley CPU Program EIR, build-out of the Community Plan would result in cumulatively significant impacts to roadway segments, intersections, freeway segments, and freeway ramp meters under the CPU.

6.2.2.2 Morena Corridor Specific Plan

The transportation analysis conducted for the Morena Corridor Specific Plan Program EIR concluded that, like the Mission Valley CPU Program EIR, cumulative impacts to roadway segments, intersections, freeway segments and freeway on-ramps would be significant. Relative to conflicts with potential future cumulative alternative transportation projects proposed outside of the Morena Corridor Specific Plan area, the Morena Corridor Specific Plan Program EIR concluded that cumulative impacts related to alternative transportation would be less than significant. Under VMT thresholds, the Morena Corridor Specific Plan area is presumed to have a less than significant impact on transportation because it is within a TPA. CEQA Guidelines section 15064.3(b)(1) provides that projects within a TPA (0.5 mile of an existing major transit stop or an existing high-quality transit corridor) should be presumed to cause a less than significant traffic impact. The Morena Corridor Specific Plan area contains the existing Morena/Linda Vista trolley station and is within 0.5 mile of two major transit stops that are under construction. Thus, development of the project in concert with development planned for the Morena Corridor Specific Plan would not combine to result in cumulatively significant transportation impacts using a VMT efficiency metric.

6.2.2.3 Riverwalk Project

The project would be consistent with the Mobility Element of the General Plan and other adopted policies, plans (including the Mission Valley Community Plan), and programs supporting the transportation system, including pedestrian, bicycle, and transit facilities. The project design includes improvements that would enhance existing bicycle and pedestrian transportation modes on and around the site and facilitate access to and use of public transit. As a result, the project would be consistent with the City's alternative transportation policies. As no policy conflicts have been identified, cumulative impacts related to transportation policy would be less than significant.

The project site is located within a TPA. Development proposed by the project would include an on-site trolley station and be within 0.5-mile of an existing major transit stop at Fashion Valley Transit Center and high-quality transit corridor. In addition, the project's resident VMT per capita and the project's employee VMT per employee is calculated to be lower than 85 percent of the respective Regional VMT averages.

Moreover, the construction of the on-site trolley station creates a new 0.5-mile TPA radius around this new transit stop, thus existing development that is beyond the existing 0.5-mile radius would gain access to the new major transit stop. Therefore, cumulative VMT impacts associated with the project would not be significant.

Cumulative impacts associated with increased hazards due to design features and emergency access would be less than significant as the proposed project would support transportation infrastructure and amenities intended to increase multi-modal accessibility that would not conflict with emergency access. Because the project does not propose non-standard design features and is not expected to increase traffic hazards to motor vehicles, bicyclists, or pedestrians, impacts related to the increase of traffic hazards as a result of the project would be less than significant. Project improvements would contribute to improved emergency access during flood events. The project would be designed in accordance with applicable safety standards. The project would not result in inadequate emergency access. Impacts would be less than significant. The project would not result in a cumulatively considerable impact; therefore, cumulative impacts would be less than significant.

6.2.3 Visual Effects and Neighborhood Character

The geographic scope for the visual effects and neighborhood character cumulative analysis is the Mission Valley Community Plan area, with a focus on western Mission Valley, and the San Diego River, as it is a predominant feature of the visual environment related to the project. The southern portion of the Linda Vista Community Plan area is also a part of the geographic scope for this issue area, as the portion of the Linda Vista community north of Friars Road forms a part of the neighborhood character for the project.

6.2.3.1 Mission Valley Community Plan

In its analysis of visual quality and neighborhood character, the Mission Valley CPU Program EIR concludes that the CPU would not result in a cumulatively significant impact relative to visual quality and neighborhood character, because the Community Plan area is already urbanized and includes existing development of the type that would be further developed under the CPU. The CPU includes policies that limit development and building heights, that create open public view corridors, and that ensure that any new development is consistent with the existing character and protects public views. The policies address consistency in setbacks, height and bulk, landscaping, design, historic character, and natural features such as canyons and hillsides. Compliance with the Land LDC) would ensure that cumulative light and glare impacts are avoided.

6.2.3.2 Morena Corridor Specific Plan

The Morena Corridor Specific Plan Program EIR determined that future growth within that Specific Plan area in combination with development within surrounding community planning areas has the potential to cumulatively impact the visual environment, scenic views, and neighborhood character. However, Riverwalk's impacts on visual effects neighborhood character are limited to the immediate project area and would not have a visual or neighborhood character effect outside the western Mission Valley area.

Thus, as concluded above, the project would not result in a cumulatively significant impact associated with visual effects and neighborhood character. Thus, development of the project in concert with development planned for the Morena Corridor Specific Plan would not combine to result in cumulatively significant visual impacts and have been adequately addressed.

6.2.3.3 Riverwalk Project

As discussed in Section 5.3, *Visual Effects and Neighborhood Character*, the Riverwalk Specific Plan would redevelop the project site,. Based on the existing urbanized character of the CPU area, implementation of regulations and policies contained in the CPU, compliance with the Riverwalk Specific Plan and the LDC, as modified by the Specific Plan's Tailored Development Standards, would ensure that cumulative impacts would be less than significant. Implementation of the project and build-out of the Mission Valley community would continue to contribute to the sense of an urban community for this area of the City. Future development would be required to be visually compatible with the surrounding neighborhood character and utilize appropriate architecture, materials, and development patterns as necessary for consistency with the design guidelines of the Mission Valley Community Plan. Cumulatively significant impacts to visual quality and neighborhood character would not occur. Furthermore, pursuant to the Public Resources Code Section 21099 (d)(1), the project's aesthetic impact shall not be considered significant if the project is residential, mixed-use residential, or an employment center that is located on an infill site within a transit priority area.

6.2.4 Biological Resources

For the purposes of analysis, the geographic scope for the discussion of cumulative effects with regard to biological resources is the City of San Diego. Analysis is based on the MSCP, which covers sensitive biological resources located within the City of San Diego, as well as the requirements in the City's Biology Guidelines that call for "no net loss" of wetland functions and values.

6.2.4.1 Mission Valley Community Plan

As presented in the Mission Valley CPU Program EIR, biological resources that occur within the Mission Valley community and other areas of the City are protected through open space designations and/or their location within the City's MHPA, MSCP Subarea Plan's Management Policies to protect the area's sensitive plants and animals, regulations in the City's Biology Guidelines, and the ESL Regulations. Development that would occur within the CPU area and in the surrounding communities would result in less than significant cumulative impacts to biological resources due to the developed nature of these communities combined with the existing regulatory framework that would ensure that impacts to sensitive biological resources are avoided. Although individual future projects could contribute to incremental biological resource impacts, compliance with applicable CPIOZ regulations, CPU policies, and the City's MSCP Subarea Plan, ESL Regulations, and Biology Guidelines would ensure that cumulative impacts from future development would be less than significant and have been adequately addressed.

6.2.4.2 Morena Corridor Specific Plan

Effects on biological resources associated with the Morena Corridor Specific Plan Program EIR were found not to be significant, because that Specific Plan area is in a wholly urbanized area of San Diego, is not known to contain sensitive species, and does not contain any Multi-Habitat Planning Area (MHPA) preserve lands. Thus, cumulative impacts to biological resources were not addressed in that Program EIR. Thus, development of the project in concert with development planned for the Morena Corridor Specific Plan would not combine to result in cumulatively significant biological impacts.

6.2.4.3 Riverwalk Project

As discussed in Section 5.4, *Biological Resources*, the project would result in significant direct impacts related to vegetation communities and jurisdictional waters, and an indirect impact to sensitive wildlife species. With implementation of mitigation measures included in Section 5.4, *Biological Resources*, and implementation of applicable mitigation for other projects, construction of the project and other development projects would not result in the net loss of jurisdictional resources. Accordingly, the project would not result in a cumulatively considerable impact with regard to biological resources. Additionally, project consistency with the MSCP would ensure that cumulative impacts to vegetation, sensitive species, jurisdictional resources, or wildlife movement would not occur as a result of the project. Other projects that could have impact on sensitive wetland would be required to similarly evaluate impacts on biological resources and mitigate impacts, as applicable, ensuring no net loss of wetland habitat. As such, cumulatively significantly impacts to biological resources would not occur.

6.2.5 Air Quality

In general, the San Diego Air Basin (SDAB) is used as the geographic scope for evaluating cumulative air quality impacts. It is appropriate to consider the entire air basin as air emissions can travel substantial distances and are not confined by jurisdictional boundaries; rather, they are influenced by large-scale climatic and topographical features. While some air quality emissions can be localized, such as a CO hotspots or odor, the overall consideration of cumulative air quality is typically more regional. By its very nature, air pollution is largely a cumulative impact.

6.2.5.1 Mission Valley Community Plan

Construction Emissions

The Mission Valley CPU Program EIR determined that the exact number, timing and size of individual development projects that could occur per the CPU were not knowable at the time the CPU's Program EIR was certified. The CPU Program EIR acknowledged that, while construction emissions related to the development of a small scale project might not exceed the City's significance thresholds for construction, the simultaneous construction of several of these types of projects could result in a significant air quality impact. Similarly, construction activities associated with a large project such as redevelopment of the stadium site could result in a significant air quality impact. While Federal, State and local regulation on air quality provided a framework for development project-level air quality protection measures, it is possible

they may not be adequate and require an analysis of the feasibility of avoiding the impact through additional measures. Moreover, given the potential growth that could occur in the CPU area, criteria pollutant air emissions from development per the CPU could exceed the SDAPCD screening threshold. Therefore, even with a proposed mitigation measure applicable to the stadium site, the Mission Valley CPU Program EIR concluded construction emissions would remain significant and unavoidable.

Operational Air Emissions

The Mission Valley CPU Program EIR concluded that cumulative operational emissions associated with buildout of the CPU would be significant. As stated in the CPU Program EIR, because operational emissions associated with buildout of the CPU would be greater for all pollutants when compared to adopted land uses and the assumptions used to develop the RAQS, the CPU buildout would conflict with implementation of air quality plans and could have a potentially significant impact on regional air quality. The RAQS include anticipated growth associated with the pre-2019 Mission Valley Community Plan. Build-out under the Mission Valley CPU would increase the number of multi-family residential units and the amount of commercial, retail, office, institutional, and recreational uses in the CPU area, which would result in greater future emissions comparted to the pre-2019 Mission Valley Community Plan. The Mission Valley CPU Program EIR requires Mitigation Measure AQ-1 that would reduce the potentially significant cumulative air quality impact by requiring the City to provide a revised land use map to the SANDAG to ensure that any revisions made by the SDAPCD to the RAQS and the SIP accurately reflect the anticipated growth of the CPU. However, Mitigation Measure AQ-1 is only partial mitigation, because the City does not have control over updates to the RAQS and SIP; that is the responsibility of SDAPCD. Therefore, the City cannot guarantee Mitigation Measure AQ-1 will be effective. Cumulative air quality impacts associated with build-out of the CPU remained significant and unavoidable, despite the City's adoption of Mitigation Measure AQ-1.

6.2.5.2 Morena Corridor Specific Plan

Like the Mission Valley CPU Program EIR, the Morena Corridor Specific Plan Program EIR determined that future emissions associated with build-out of the Morena Corridor Specific Plan would be greater than future emissions associated with build-out of adopted land uses for that Specific Plan area. Thus, the Morena Corridor Specific Plan would conflict with implementation of the RAQS and would have a potentially significant cumulative impact on regional air quality. Development of the project in concert with development planned for the Morena Corridor Specific Plan would not combine to result in cumulatively significant air quality impacts for the same reason as concluded in the Mission Valley CPU Program EIR – that the City lacks authority to require SDAPCD to update the RAQS and SIP to include updated plans for development, including build-out of the Morena Corridor Specific Plan and the Mission Valley Community Plan.

6.2.5.3 Riverwalk Project

Construction Emissions

The project and the other development projects in the SDAB would contribute particulates and the ozone precursors VOC and NOx to the area during the same (short-term) period of construction. As described in Section 5.5, *Air Quality*, project emissions during construction would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Construction emissions from the project would be less than the significance thresholds (as shown in Table 5.5-5). However, consistent with the Mission Valley CPU Program EIR analysis, the exact number, timing and size of individual development projects that could occur per the CPU is not knowable at the time this EIR is considered for certification. While construction emissions related to the development of the project may be insignificant, if they are combined at the same time with enough other projects, the project might exceed the City's significance thresholds for construction. It is not feasible for the City to establish an air basin wide system to coordinate the timing of construction of each development project in the basin in order to prevent the overlapping of construction schedules from projects. The air basin is larger than the City's land use jurisdiction and the City would have no control over the timing and amount of construction permits issued by other agencies in the basin (e.g. the Port of San Diego, County of San Diego, and each City within the air basin).

Operational Air Emissions

For the project, operational air quality impacts were found to be significant, as presented in Section 5.5, *Air Quality*. The cumulative total of project buildout emissions would cause an exceedance of the daily ROG, CO and PM_{10} tons/year threshold. Based on the size and scope of the project, there are no feasible mitigation measures that can be implemented to reduce operational emissions that exceed SDAPCD standards to below the standards and still meet the project objectives. The project has been included in the build-out scenario evaluated in the CPU Program EIR. As evaluated in the Mission Valley CPU Program EIR, cumulative air quality impacts due to operational emissions would be significant and unmitigable because the City lacks control over SDAPCD's timeline to update the RAQS and SIP. Due to the fact that both the Mission Valley CPU Program EIR and the EIR conclude there are significant cumulative impacts to air quality, an alternative to avoid such impacts is analyzed in the EIR.

6.2.6 Historical Resources

For historical resources, the geographic scope is the Mission Valley Community Plan area, given its importance for both archaeological and historic resources, as well as the greater San Diego region based on the cultural richness and significance of cultural resources in this area. Cumulative impacts to historical resources are expected to be limited by the fact that the project, as well as cumulative projects, will be required to comply with City and County mitigation measures (i.e., archaeology and historical resources monitoring and data recovery programs) applied to projects which could impact significant historical resources. These mitigation measures require information associated with these sites to be recorded before impacts may occur.

6.2.6.1 Mission Valley Community Plan

The Mission Valley CPU Program EIR determined individual future projects may contribute to incremental historical and cultural impacts. Even with the implementation of the City's Historic Resource Regulations to mitigate project impacts to such resources, the CPU Program EIR concluded there was no guarantee of ensuring the successful preservation of all historic or cultural resources, because it was possible that the area of a future project within a designated low sensitivity area could still contain a historic or cultural. Therefore, at the program level of analysis conducted for the CPU Program EIR. the City concluded that the cumulative impact on historical and cultural would be considered significant and unmitigated.

6.2.6.2 Morena Corridor Specific Plan

The Morena Corridor Specific Plan Program EIR addressed both historical and tribal cultural resources in one section of that Program EIR. Like the Mission Valley CPU Program EIR, the Morena Corridor Specific Program EIR concluded that implementation of that Specific Plan would result in cumulatively significant impacts to historical resources, prehistoric resources, and sacred sites. While Federal, State, and local regulations, as well as goals and policies developed by the City would reduce impacts, the potential for additional development and mobility improvements within the Morena Corridor Specific Plan area could result in significant impacts to historical resources. Potential impacts resulting from implementation of the Morena Corridor Specific Plan in conjunction with impacts resulting from other development within the area could contribute to a cumulatively considerable impact to historical resources. As stated above, the project would mitigate its contribution to the potential for cumulative impacts; thus, it would not add to the cumulative impact generated by implementation of the Morena Specific Plan.

6.2.6.3 Riverwalk Project

As stated in Section 5.6, *Historical Resources*, the project could result in direct impacts to subsurface archaeological resources as a result of ground-disturbing activities associated with development allowed under the Riverwalk Specific Plan. Implementation of mitigation measures presented in Section 5.6, which require monitoring of grading activities, would reduce potential impacts to unknown subsurface archeological resources remains to below a level of significance. For the project, mitigation measures would be required for all ground disturbing activities. Therefore, the reason why the CPU Program EIR concluded impacts would remain significant and unmitigated are not applicable to the Riverwalk Project, as specific measures have been developed that would reduce impacts to below a level of significance.

6.2.7 Energy

The geographic scope for consideration of cumulative energy impacts is the San Diego region as a whole. Development throughout the region influences the demand for energy supply and can drive the location and need for new or additional energy production and transmission infrastructure. Energy service providers and their distribution systems generally cover large areas and are not necessarily associated with or restricted to specific governmental jurisdictions. Most development or redevelopment projects, such as those included in the cumulative project list, do not independently create substantial impacts on

energy production or infrastructure. Rather, the demand for energy is influenced by regionwide development. Thus, many planning documents that forecast energy demand and determine adequate supply and appropriate infrastructure needs and strategies are also on regional scales.

6.2.7.1 Mission Valley Community Plan

The Mission Valley CPU Program EIR concluded that future development within the Community Plan area and planned growth in the City would require additional energy demand. However, as new development and redevelopment occurs, buildings would be required to comply with the California Energy Code, Title 24 requirements in place at the time of building permit issuance. Each update to the Energy Code has historically incorporated more stringent energy efficiency requirements, and the state is headed towards a net-zero energy goal for new development. Thus, as redevelopment occurs, older, less energy efficient buildings will be replaced with more energy efficient buildings that meet current energy efficiency standards. Furthermore, the City's CAP includes additional energy efficiency requirements that would be required of future discretionary developments, and all development is required to comply with Title 24 requirements. Policies within the Community Plan are supportive of the General Plan City of Villages strategy, which intends to focus development intensity near transit and supports development of increased multi-modal transportation options. Other planning efforts in the City would similarly be required to be consistent with the City's overall framework for growth, which includes reducing VMT and supporting sustainable energy-efficient development. Therefore, cumulative impacts related to energy consumption were determined to be less than significant and have been adequately addressed.

6.2.7.2 Morena Corridor Specific Plan

Similar to the Mission Valley CPU Program EIR, the Morena Corridor Specific Plan Program EIR determined that build-out of that Specific Plan area would not result in cumulatively significant impacts related to energy consumption. As stated above, with compliance with Federal, State, and local energy conservation and/or alternative energy policies, such as Title 24 requirements in place at the time of building permit issuance, minimizes the potential for unnecessary or wasteful energy use associated with cumulative development or the demand for energy beyond that accounted for in regional supply forecasts and production.

6.2.7.3 Riverwalk Project

The project would not result in a substantial increase in energy consumption and would not be greater than what is already planned for the project through the Mission Valley Community Plan; and no adverse effects on non-renewable resources are anticipated. The project would follow UBC and Title 24 requirements for energy efficiency in effect at the time of construction that would reduce the project's overall demand for energy. The project's design features and consistency with the City's General Plan conservation strategies are intended to ensure that the project's energy consumption would not be wasteful, inefficient, and unnecessary. While other development projects would result in the demand for additional energy, they also would be subject to Federal, State, and local energy conservation and/or alternative energy policies, such as Title 24 requirements in place at the time of building permit issuance.

Each update to the Energy Code has historically incorporated more stringent energy efficiency requirements, and the state is headed towards a net-zero energy goal for new development. Thus, as development occurs, more energy efficient buildings would come on-line that meet current energy efficiency standards. This minimizes the potential for unnecessary or wasteful energy use associated with cumulative development or the demand for energy beyond that accounted for in regional supply forecasts and production. Therefore, the project would not result in a cumulatively considerable contribution on energy demand.

6.2.8 Noise

Generally, noise impacts are limited to the area directly surrounding the noise generator, as noise attenuates with distance and only has the potential to combine with other noise sources in the immediate vicinity. Therefore, the geographic scope for cumulative impacts relative to noise areas immediately surrounding the project site and Mission Valley Community Plan area roadways that would be used by project vehicles.

6.2.8.1 Mission Valley Community Plan

Construction

The Mission Valley CPU Program EIR concludes that build-out of the CPU could result in the exposure of sensitive receptors to significant temporary construction noise due to the highly developed nature of the CPU area with sensitive receptors potentially located proximate to construction sites. At the program level of analysis conducted for the CPU EIR, it was unknowable if all future development projects would be, in fact, consistent with the noise ordinance. Therefore, noise levels associated with grading activities adjacent to the San Diego River corridor, could result in temporary impacts to sensitive bird species during construction would be considered significant and unmitigated.

Operational

The Mission Valley CPU Program EIR concludes that, while some projects may adequately attenuate exterior noise, there would still be new noise sensitive land uses located in three areas that would experience a significant increase in ambient noise levels exceeding the applicable Land Use Noise Compatibility Guidelines due to increase traffic related noise. The three areas are existing noise-sensitive receptors adjacent to the following roadway segments:

1. Phyllis Place from Abbots Hill Road to I-805 Southbound Ramps;
2 Bachman Place from Hotel Circle to Lewis Street; and
3. Rancho Mission Road from San Diego Mission Road to Camino Del Rio North.

Therefore, cumulative impacts associated with ambient noise increases and land use compatibility were determined to be significant and unavoidable in those three areas of the CPU.

The Mission Valley CPU Program EIR also concluded that some projects could locate land uses near certain freeway segments, potentially exposing them to noise levels exceeding 75 dBA CNEL, including

land uses located within approximately 163 feet to 320 feet of I-8. The CPU Program EIR found that new development located in areas where the exterior noise levels exceed the Land Use Noise Compatibility Guidelines of the General Plan Noise Element would be required to conduct a site-specific interior noise analysis and submit a Title 24 Compliance Report that demonstrate interior noise levels would meet City standards. The CPU also contains policy NOI-1 which supports site design and noise reduction measures for new development located within 500 feet of a freeway. The Mission Valley CPU Program EIR concludes that implementation of this regulatory and policy framework would ensure that interior noise impacts due to freeway traffic volumes for new development would be less than significant. However, because some projects might locate land uses where future exterior noise levels would exceed the City Noise Compatibility Guidelines, the impact at the programmatic level would remain cumulatively significant and unmitigated for exterior noise.

6.2.8.2 Morena Corridor Specific Plan

The Morena Corridor Specific Plan Program EIR concluded that noise impacts associated with build-out of communities neighboring that Specific Plan area would be localized in nature and would not affect residences in the Specific Plan area except for development that may occur at the boundary of the neighboring areas. The road segments for the Riverwalk Specific Plan are not identified as among the localized areas the Morena Corridor Specific Plan would create a significant impact in operational noise. Noise impacts due to build-out of the Morena Corridor Specific Plan in concert with the project would not be cumulatively significant.

6.2.8.3 Riverwalk Project

Construction

The mitigation measures included in Section 5.8, *Noise,* would mitigate the project's indirect noise impact for wildlife species. Noise levels from project construction to off-site or occupied (future) on-site residences would not exceed the limits defined in the City Noise Ordinance. The project would be consistent with the City's Noise Ordinance, as the Mission Valley Community Plan anticipated some projects might do. Therefore, the project would avoid the potential for cumulative impacts associated with construction noise and the reasons why the Mission Valley CPU Program EIR concluded the noise impacts are significant and unmitigated from the buildout of the community plan are not applicable to the project. Furthermore, given the rapid attenuation of noise with distance, it would be too speculative to conclude that construction noise generated by the project would combine with the construction of other projects in the vicinity to generate a significant impact above the City's construction noise standards. Project construction noise and vibration impacts would therefore not be cumulatively considerable.

Operational

As evaluated in Section 5.8, *Noise*, the project would not result in significant impacts associated with operational (vehicular) noise. Moreover, the project is not locating land uses within areas where the future exterior noise level would remain cumulatively significant for exterior noise or within the three road segment areas that the Mission Valley CPU Program EIR found would have a significant increase in ambient noise levels exceeding the applicable Land Use Noise Compatibility Guidelines. Therefore, the

reasons why the buildout of the Mission Valley Community Plan concluded the noise impacts are significant and unavoidable are not applicable to the project and the project would not have a cumulatively considerable impact on noise.

6.2.9 Greenhouse Gas Emissions

The geographic scope of consideration for GHG emissions is global, and as such emissions contribute, on a cumulative basis, to global climate change. By nature, GHG impacts are cumulative as they are the result of combined worldwide emissions over many years, and additional development would incrementally contribute to this cumulative impact. The discussion presented in Section 5.9, *Greenhouse Gas Emissions*, also serves as the project's cumulative impact analysis.

6.2.9.1 Mission Valley Community Plan

As concluded in the Mission Valley CPU Program EIR, the analysis of GHG emissions a cumulative analysis by nature, because GHG emissions are caused by global GHG emissions, not individual projects. The CPU Program EIR concludes that implementation of the Mission Valley Community Plan would not result in a cumulatively considerable contribution to GHG emission impacts and have been adequately addressed.

6.2.9.2 Morena Corridor Specific Plan

Like the Mission Valley CPU Program EIR, the Morena Corridor Specific Plan's contribution to the cumulative impact from GHG emissions were determined to be less than cumulatively considerable in the Morena Corridor Specific Plan Program EIR. Cumulative impacts related to conflicts with GHG plans and policies were determined less than significant. As concluded in the Morena Corridor Specific Plan Program EIR, cumulatively considerable contribution to GHG emission impacts would not result from implementation of that project.

6.2.9.3 Riverwalk Project

As discussed in Section 5.1, *Land Use*, and demonstrated in Section 5.9, *Greenhouse Gas Emissions*, the Riverwalk Specific Plan completed a CAP Conformance Evaluation, which determined that the Specific Plan would be consistent with the CAP. A CAP Consistency Analysis was performed for development that would be allowed under the Specific Plan, which determined that future development would be consistent with the CAP. Based on the project's consistency with the CAP Consistency Checklist strategies, the project's contribution of GHG emissions to cumulative Statewide emissions would be less than cumulatively considerable. Overall, both the Specific Plan and future projects associated with buildout of the Specific Plan would be consistent with the CAP.

6.2.10 Tribal Cultural Resources

The geographic scope of consideration for the cumulative analysis of tribal cultural resources includes the Mission Valley area. The Mission Valley area presents a unique prehistoric context within the region as it was settled in a fairly independent manner from the surrounding area due to the valley's relative abundance of resources available within an arid environment during prehistoric times.

6.2.10.1 Mission Valley Community Plan

The Mission Valley CPU Program EIR determined individual future projects may contribute to incremental historical, cultural and tribal cultural resource impacts. Even with the implementation of the City's Historic Resource Regulations to mitigate project impacts to such resources, the CPU Program EIR concluded that there was no guarantee for ensuring the successful preservation of all tribal cultural resource, because it was possible that area of a future project within a designated low sensitivity area could still contain a tribal cultural resource. Therefore, at the program level of analysis conducted for the CPU Program EIR. the City concluded that the cumulative impact on and tribal cultural resources would be considered significant and unmitigated.

6.2.10.2 Morena Corridor Specific Plan

The Morena Corridor Specific Plan Program EIR addressed both historical and tribal cultural resources in one section of that Program EIR. See discussion under Section 6.4.2.6 for a discussion of that project's cumulative effects on tribal cultural resources. Like the Mission Valley CPU Program EIR, the Morena Corridor Specific Program EIR concluded that implementation of that Specific Plan would result in cumulatively significant impacts tribal cultural resources. While Federal, State, and local regulations, as well as goals and policies developed by the City, would reduce impacts, the potential for additional development and mobility improvements within the Morena Corridor Specific Plan area could result in significant impacts to tribal cultural resources. Potential impacts resulting from implementation of the Morena Corridor Specific Plan in conjunction with impacts resulting from other development within the area could contribute to a cumulatively considerable impact to tribal cultural resources. As stated above, the project would mitigate its contribution to the potential for cumulative impacts; thus, it does not add to the cumulative impact generated by implementation of the Morena Specific Plan.

6.2.10.3 Riverwalk Project

As stated in Section 5.10, *Tribal Cultural Resources*, Tribal outreach efforts have been conducted, resulting in specific measures added to the Riverwalk Specific Plan to reflect the project site's prominent location within the prehistory of San Diego. The plant palette for landscaping within the Riverwalk River Park incorporates species traditionally utilized by the Kumeyaay people that historically inhabited the area. Additionally, interpretive signage would be provided that includes identification signs along the San Diego River Pathway with plants traditionally utilized by the Kumeyaay people identified by a symbol. An associated storyboard sign would describe the native plants identified along the San Diego River Pathway and their relationship to the Kumeyaay people's ability to thrive in the region. The Riverwalk Specific Plan

include streets identified with traditional Kumeyaay names. Thus, with incorporation of design features in the Riverwalk Specific Plan that specifically address the cultural history of the area and implementation of mitigation included in Section 5.10, *Tribal Cultural Resources*, potential impacts to tribal cultural resources would not be significant.

Moreover, as stated in Section 5.10, *Tribal Cultural Resources*, the project could result in direct impacts to subsurface archaeological resources because of ground-disturbing activities associated with development allowed under the Riverwalk Specific Plan. It was concluded that with implementation of the mitigation measures presented in Section 5.6, which apply to all project areas where ground disturbance would occur, would reduce potential impacts to tribal cultural resources to below a level of significance. Therefore, the reason why the CPU Program EIR concluded impacts would remain significant and unmitigated is not applicable to the Riverwalk project. The project is distinguishable and would not result in cumulatively significant impacts associated with historical, cultural and tribal cultural resources.

6.2.11 Geologic Conditions

Potential geologic or soil hazards resulting from development are generally localized to the site and immediate surrounding lands rather than a broad-reaching area. Therefore, the geographic scope for discussion of cumulative impacts related to geologic conditions is the Mission Valley Community Plan area and immediately surrounding lands.

6.2.11.1 Mission Valley Community Plan

The Mission Valley CPU Program EIR determined that development within the Mission Valley community in combination with surrounding Community Planning Areas would not compound or worsen potential geologic hazards. Geologic hazard conditions are site- specific and do not compound or increase in combination with projected development elsewhere in the county. Thus, as each individual development would be required to comply with remedial measures identified in a site-specific geotechnical investigation, as required by the SDMC and CBC, cumulative impacts related to geologic hazards would be less than significant and have been adequately addressed.

6.2.11.2 Morena Corridor Specific Plan

The Morena Corridor Specific Plan Program EIR concluded that cumulative impacts related to geologic hazards within the Morena Corridor Specific Plan area and surrounding community plans would be less than significant with implementation of recommendations included in site-specific geotechnical investigations required under the CBC and SDMC. Development of that Specific Plan area in combination with surrounding development in the larger community planning areas would not compound or worsen potential geologic hazards. Like the project, each individual development would be required to comply with remedial measures identified in a site-specific geotechnical investigation, as required by the SDMC and CBC. Thus, development of the project in concert with development planned for the Morena Corridor Specific Plan would not combine to result in cumulatively significant geologic hazard.

6.2.11.3 Riverwalk Project

Development of the project would require implementation of proper engineering design, utilization of standard construction practices, as well as adherence to CBC and SDMC, which would reduce impacts to an acceptable level of risk; therefore, impacts would be less than significant.
Thus, the potential for adverse geologic or soil hazards would be reduced or minimized through compliance with regulatory requirement thereby avoiding any cumulatively significant geologic impacts.

6.2.12 Hydrology

The geographic scope for hydrology is the San Diego Hydrologic Unit (No. 907.00), Lower San Diego Hydrologic Area (No. 907.10), and Mission San Diego Hydrologic Subarea (HSA) (907.11) per the Water Quality Control Plan for the San Diego Basin. Lands and water bodies within the watershed are part of an interrelated hydrologic system, such that modifications to a portion of a watershed or water pollution produced by development in one location may result in hydrology and water quality impacts that affect other water bodies in the watershed.

6.2.12.1 Mission Valley Community Plan

The Mission Valley CPU Program EIR determined that future projects within the Mission Valley Community Plan area and surrounding Community Planning Areas could have a cumulative impact on hydrology, including downstream problems associated with flooding, sizing of drainage facilities, erosion, and sedimentation. However, all future development within the City and surrounding Community Plan areas would be required to comply with all NPDES permit requirements, including the development of a SWPPP if the disturbed area covers one acre or more, or a Water Quality Control Plan if the disturbed area is less than one acre. Future projects would also be required to follow the City's Storm Water Standards Manual for drainage design, and BMPs for treatment. Improvements along the San Diego River would occur in the future as development projects are implemented. All developments and improvements would be required to comply with City and FEMA standards, as well as General Plan goals and policies and Community Plan policies, to ensure protection of hydrology and avoidance of flood hazards. Development would be required to adhere to the aforementioned standards to ensure runoff and flooding impacts are minimized. Thus, buildout of the Community Plan area would not result in a considerable contribution to cumulative impacts associated with hydrology except for two areas that would have significant and unavoidable impact from flooding.

As explained in the Mission Valley CPU Program EIR findings, future development located behind provisionally accredited levees (PALs) could be impacted by riverine flooding given the level of uncertainty regarding the levees status in the next revision of FEMA's Flood Insurance Rate Maps (FIRMs). The following areas could potentially be impacted:

(a) North of the San Diego River from SR-163 to just west of the westerly terminus of Station Village lane, including properties along Hazard Center Drive, portions of Frazee Road south of Friars Road, Mission Center Court, Caminito Gabaldon, and Caminito De Pizza.

(b) South of the San Diego River from SR-163 to Qualcomm Way, including properties along Camino De La Reina, Camino Del Rio North, and Camino Del Este. This includes Mission Valley Mall.

Policy FSR-3 of the CPU recommends that development located behind a PAL be designed to SFHA Zone AE criteria by projecting the Base Flood Elevation(s) shown in the adjacent Zone AE into the project area. The CPU provides a policy framework that would help reduce potential flooding impacts related to future development behind a PAL. Designing to the Zone AE criteria as specified above would provide protection up to the 100-year flood event. However, given that it is unknown at this time whether the PAL would be removed from the next FIRM revision, impacts and mitigation are not fully known. Therefore, the Mission Valley CPU Program EIR concluded the impact would remain significant and unavoidable from flooding risk in these two subareas of the CPU.

6.2.12.2 Morena Corridor Specific Plan

The Morena Corridor Specific Plan Program EIR addresses cumulative impacts associated with hydrology and water quality in one section of that Program EIR and determined that future projects within the Morena Corridor Specific Plan area could contribute to cumulative impacts related to hydrology and water quality, including downstream flooding, water quality impacts, erosion, and sedimentation. However, like the project, all future development within the Morena Corridor Specific Plan area would be required to comply with all NPDES permit requirements, including the development of a SWPPP if the disturbed area covers one acre or more or a water quality control plan if the disturbed Standards Manual for drainage design and BMPs for treatment. Thus, the Morena Corridor Specific Plan Program EIR concluded that cumulative impacts would be less than significant. Thus, development of the project in concert with development planned for the Morena Corridor Specific Plan would not combine to result in cumulatively significant Hydrology or Water Quality Impact.

6.2.12.3 Riverwalk Project

As described in Section 5.12, *Hydrology*, implementation of the project requires conformance with a number of regulatory requirements related to hydrology, including applicable elements of the CWA, NPDES, City storm water standards, Porter-Cologne Water Quality Control Act, FEMA floodplain standards, and RWQCB Basin Plan. The regulatory requirements descried in Section 5.12 constitute a regional effort to implement hydrology and water quality protections through a watershed-based program designed to meet applicable criteria. These standards require the implementation of efforts to reduce runoff, with the NPDES Municipal Permit identifying the specific goals of limiting or prohibiting storm water and non-storm water discharges, and promoting attainment of water quality objectives necessary to support designated beneficial uses. The City has implemented requirements to meet these goals (and other applicable regulatory criteria) in the form of the associated storm water standards outlined in Section 5.12, as well as related education, planning, and enforcement procedures. Based on the described regional/watershed-based approach required for hydrology in existing regulatory standards, as well as the fact that conformance with these requirements would be required for all identified projects within the cumulative projects area (including the project), cumulative hydrology/water quality impacts would be less than significant. Moreover, the project is not located in the two areas

behind the PALs that the Mission Valley CPU Program EIR identified as having a significant and unmitigated impact from the risk of flooding. Therefore, the reason why the CPU Program EIR concluded impacts would remain significant and unmitigated is not applicable to the Riverwalk project and the project does not have a cumulatively considerable impact on hydrology.

6.2.13 Public Utilities

Public utilities involve services that serve the San Diego region. More importantly for the project are those public utilities and providers within the City of San Diego. Thus, the geographic scope for the public utilities cumulative analysis is the City.

6.2.13.1 Mission Valley Community Plan

The Mission Valley CPU Program EIR found that, due to projected population growth in the CPU area, an increase in demand for public utilities could potentially result in the need for new or physically altered public utilities, construction of which could cause significant environmental impacts. However, no new storm water drains, drainage facilities, sewer collection or wastewater treatment facilities, water distribution or treatment facilities, or communications systems infrastructure were proposed. The CPU Program EIR merely acknowledged that the need could arise sometime during the course of the CPU build-out. Given that no construction details or their associated impacts were known at the time, the CPU Program EIR concluded it would be too speculative at the program level of analysis to identify significant impacts or mitigation measures for the potential impacts. Rather than terminate the analysis, the CPU Program EIR concluded the impact to be cumulatively significant and unmitigated.

6.2.13.2 Morena Corridor Specific Plan

The Morena Corridor Specific Plan would rely on public utilities similar to those that would serve the project. The Morena Corridor Specific Plan Program EIR did not identify significant cumulative impacts associated with public utilities. Thus, development of the project in concert with development planned for the Morena Corridor Specific Plan would not combine to result in cumulatively significant public utility impact.

6.2.13.3 Riverwalk Project

As discussed in Section 5.13, *Public Utilities*, the project would not result in the need to construct or substantially alter public utility systems or infrastructure. Existing off-site infrastructure currently serving the Specific Plan area would be sufficient to serve the project. The project's water demand has been considered in conjunction with other past, present, and reasonably foreseeable future development in the City through the WSA. This analysis determined that sufficient water supplies would be available to serve the project in conjunction with other development. The project also would not result in the need for new or altered off-site water systems. The project's water and sewer systems would be designed in conformance with City's standards. The project would result in a reduction of the projected peak sewer flow-rate due to a change in the uses on the project site. All projects in the City of San Diego would be

required to comply with the City's Recycling Ordinance and prepare WMPs (for those that meet the 40,000-square-foot threshold) to show waste diversion measures as is required by the regional Integrated Waste Management Plan. These requirements are directed at ensuring cumulative impacts associated with solid waste would not be cumulatively significant. Thus, the project impact on public utilities has been analyzed, are not too speculative, and would not result in significant cumulative effects associated with public utilities. Therefore, the reason why the CPU Program EIR concluded impacts would remain significant and unmitigated is not applicable to the Riverwalk project and the project would not have a cumulatively considerable impact on public utilities.

6.2.14 Water Quality

The geographic scope for water quality would be the geographic scope for analysis of impacts related to hydrology and water quality is the San Diego Hydrologic Unit (No. 907.00), Lower San Diego Hydrologic Area (No. 907.10), and Mission San Diego Hydrologic Subarea (HSA) (907.11) per the Water Quality Control Plan for the San Diego Basin. Lands and water bodies within the watershed are part of an interrelated hydrologic system, such that modifications to a portion of a watershed or water pollution produced by development in one location may result in hydrology and water quality impacts that affect other water bodies in the watershed. The San Diego River is identified as an impaired water body in the most recent list of Clean Water Act Section 303(d) List of Water Quality Segments.

6.2.14.1 Mission Valley Community Plan

Future projects within Mission Valley and surrounding community planning areas could have a cumulative impact on water quality. However, all future development within the City and surrounding community planning Areas would be required to comply with all NPDES permit requirements, including the development of a storm water pollution prevention plan (SWPPP) if the disturbed area covers one acre or more, or a Water Quality Control Plan if the disturbed area is less than one acre. Future projects would also be required to follow the City's Storm Water Standards Manual for drainage design and BMPs for treatment. Thus, cumulative water quality impacts would be less than significant and has been adequately analyzed.

6.2.14.2 Morena Corridor Specific Plan

The Morena Corridor Specific Plan Program EIR addresses cumulative impacts associated with hydrology and water quality in one section of that Program EIR and determined that future projects within the Morena Corridor Specific Plan area could contribute to cumulative impacts related to hydrology and water quality, including downstream flooding, water quality impacts, erosion, and sedimentation. However, like the project, all future development within the Morena Corridor Specific Plan area would be required to comply with all NPDES permit requirements, including the development of a SWPPP if the disturbed area covers one acre or more or a water quality control plan if the disturbed Standards Manual for drainage design and BMPs for treatment. Thus, the Morena Corridor Specific Plan Program EIR concluded that cumulative impacts would be less than significant. Thus, development of the project in concert with

development planned for the Morena Corridor Specific Plan would not combine to result in cumulatively significant hydrology or water quality impact.

6.2.14.3 Riverwalk Project

As discussed in Section 5.14, *Water Quality,* The project would implement various construction and post construction BMPs to reduce impacts to receiving waters. Erosion and sediment controls would be used during construction activities to reduce the amount of soils disturbed, prevent erosion and sediment transport into receiving waters, and control/minimize pollutants in site runoff. Further, the project, as with the cumulative projects, would be in compliance with the Municipal and Construction General permits, and the City Storm Water Standards, and any runoff during construction and post-construction operations would be required to be minimized and treated through recommended LID site design and/or structural BMPs mandated by these measures. Construction and post-construction activities of the project and cumulative projects would be required to adhere to various impact avoidance and minimization measures consistent with Federal, State, and local regulations. Based on the described regional/watershed-based approach required for water quality issues in existing regulatory standards, as well as the fact that conformance with these requirements would be required for all identified projects within the cumulative project area (including the project), cumulative water quality impacts would be less than significant.

6.2.15 Public Services and Facilities

Public services and facilities generally serve residents on a community-wide basis. Thus, the geographic scope for analysis of public services and facilities is the Mission Valley Community Plan area.

6.2.15.1 Mission Valley Community Plan

The Mission Valley CPU Program EIR found that due to projected population growth in the CPU area, an increase in demand for public services and facilities is expected and new or improved public services and facilities infrastructure would be required to meet the needs of the City's future growth. However, no project level analysis of construct of police or fire stations or new parks and libraries were analyzed. The Mission Valley CPU Program EIR provided a policy framework that would help reduce potential impacts associated with the construction and operation of future public facilities needed to accommodate anticipated future growth. The City created Development Impact Fees (DIFs) as a means of collecting from future development projects to provide a funding source for future public facility improvements. Given that no construction details or their associated impacts were known at the time, the CPU Program EIR concluded it would be too speculative at the program level of analysis to identify significant impacts or mitigation measures for the potential impacts. Rather than terminate the analysis, the CPU Program EIR concluded the impact was significant and unmitigated.

6.2.15.2 Morena Corridor Specific Plan

As with development in the Mission Valley Community Plan area and the project, the Morena Corridor Specific would be subject to a community-wide IFS and future development consistent with the Morena Corridor Specific Plan would be required to pay applicable DIFs as future development occurs within that Specific Plan area. New development within the Morena Corridor Specific Plan would also mitigate its impact on school facilities with payment of impact fees to the school district pursuant to Senate Bill 50. The Morena Corridor Specific Plan Program EIR did not identify significant cumulative impacts associated with public services and facilities. Thus, development of the project in concert with development planned for the Morena Corridor Specific Plan would not combine to result in cumulatively significant public utility impact.

6.2.15.3 Riverwalk Project

Cumulative impacts to public facilities are also addressed by community wide Infrastructure Financing Studies (IFS) that identify necessary facility improvements and form the basis for development of DIFs for public facilities addressed in the study. The project would either pay the DIF to help finance the construction of future public facilities or provide community public facilities on-site that meet or exceed the value of the DIF. The project level analysis performed for Riverwalk as presented in Section 5.15, *Public Services and Facilities*, explains that the project would not result in significant impacts to public services and facilities. The project does not trigger the need to construct a new police, fire, or EMS facility in order to meet response times. The project does not trigger the need for a new library facility. Consistent with providing community public facilities, the project provides an expansive Riverwalk River Park on-site to help address the existing park deficiencies in the community. Therefore, the reason why the CPU Program EIR concluded impacts would remain significant and unmitigated is not applicable to the Riverwalk project and the project would not have a cumulatively considerable impact on public facilities.

With regards to project impacts on school facilities and the need to construct new facilities, the project, like all new development with the City and state fully mitigates its impact to schools facilities by paying impact fees to the school district (San Diego Unified School District) pursuant to Senate Bill 50 (Chapter 407, Statute of 1998). Accordingly, the project does not result in cumulatively significant impacts associated with public services and facilities.

6.2.16 Health and Safety

The geographic scope for analysis of health and safety impacts is the western Mission Valley area; specifically, the project site and its immediate surroundings.

6.2.16.1 Mission Valley Community Plan

The Mission Valley CPU Program EIR determined that implementation of the CPU, which includes the development of the project site as the Riverwalk project, would not result in a cumulatively significant impact related to hazards and hazardous materials. As stated in the Mission Valley CPU Program EIR,

compliance with Federal, State, regional, and local health and safety laws and regulations would address potential health and safety impacts. Potential health and safety impacts associated with wildfires, hazardous substances, emergency response and evacuation plans, and aircraft hazards would not combine to create cumulative impacts when viewed together with the potential growth that could occur within the CPU area and the surrounding communities. The impact has been adequately analyzed.

6.2.16.2 Morena Corridor Specific Plan

Likewise, the Morena Corridor Specific Plan Program EIR determined that implementation of that Specific Plan would not result in a cumulatively significant impact related to health and safety issues. Thus, in concert with the project, build-out of that Specific Plan would not combine to result in cumulatively significant impacts associated with hazards and hazardous materials.

6.2.16.3 Riverwalk Project

The project would be designed in accordance with applicable safety standards. The project site is not located within 0.25 mile of an existing or proposed school, and therefore would not result in hazardous emissions or the handling of hazardous emissions and substances or waste within 0.25 mile of an existing or proposed school. The project would not impair implementation of, or physically interfere with, an adopted emergency response or emergency evacuation plan. Although the project site is within the AIAs of San Diego International Airport and Montgomery-Gibbs Executive Airport, the project would not result in impacts associated with the ALUCPs for these airports. Relative to hazards hazardous materials, potential hazards associated with hazardous materials are site-specific and would not combine to create a cumulatively significant impact.

As discussed in Section 5.16, *Health and Safety*, project approval would include conditions that ensure site specific significant impacts associated with hazardous materials avoided.

7.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

Section 15128 of the State CEQA Guidelines requires an EIR briefly describe potential environmental effects of determined not to be significant and were, therefore, not discussed in detail in the EIR. Based upon initial environmental review, the following issue areas were determined not to have the potential to cause adverse effects, and therefore have not been addressed in detail in the EIR.

7.1 Agricultural Resources and Forestry

The project site is three nine-hole golf courses with driving range, clubhouse building, and associated facilities. The site does not contain land that is designated as prime agricultural soils by the Soils Conservation Service, nor does it contain prime farmlands designated by the California Department of Conservation. The site is not subject to, nor is it near, a Williamson Act contract site pursuant to Sections 51200-51207 of the California Government Code. The project site and surrounding area are designated as urban and developed land. There is no farmland located in proximity to the project site. Therefore, there would be no impacts associated with agricultural resources.

7.2 Mineral Resources

The project site is the location of a golf course. The site is not designated as a mineral resource area. The project would not result in the loss of availability of any mineral resources that would be of value to the region. Therefore, there would be no impact on mineral resources with the implementation of the project.

7.3 Paleontological Resources

Paleontological resources, or fossils, are the remains and/or traces of prehistoric plant and animal life. Fossils provide direct evidence of ancient organisms and document the patterns of organic evolution and extinction that have characterized the history of life. Fossil remains, such as bones, teeth, shells, and wood, are found in the geologic deposits (sedimentary rock formations) within which they were originally buried in deep bedrock layers of sandstone, mudstone, or shale. Paleontological resources contain not only the actual fossil remains, but also the localities where those fossils are collected and the geologic formations containing the localities.

The potential for fossil remains at a location can be predicted through previous correlations that have been established between the fossil occurrence and the geologic formations within which they are buried. For this reason, knowledge of the geology of a particular area and the paleontological resource sensitivity of particular rock formations make it possible to predict where fossils will or will not be encountered. Paleontological resource sensitivity is typically rated from high to zero depending upon the impacted formations. As described in Section 5.11 *Geologic Conditions*, the project area is underlain by artificial fill, alluvium, bedrock, and River Terrace Deposits.

The project would result in approximately 426,400 cy of cut and 1,454,000 cy of fill. The maximum depth of cut would be 24 feet and the maximum fill depth would be 32 feet. Paleontological monitoring during grading activities may be required if it is determined that the project's earth movement quantity exceeds the paleontological threshold (if greater than 1,000 cy and 10 feet deep for formations with a high sensitivity rating and if greater than 2,000 cy and 10 feet deep for formations with a moderate sensitivity rating). Monitoring may also be required for shallow grading (less than 10 feet) when a site has been previously graded and/or unweathered formations are present at the surface.

Per the County of San Diego Guidelines, paleontological sensitivity is defined as follows:

- **High Sensitivity:** High sensitivity is assigned to geologic formations known to contain paleontological localities with rare, well-preserved, critical fossil materials for stratigraphic or paleoenvironmental interpretation, and fossils providing important information about the paleobiology and evolutionary history (phylogeny) of animal and plant groups. Generally speaking, highly sensitive formations produce vertebrate fossil remains or are considered to have the potential to produce such remains.
- **Moderate Sensitivity:** Moderate sensitivity is assigned to geologic formations known to contain paleontological localities with poorly preserved, common elsewhere, or stratigraphically unimportant fossil material. The moderate sensitivity category is also applied to geologic formations that are judged to have a strong, but unproven potential for producing important fossil remains.
- **Low Sensitivity:** Low sensitivity is assigned to geologic formations that, based on their relatively youthful age and/or high-energy depositional history, are judged unlikely to produce important fossil remains. Typically, low sensitivity formations produce poorly-preserved invertebrate fossil remains in low abundance.
- **Zero Sensitivity:** Zero sensitivity is assigned to geologic formations that are entirely igneous in origin and therefore have no potential for producing fossil remains. Artificial fill materials are also placed in this category.

River Terrace Deposits are assigned a "moderate" sensitivity, and alluvium deposits are considered to have a "low" sensitivity for paleontological resources. Artificial fill and bedrock are not native geologic units and, therefore, have no potential for paleontological resources. Based on the proposed grading, only River Terrace Deposits would meet this threshold, as the maximum depth of grading would be 32 feet. River Terrace Deposits occur at depths of 12 to 30 feet below the surface. Thus, paleontological monitoring would be required. The project does not have the potential to disturb or destroy paleontological resources. Therefore, no impacts would occur.

7.4 Population and Housing

The project site currently does not contain housing. The Riverwalk project proposes housing that would result in an increase in population. However, as stated in Chapter 9.0, *Growth Inducement,* the project would not induce substantial population growth in the surrounding area, as the project is an in-fill, redevelopment project. Additionally, since the project does not propose the extension of new roads or

other infrastructure into a previously undeveloped area, it does not have the potential to indirectly increase population or housing. Furthermore, the project does not displace existing housing, which could necessitate the construction of replacement housing elsewhere as no housing currently exists on-site. Therefore, the project does not have the potential to result in significant adverse environmental effects associated with population and housing.

8.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

This section addresses irreversible environmental changes that would be involved should the project be implemented.

8.1 Introduction

As required by Section 15126.2(c) of the CEQA Guidelines, the significant irreversible environmental changes of a project shall be identified. Irreversible commitments of non-renewable resources are evaluated to assure that their use is justified. Irreversible environmental changes typically fall into three categories: primary impacts, such as the use of nonrenewable resources; secondary impacts, such as highway improvements that provide access to previously inaccessible areas; and environmental accidents associated with a project. Section 15126.2(d) of the CEQA Guidelines states that irretrievable commitments of resources should be evaluated to assure that current consumption of resources is justified.

8.2 Impacts Related to Nonrenewable Resources

As evaluated in Section 5.4, *Biological Resources,* the project would result in direct impacts to vegetation communities and jurisdictional waters and an indirect impact to sensitive wildlife species. In accordance with the City's Biology Guidelines, these impacts would be considered significant and would require mitigation at ratios prescribed by the City's Biology Guidelines. Impacts to approximately 0.64 acre of wetland/riparian vegetation communities and open water would also be considered significant. Indirect construction impacts on sensitive species would also occur. Impacts to biological resources would be fully mitigated through implementation of the mitigation measures outlined in Section 5.4. The project would comply with the City MSCP, including MHPA LUAGs and required avoidance and minimization measures. Project consistency with the MSCP would ensure that cumulative impacts to vegetation, sensitive species, jurisdictional resources, or wildlife movement would not occur as a result of the project. The project's creation of a mitigation bank on-site would allow for mitigation area of future projects while capacity is available, further allowing for future projects elsewhere along the river to mitigate their biological resources impacts.

Project construction has the potential to disturb previously unidentified archaeological and tribal cultural resources. Such impacts would not be reversible. They would, however, be mitigated to below a level of significance as described in Sections 5.6, *Historical Resources,* and 5.10, *Tribal Cultural Resources*.

Development would occur as a result of the project that would entail the commitment of energy and natural resources. (See Section 5.7, *Energy,* for a discussion of energy use associated with the project.) The primary energy sources would be electricity, natural gas, and fossil fuels. Use of electricity, natural gas, and fossil fuels represents an irreversible commitment of these resources. Construction of the project would

also require the use of various raw materials, including cement, concrete, lumber, steel, etc. These resources would also be irreversibly committed. Once constructed, use of the project would entail a further commitment of energy resources in the form of fossil fuels and electricity. This commitment would be a long-term obligation since the Specific Plan would result in the development of structures that are likely to have a useful life of 20 to 30 years or more.

As presented in Section 5.7, *Energy*, the project would increase demand for energy in the project area and SDG&E's service area. However, no adverse effects on non-renewable resources are anticipated. The project would follow UBC and Title 24 requirements for energy efficiency and would incorporate sustainable design features directed at reducing energy consumption. Additionally, the project would be consistent with the City's CAP and would include roofing materials with a minimum three-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under California Green Building Standards Code; or would include roof construction that has a thermal mass over the roof membrane, including areas of vegetated (green) roofs weighing at least 25 pounds per square foot as specified in the voluntary measures under California Green Building Standards Code; or would provide a combination of these two design features. The project would also utilize low-flow fixtures, to include kitchen faucets; maximum flow rate not to exceed 1.5 gallons per minute at 60 psi; standard dishwashers with water use of 4.25 gallons per cycle; compact dishwashers with water use of 3.5 gallons per cycle; and clothes washers with a water factor of six gallons per cubic feet of drum capacity. These features would contribute to more energy- and water-efficient buildings, supporting Strategy 1 as outlined by the CAP Consistency Checklist. In addition, the project includes electric vehicle parking spaces with the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use by residents, supporting Strategy 3 of the CAP Consistency Checklist. The impact of increased energy usage is not considered a significant adverse environmental impact.

8.3 Other Environmental Changes

As evaluated in Chapter 7.0, *Effects Found Not to be Significant*, implementation of the project would not result in significant irreversible impacts to agricultural, forestry, mineral, or paleontological resources. The project site is currently accessible via regional transportation facilities and local roadways. The immediate vicinity is largely developed with residential uses to the north and west, commercial retail and hospitality uses to the east, and a mix of office, residential, and hotel uses to the south. No new freeways or roadways are proposed that would provide access to currently inaccessible areas. Therefore, implementation of the project would not result in a significant irreversible commitment with regard to unplanned land use.

The project would not involve road or highway improvements that would provide access to previously inaccessible areas other than the project site. Portions of the Specific Plan area located along the San Diego River and near the western boundary are mapped as VHFHSZ. The developed nature of the proposed project, installation of irrigated landscaping, and installation of hydrants for fire suppression within project streets is expected to provide *an additional line of defense* for nearby existing development

over a condition in which the site remains undeveloped. No major environmental hazards are anticipated to occur as a result of project implementation as discussed in Section 5.16, *Health and Safety*.

9.0 GROWTH INDUCEMENT

In accordance with Section 15126(d) of the State CEQA Guidelines, an EIR must include an analysis of the growth-inducing impacts of the project. The growth inducement analysis must address: (1) *the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly in the surrounding environment*; and (2) *the potential for the project to encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively*. This second issue involves the potential for the project to induce further growth by the expansion or extension of existing services, utilities, or infrastructure. The State CEQA Guidelines further state that *[i]t must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment* (Section 15126.2[d]). The City of San Diego's CEQA Significance Determination Thresholds state that a project would have a significant impact related to growth inducement if it would:

1. *Induce substantial population growth in an area;*
2. *Substantially alter the planned location, distribution, density, or growth rate of the population of an area; or*
3. *Induce extensions of roads or other infrastructure not assumed in the community plan or adopted Capital Improvement Project list, when such infrastructure exceeds the needs of the project and could accommodate future development.*

Relative to growth inducement and based on the *CEQA Significance Determination Thresholds* (July 2016), the EIR must analyze the consequences of growth. According to Section 15126.2 (d) of the CEQA Guidelines, *It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment*. In general, the analysis must avoid speculation and focus on probable growth patterns or projections. Conclusions must also be presented that determine whether this impact is significant and/or unavoidable, and provide for mitigation or avoidance, as necessary.

9.1 Short-term Effects

During construction activities associated with the project, demand for various construction trade skills and labor would increase. However, it is anticipated that this demand would be met by the local labor force and would not require importation of a substantial number of workers that could cause an increased demand for temporary or permanent housing in this area. Further, construction of the project is divided into three five-year phases. While the size of the project would require a construction period longer than most projects, construction would nonetheless be short-term and temporary. It would not lead to an increase in employment on-site that would stimulate the need for additional housing or services. Therefore, no associated substantial short-term growth-inducing effects would result.

9.2 Long-term Effects

The project site has been previously developed as a golf course and continues to operate as such today. The population of the San Diego region has been increasing at twice the rate of the production of new housing in the region, and the City is behind in the production of its Regional Housing Needs Assessment (RHNA) allocation for 2010-2020 by approximately 50,000 units. Over the past 15 years, the San Diego region's economy grew by roughly 80 percent, and its population increased by 15 percent. This growth, however, has outpaced the housing construction necessary to accommodate San Diegans. Between 2007 and 2015, the City's population grew by about 15,000 persons annually, while the City averaged only an additional 3,000 housing units per year. The production of housing remains out of step with the region's long-term outlook for a steady household size of 2.8 to 2.9 persons (San Diego Housing Commission [SDHC] 2017).

A longer historic perspective demonstrates how much San Diego's current housing production falls short when compared to previous periods of growth. From 1970-1990, housing production consistently grew by more than three percent annually, with a brief, four-year exception during the early 1980s. In contrast, today's housing production growth rate is 0.6 percent (SDHC 2017). This discrepancy is contributing to rising rents and housing purchase prices across the City, such that an increasing percentage of low- and moderate-income persons cannot afford to rent or buy a home. The SDHC has concluded that in order to meet the City's housing needs, it will be necessary to rezone and redevelop existing parcels to increase density, especially around major transit stops (including BRT stops), as well as to develop currently underutilized and vacant parcels.

The proposed project would include 4,300 multi-family residential units, of which ten percent would be built as affordable housing reserved for income-qualified households. The project would therefore: (1) help to reduce the existing shortfall in the City's RHNA allocation for 2010-2020; (2) provide much-needed housing for low- and moderate-income households in the region, including critical affordable housing; (3) convert a currently underutilized golf course to a housing use at a density that would be consistent with Mission Valley Community Plan and with the densities of the surrounding community; and (4) provide housing in proximity to transit opportunities, given the location of the Fashion Valley Transit stop approximately 0.3-mile from the Specific Plan area.

The Specific Plan would allow for redevelopment of the project site and provides a mix of uses located within the existing circulation network and infrastructure on previously developed land. The Specific Plan would allow for increased population and employment opportunities. Due to the in-fill redevelopment nature of the project, the project would not foster growth, either directly or indirectly, as the project is accommodating the population that currently exists and would not open up a new area of land for population growth. The project would not substantially alter the planned location, distribution, density, or growth rate of Mission Valley, adjacent communities, or the City as a whole.

Future residents living in the project may stimulate economic growth in the area by purchasing goods and services from the new and existing retail/commercial businesses in the vicinity. The area surrounding the site already has an extensive number of supporting retail and services to accommodate population

growth at the project site. Rather than creating or inducing new growth, the project serves to direct the location and type of development based on land use planning concepts that promote a sustainable development easily accessible to transit and surrounding services. The project, therefore, would accommodate anticipated population growth in Mission Valley.

No significant pressure on local housing supply or demand different than what is already occurring in the region is expected to result from development of the project. Proposed residential development would accommodate growth and demand that is already occurring within the region. The project would not require the extension or expansion of roadways, public services, utilities, or infrastructure into areas currently without service. As a result, development of the project would not remove any physical barriers to growth. Therefore, growth inducement would not be significant as a result of the project.

10.0 PROJECT ALTERNATIVES

10.1 Introduction

In accordance with Section 15126.6(a) of the CEQA Guidelines, an EIR must contain a discussion of *a range of reasonable alternatives to the project, or to the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.* Section 15126.6(f) further states that *the range of alternatives required in an EIR is governed by a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.* Thus, the following discussion focuses on project alternatives that are capable of eliminating significant environmental impacts or substantially reducing them as compared to the project, even if the alternative would impede the attainment of some project objectives, or would be more costly. In accordance with Section 15126.6(f)(1) of the State CEQA Guidelines, among the factors that may be taken into account when addressing the feasibility of alternatives are: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries; and (7) whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site. Additionally, a discussion on alternatives that were considered but rejected from further detailed analysis is provided.

10.2 Project Objectives

In accordance with State CEQA Guidelines Section 15126.6(a), the project alternatives are assessed relative to their ability to (1) meet the basic objectives of the project and (2) avoid or substantially lessen the significant effects of the project. Therefore, in developing the alternatives to be addressed in this section, consideration was given regarding an alternative's ability to meet the objectives of the project. The project objectives associated with the Riverwalk Specific Plan and related actions are:

- Create a focused long-range plan intended to promote increased residential density and employment opportunities consistent with the General Plan, Mission Valley Community Plan, San Diego River Park Master Plan, and the Climate Action Plan.
- Assist the City's housing supply needs by providing a range of housing, including both market rate and deed-restricted affordable units, proximate to transit, jobs, amenities, and services.
- Implement the City of Villages goals and smart growth principles by creating a mixed-use neighborhood with housing, commercial, employment, and recreation opportunities along transit while restoring a stretch of the San Diego River.
- Create a transit-accessible mixed-use development in a central, in-fill location.
- Promote multi-modal travel (pedestrian and bicycle friendly corridors) through the project site through on-site trails, paths, and sidewalks that connect to internal and adjacent amenities and services throughout Mission Valley.
- Construct a new Green Line Trolley stop easily accessible from within Riverwalk and to adjacent surrounding residential and employment areas.

- Design a neighborhood that integrates the San Diego River through active and passive park uses, trails, and resource-based open space.
- Allow for the establishment and creation of a habitat Mitigation Bank that provides long-term habitat conservation and maintenance.
- Improve the Fashion Valley Road crossing that:
    - Provides expanded storm water flow volume accommodating a 10- to 15-year storm event;
    - Improves emergency response times by facilitating north-south vehicular access in storm events; and
    - Expands active transportation circulation by providing sidewalks and a buffered two-way cycle track.
    - Modernizes flood control gate operations in the project vicinity.
- Celebrate and interpret important cultural and historic resources within the Specific Plan area.

10.3 Significant Impacts of the Proposed Project

The review of alternatives includes an evaluation to determine if any specific significant environmental effect(s) would be *substantially less* than the project. A significant effect is defined in Section 15382 of the CEQA Guidelines as *a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project*.

Based on the analysis contained in Chapter 5.0 of this EIR, project implementation would result in significant impacts associated with air quality (operations); direct and indirect impacts associated with biological resources; and direct impacts associated with historical resources, noise, and tribal cultural resources. Mitigation measures have been identified that reduce impacts to below a level of significance for these significant impacts, with the exception of air quality.

As addressed in Chapter 6.0, *Cumulative Effects*, , cumulative impacts have been evaluated for build-out of the Mission Valley Community Plan as part of the Mission Valley CPU Program EIR. Cumulative impacts at the Community Plan build-out level included the Riverwalk project. As concluded in Chapter 6.0, the project would not result in cumulative impacts beyond those already addressed in Mission Valley CPU Program EIR.

10.4 Alternatives Considered but Rejected

The following alternatives were considered for the project. These alternatives were rejected from further consideration as these alternatives would not reduce or avoid and may increase significant impacts associated with the project and would not meet the project objectives.

10.4.1 Alternative Locations

Consideration was given to alternative sites located within the Mission Valley community, as well as other areas in the City, where the project could occur. In accordance with CEQA Guidelines Section 15126.6(f)(2), identifying possible alternative locations focused on sites where *any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project would need to be considered for inclusion in the EIR*.

The project proposes an integrated mixed-use project on approximately 195 acres within the Mission Valley community. The project requires a large land mass to aggregate the types and intensities of development to create the viable mix of uses that would form a successful neighborhood and community center. Additionally, such a site must be accessible by public transit. There is only one other area within Mission Valley of sufficient size that could develop in a manner similar to that proposed by the project: the SDCCU (formerly Qualcomm) Stadium site, located in the eastern portion of the community. The SDCCU Stadium site is currently being planned for redevelopment by San Diego State University as a new stadium and mixed-use project. The SDCCU Stadium site is not owned by the project applicant and is not available to the applicant for the project.

While there may be areas in other portions of the City that remain undeveloped and of appropriate size to develop the project, these sites could be constrained to a greater degree by environmental resources, do not share the same qualities as the project site with respect to transit and accessibility, or would result in similar or greater environmental effects. The project is proposed on a developed golf course site, which is centrally located within the City and the Mission Valley community, and is under one ownership. The site has easy access to public streets and freeways and would be served by existing transit, as well as a new trolley stop provided by the project. Large landholdings that could accommodate the project could be further removed from existing infrastructure and lack access to transit. Traffic impacts from alternative sites could result in greater VMT than the project.

The project would result in significant unmitigated operational impacts relative to air quality. Operational impacts are primarily related to traffic and area sources (i.e. consumer products, architectural coating, and landscape equipment). Relocating the project to another site within the City would result in the same or greater air quality impacts, as the size and scope of the project would remain the same, possibly requiring more and longer trips due to lack of proximity to transit and a mix of existing uses.

The project would result in impacts to sensitive biological resources that would be fully mitigated. Other sites could have greater amount of sensitive biological resources than those at project site (potentially unmitigable), limiting development potential and resulting in greater impacts. Thus, locating the project on an alternative site in the City would not avoid or substantially lessen the project's impacts and could result in greater environmental effects. Furthermore, the project applicant does not own any other properties within the City of a size to accommodate the project. For these reasons, there are no other feasible alternative locations for the project as proposed. Finally, the site is being proposed for land uses

that are consistent with the Community Plan's identified land use and zoning; there are no land use conflicts that would be avoided by analyzing an alternative site. For these reasons, no alternative site location was analyzed in detail within the EIR.

10.4.2 Wetlands Avoidance Alternative

The Mobility Element of the Mission Valley Community Plan identifies Fashion Valley Road to be widened from its existing functional classification of a 4-Lane Collector without Two-Way Left-Turn Lane to its ultimate classification of a 4-Lane Major Arterial with a raised median and a two-way Class IV Cycle Track along the west side of the roadway. The project includes improvements to widen a portion of Fashion Valley Road along the project frontage to its ultimate classification per the Community Plan.

As evaluated in Section 5.4, *Biological Resources*, implementation of the project would result in a direct impact to 0.64 acre of wetland/riparian vegetation communities (southern cottonwood-willow riparian forest, and coastal and valley freshwater marsh), due to the construction of improvements to Fashion Valley Road. The project would also result in an indirect impact to sensitive bird species during project construction due to increased noise levels. A Wetlands Avoidance alternative was considered that would develop the project without improvements to Fashion Valley Road, thereby avoiding direct impacts to wetland/riparian vegetation. However, indirect impacts to biological resources would still occur, as construction activities associated with site development would have the potential to increase noise levels proximate to sensitive biological resources.

The Wetlands Avoidance alternative would reduce impacts to historical resources, as less grading would occur in areas where archaeological resources are known to occur, and monitoring would be required in other areas of the project site, as is the case with the project. Other than avoiding significant direct impacts to biological resources and reducing impacts to historical resources, the Wetlands Avoidance alternative would not avoid or reduce any other projects impact and may result in increasing effects associated with flooding and emergency access. The expanded storm water flow volume, accommodating a 10- to 15-year storm event, would not be provided under this alternative. Seasonal flooding of the San Diego River would occur as it does periodically today, and there would not be increased north-south vehicular access in storm events that would be associated with the improvements to Fashion Valley Road.

This alternative would not meet some of the project's fundamental objectives. Specifically, this alternative would not improve the Fashion Valley Road crossing of the San Diego River by replacing it with a facility with a soft-bottom condition for the San Diego River; would not provide expanded storm water flow volume, accommodating a 10- to 15-year storm event; would not increase emergency access in storm events; and would not expand active transportation circulation by providing sidewalks and a buffered two-way cycle track.

The project's proposed improvements would enhance circulation for the community, allow for vehicular crossing up to 10- to 15-year flood events thereby providing for improved north-south circulation and minimize impacts to biological resources to the extent possible. There is no feasible alternative that could

avoid impacts to wetlands and still provide roadway improvements as identified in the Mission Valley Community Plan. Therefore, this alternative has been rejected from further consideration.

10.4.3 No Project/Development Under Existing Plan (Levi Cushman Specific Plan)

When the project is the revision of an existing land use or regulatory plan, policy, or on-going operation, CEQA Guidelines Section 15126.6(e) requires addressing a "no project" alternative that would be the *continuation of the existing plan, policy, or operation into the future*. In the case of the Riverwalk project, the existing 1987 Levi-Cushman Specific Plan is in effect on the project site. In accordance with CEQA Guidelines Section 15126.6(e), the No Project/Development Under Existing Plan alternative evaluates an alternative where development of the site would occur under the existing Levi-Cushman Specific Plan.

As presented in Chapter 2.0, *Environmental Setting*, the Levi-Cushman Specific Plan, approved in 1987, is currently in effect for the project site. The 200-acre Levi-Cushman Specific Plan houses the majority of the Riverwalk Golf Course [which operates under Conditional Use Permit (CUP) No. 94-0563)] and is comprised of the 195 acres proposed for redevelopment with the Riverwalk Specific Plan and a five-acre parcel owned by MTS. The Levi-Cushman Specific Plan is proposed to be rescinded as part of the project actions. Development of the project site under the existing Levi-Cushman Specific Plan would not reduce or avoid any of the significant impacts associated with the project and would increase impacts and/or cause new impacts not associated with the project. Therefore, development under the Levi-Cushman Specific Plan has been rejected from further consideration as discussed below.

The Levi-Cushman Specific Plan identifies the project site for a mix of residential, retail, office, hotel, and recreational uses. (See Figure 2-8, *Levi-Cushman Specific Plan Land Use Map*.) Pursuant to the Levi-Cushman Specific Plan, development would result in total development intensity of 5.3 million square feet, comprised of 1,329 residential units; 1,000 hotel rooms; 200,000 square feet of commercial retail space; 2,582,000 square feet of office; approximately 40 acres of river open space (the river channel), 11 acres of recreational open space, and 25 acres of landscaped or project open space; and a total of 66,955 ADT. In order for the Levi-Cushman Specific Plan to proceed, it would require subsequent entitlement permits and rescinding or amending CUP No. 94-0563, which is in effect for the existing Riverwalk Golf Course.

As part of the Levi-Cushman Specific Plan, the San Diego River would be channelized through the project site. The channelization would be 400 to 500 feet in width and approximately 26 feet in depth, constructed to carry the 100-year flood projected by the USACOE. The channelization would reduce the floodway from approximately 106 acres to 40 acres, allowing for a larger development area within the area reclaimed by channelization. A 25-foot-wide buffer would be provided on either side of the river that would contain a planted barrier to prevent direct access to the river and habitat areas and may contain pedestrian and bike paths, landscaped areas, and passive recreation areas. The edges and banks of the river channel would be riparian woodland, wetland marsh, and other habitat areas. Three habitat islands would be included to increase the total area of wetland vegetation.

A key element of the Levi-Cushman Specific Plan is the creation of a 12-acre island located along the southern edge of the San Diego River to accommodate small-scale specialty retail, office, and residential uses and a dramatic tower theme feature (with reference to a tower element such as the Seattle Space Needle). The island would have a 40-foot canal on the south side to create a waterside environment of retail, office, and pedestrian uses. The canal would provide for a manufactured lake, separate from the San Diego River, that would accommodate paddleboats or similar water-oriented rides. A bridge of up to 50 feet in width would span from the north shore of the island for pedestrian use, commercial kiosks, and transit shuttles that would provide 100-year crossing, as well as emergency access.

Relative to roadways and transit, the Levi-Cushman Specific Plan calls for Fashion Valley Road to be upgraded to a 10-year flood level crossing. Where Fashion Valley Road crosses the river, it would be inundated at the time of a 100-year storm and cause a slight backwater upstream. The Levi-Cushman Specific Plan also includes a connection between Friars Road and Hotel Circle North (Levi-Cushman Specific Plan Street 'A', roughly in the location of the IOD for future public Street 'J'). Designed as a 100-year flood level crossing, this road would incorporate a weir structure to assure a perennial body of water within the project area. A trolley stop and transportation center would be provided within the center median of Levi-Cushman Specific Plan's road "Camino de la Reina" (roughly the location of Riverwalk Drive).

Development of the project site as approved in the Levi-Cushman Specific Plan would be consistent with the General Plan. It would also be consistent with the Mission Valley Community Plan, due to the Specific Plan Subdistrict CPIOZ-type A, which allows for an approved Specific Plan to remain in effect and allows for development per the approve Specific Plan.

The City's MSCP was approved after adoption of the Levi-Cushman Specific Plan. Development identified in the Levi-Cushman Specific Plan occurs in areas where the MHPA has been mapped. The Levi-Cushman Specific Plan would allow greater breadth of development at closer proximity to the San Diego River and would result in roadways that would cross the MHPA. Thus, development under this alternative has the potential increased indirect noise impacts to sensitive habitat along the river due to construction, in addition to other potential MHPA impacts, which may or may not be fully mitigable. This alternative would result in greater impacts than the project relative to MSCP and the MHPA LUAGs, because this alternative would develop urban uses both inside the San Diego River (on a 12-acre manufactured island) and closer to San Diego River than the Riverwalk project due to the channelization of the river.

Development under the Levi-Cushman Specific Plan would result in greater setbacks and more restrictive lot coverage and development intensity would be taller, specifically along Friars Road adjacent to existing uses. The Levi-Cushman Specific Plan does not include any buffering provisions from existing development and recommends the highest structures (up to 250 feet in height) to be located adjacent to existing multi-family residential development that are up to four stories in height and single and two-story commercial and office buildings in the northern and southern portions of the site, resulting in a stark contrast with the existing surrounding neighborhood. ~~Additionally, the expansive setbacks along major circulation element roadways, such as Fashion Valley Road and Friars Road, would be more suburban in~~

~~nature.~~ Thus, this alternative would result in a greater change to the visual environment and neighborhood character.

The Levi-Cushman Specific Plan would result in the generation of greater traffic volumes than the project due to its greater development intensity. As such, a greater exceedance of air emission standards and, therefore, greater operational air quality impacts would result. Due to increased grading and construction associated with the Levi-Cushman Specific Plan, construction emissions would be greater than the project. The increase in traffic volumes would result in greater amount of trips and increased development intensity; therefore, a greater amount of GHG emissions would result when compared to the project.

Because grading associated with the No Project/Development Under Existing Plan alternative would be greater than the project, it could have the potential to disturb historical resources (archaeology), as well as tribal cultural resources to a greater extent than the project. Therefore, this alternative has the potential to result in greater impacts to subsurface archaeological resources than the project. The greater amount of grading would also result in a greater amount of impervious surfaces that would increase urban runoff to a greater extent than the project. The increase in urban runoff carries with it the potential for an increase in urban pollutants entering sensitive water bodies, like the San Diego River. However, development under the Levi-Cushman Specific Plan would be required to implement BMPs as required by City regulations, which would preclude significant potential impacts to water quality.

This alternative would result in greater noise impacts during construction than the project, as a greater level of development intensity and larger developable area would result. Additionally, a greater level of temporary construction noise impacts on sensitive species would result, because construction would occur in closer proximity to the San Diego River than the project. This alternative would also result in greater operational noise than the project due to a greater level of traffic generation.

Development under the Levi-Cushman Specific Plan would result in a greater impact on public utilities than the project, because this alternative would result in greater development intensity. This alternative would generate a greater amount of solid waste during the grading, construction, and operational phases than the project.

Impacts associated the Levi-Cushman Specific Plan would be greater when compared to the project and would result in greater impacts to the MHPA, biological resources, historical resources, and tribal cultural resources. Additionally, because a greater amount of traffic would occur with this alternative, a greater amount of vehicular air emissions would result, exacerbating impacts to air quality and generating more GHG emissions. This alternative would also result in incrementally greater impact to energy, geologic conditions, hydrology, water quality, and public utilities.

Implementation of the Levi-Cushman Specific Plan would result in increased impacts when compared to Riverwalk, therefore, this alternative was rejected from further consideration.

10.5 Alternatives Considered

The alternatives identified in this analysis have been developed in order to further reduce or avoid significant environmental impacts associated with the project. These include the "no project" alternative that is mandated by CEQA and a Reduced Development Intensity alternative. The discussion of project alternatives in this section provides:

- A description of the alternative considered.
- The identification of the impacts of the alternative.
- A comparative analysis of the impacts of the alternative under consideration and the project. The focus of this comparative analysis is to determine if the alternative is capable of eliminating or substantially reducing the significant environmental effects of the project.
- A determination as to whether the alternatives meets the objectives of the project.

Table 10-3, *Comparison of Alternatives to Project*, presented at the end of this section provides a comparison of environmental issues for all alternatives analyzed in this section.

10.5.1 Alternative 1 – No Project/No Build

CEQA Guidelines Section 15126.6(e) requires that an EIR evaluate a "no project" alternative, along with its impacts. The purpose of describing and analyzing a no project alternative is to allow a lead agency to compare the impacts of approving the project to the impacts of not approving it. Specifically, Section 15126.6(e)(3)(B) requires that an EIR for a development project on an identifiable property address the no project alternative as *circumstances under which the project does not proceed*. In other words, the no project assumes that the project site would not be developed with the project.

Under the No Project/No Build alternative, the project would not be implemented on the site. None of the improvements resulting from the project would occur: a mixed-use development would not be established; no additional housing or employment uses would be created; Fashion Valley Road would not be improved; a new trolley stop would not be provided; and a new expansive Riverwalk River Park would not be created to serve the community. Instead, the site would be left as it exists today and the golf course would remain in operation.

10.5.1.1 Environmental Analysis

Land Use

The project site is currently entitled under the Levi-Cushman Specific Plan and operates as the Riverwalk Golf Course with an approved CUP. Under the No Project/No Build alternative, the golf course would continue operation until such a time that the CUP expires or the golf course ceases operation. Continued operation of the Riverwalk Golf Course in accordance with CUP 94-0563 would not result in potential impacts relative to MHPA adjacency, as the land use in effect is minimally disruptive to the natural

environment and would involve no new grading or development. As such, although impacts to the MHPA for indirect noise associated with the project would be fully mitigated, this alternative would be less impactful. Like the project, this alternative would not physically divide an established community and would not result in land uses that are incompatible with the Montgomery Field or SDIA ALUCPs. This alternative would not require a deviation or variance, as no new development would occur.

This alternative would not implement goals and policies of the San Diego River Park Master Plan as no development would occur, but would also not preclude implementation of such features as the San Diego River Path at a later date. This alternative would be consistent with the Mission Valley Community Plan. This alternative would not fulfill the long-range planning goals for the community, the City, and the region.

Transportation and Circulation

Continued operation of the Riverwalk Golf Course, as would occur under this alternative, would not result in traffic and circulation impacts as no additional trips would be generated. Because the No Project/No Build alternative assumes continued operation under of the Riverwalk Golf Course and no new development, no transportation improvements would be required.

Transit opportunities in the project vicinity include bus service and the trolley. Pedestrian and bicycle opportunities are provided through sidewalks and bicycle lanes throughout Mission Valley. The No Project/No Build alternative would not affect bus and trolley service and would not affect existing pedestrian and bicycle facilities. However, this alternative would not provide an additional trolley stop or other improvements to pedestrian/bicycle accessibility and connectivity through the site and, therefore, would not result in the benefits to mobility options created by the project.

Visual Effects and Neighborhood Character

The No Project/No Build alternative would retain the existing golf courses uses and would not include any development, redevelopment, or alterations to the site or its appearance as it exists today. The project would not create a negative aesthetic on-site; similarly, this alternative would not create a negative aesthetic and it would also not result in an inconsistency relative to bulk, scale, materials, or style of the surrounding development, as no redevelopment would occur. Although the existing and planned character in the surroundings of the site continues to evolve and intensify, the existing low intensity use would not result in a substantial alteration to the surrounding character, as the use currently exists within the community fabric. The golf course use remains aesthetically compatible with the San Diego River that runs through it. This alternative would not create new sources of light or glare, as no redevelopment would occur on the golf course site. Like the project, this alternative would not result in significant impacts relative to visual effects and neighborhood character.

Biological Resources

The No Project/No Build alternative would avoid all impacts to biological resources, as no new development would occur. Thus, habitat restoration would not be required, and there would be no requirement to comply with Guideline B15 of the MSCP. The No Project/No Build alternative would result in fewer impacts to biological resources than what would occur with the project.

Air Quality

Under the No Project/No Build alternative, no changes to the existing site would result. No demolition, grading, and construction would occur. Therefore, the No Project/No Build alternative, would not have the potential to increase air emissions that would result during construction. Air emissions associated with golf course operations and use would continue, such as vehicles accessing the golf course and maintenance vehicles. The existing golf course operations would be consistent with and would not impair the implementation of the RAQS, SIP, and AQMP, as existing development would have been taken into account in the preparation of those documents. No objectional odors would occur as a result of continued golf course operation and no exposure to toxic air contaminants or CO hot spots would occur, as no increase in vehicle trips would be anticipated. Because no redevelopment would occur, no new operational emissions would occur. Air quality impacts would be considered less than the project under this alternative.

Historical Resources

No grading would occur as a result of the No Project/No Build alternative, because the golf course would remain in operation as it exists today. As such, there would be no opportunity to encounter significant archaeological sites or unknown subsurface human remains. No potentially significant structures or sacred sites are located on the site that could be impacted by continued golf course operation. No historical resources impacts would result.

Energy

Under the No Project/No Build alternative, no increased demand for energy would be generated. Although a significant impact was not identified for the project, energy demand for the existing use would be substantially less than the Project.

Noise

The existing noise levels generated by the existing operations would continue under this alternative. Unlike the project, this alternative would not include demolition, grading, or construction; and no new operational noise sources would be created on-site. This alternative would result in less noise than what would occur with the project.

Greenhouse Gas Emissions

Under the No Project/No Build alternative, emissions would be associated with on-going operation and maintenance of the golf course. No new construction would occur. As no new development or emission would be generated, no GHG impacts would occur. Although a significant GHG impact was not identified

for the project, generation of GHG emissions would be less under this alternative when compared to the project.

Tribal Cultural Resources

No grading would occur as a result of the No Project/No Build alternative, because golf course uses would remain in operation as it exists today. As such, there would be no impacts to tribal cultural resources.

Geologic Conditions

The on-going golf course operations that currently occur at the project site would continue under the No Project/No Build alternative. Although the project would not result in any significant impacts, when compared to the project, this alternative would result in less impacts to geologic conditions relative to seismic events, as no development would be associated with the existing operations.

Hydrology

Existing site conditions would remain and no grading or development would occur as a result of the No Project/No Build alternative. No modifications to hydrology would occur. As such, flooding would continue to occur on-site, with off-site effects, as it does during storm events currently. Improvements to Fashion Valley Road associated with the project would not occur, and periodic flooding that results in obstructing access would continue. Benefits to circulation and access would not occur under this alternative. Like the project, the No Project/No Build alternative would not result in impacts to hydrology beyond what exists today. However, because no improvements to flooding would occur, this alternative's impacts would be incrementally greater than the project.

Public Utilities

The No Project/No Build alternative would not affect public utilities. Sewer, water, gas, and electric services would continue to be provided as they are today. The No Project/No Build alternative would avoid impacts solid waste, as no construction or increased operational waste generation would occur. While the project would not result in significant impacts to public utilities, this alternative's environmental effect would be incrementally less than the project.

Water Quality

The No Project/No Build alternative would result in the continued golf course activities on the project site. The No Project/No Build alternative would not result in an increase in impervious surfaces. Runoff would continue as it occurs today. No water quality BMPs and improvements associated with the project would occur. It is not anticipated that significant impacts to water quality would occur under this alternative. While the project would not result in significant impacts to water quality, this alternative's environmental effect would be incrementally less than the project.

Public Services and Facilities

The No Project/No Build alternative would not result in development that would increase population resulting in a need to expand public services and facilities. Impacts to public services and facilities when compared to the project would be considered less. While the project would not result in significant impacts to public services and facilities, this alternative's environmental effect would be incrementally less than the project.

Health and Safety

Under the No Project/No Build alternative, there would be no change to existing conditions. Although the project would not result in any significant impacts, when compared to the project, the No Project/No Build alternative would result in fewer impacts including wildland fire, hazard emissions, emergency response, and airport hazards, as no new structures would be introduced to the project site.

Cumulative Effects

The No Project/No Build alternative would not result in cumulative impacts, as no new development would occur. Thus, cumulative impacts under this alternative would be less than the project.

10.5.1.2 Evaluation of Alternative

The No Project/No Build alternative would result in no changes to the current site conditions. The project would not be implemented, and the Riverwalk Golf Course would remain in operation as it does today.

When compared to the project, the No Project/No Build alternative would avoid significant unmitigated operational air quality impacts associated with the project. The No Project/No Build alternative would avoid impacts to biological resources, including secondary noise impacts on sensitive biological resources. Habitat restoration and compliance with Guideline B15 would not be required. Because no redevelopment would occur under this alternative, there would be no potential to encounter significant archaeological sites or unknown subsurface human remains, and no new operational air emissions would occur. Additionally, the No Project/No Build alternative would avoid exposing sensitive receptors to potential health and safety risks, as no new land uses would occur on the site. However, because the No Project/No Build alternative would not result in improvements to Fashion Valley Road as proposed by the project, there would be no improvements to north-south vehicular access in storm events. Flooding would continue to occur on-site, with off-site effects, as it does during storm events currently. The No Project/No Build alternative would not improve hydrology the same as the project, but also would not result in significant impacts to hydrology beyond what exist today. The No Project/No Build alternative would not meet any of the project objectives.

10.5.2 Alternative 2 – Reduced Development Intensity/Operational Air Quality Impact Avoidance

As presented in Section 5.5, *Air Quality*, the project would result in a cumulatively significant impact associated with operational (vehicular) air emissions. Based on the size and scope of the project, there are no feasible measures for reducing air quality impacts; and impacts would remain significant and unmitigated.

A Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative was evaluated that would reduce proposed development intensity to a level such that significant operational air quality impacts would be avoided. Development under this alternative would develop the project site in the same locations and overall footprint as the project but would reduce development to 2,275 residential units, 106,000 square feet commercial retail space, and 700,000 square feet of commercial and office and non-commercial retail space. Thus, this alternative would result in 47 percent less residential units and 30 percent less commercial and office and non-commercial retail uses, as shown in Table 10-1, *Development Intensity Comparison - Proposed Project and Reduced Development Intensity/Operational Air Quality Impact Avoidance Alternative.* Areas for park, open space, and trails would remain the same as the project. Approximately 29,800 ADT would be generated by this alternative. Grading, on-site public street infrastructure, and improvements to Fashion Valley Road, would also remain the same as the project. This alternative would result in 6,028 EDUs. As such, some off-site roadway improvements required for the project may not be required under this alternative, as less development intensity would generate less traffic.

Future development under this alternative would have similar characteristics as the project, albeit at a reduced level, and would follow the Riverwalk Specific Plan design guidelines and development regulations proposed by the Riverwalk Specific Plan. This alternative would require application of zones that reflect the reduced development intensity and modifications to the proposed Riverwalk Specific Plan to reflect the land use intensity associated with this alternative.

Table 10-1. *Development Intensity Comparison – Proposed Project and Reduced Development Intensity/Operational Air Quality Impact Avoidance Alternative*

Land Use	Proposed Project	Reduced Development Intensity/Operational Air Quality Impact Avoidance Alternative
Residential	4,300 units	2,275 units
Commercial Retail Space	152,000 square feet	106,000 square feet
Office and Non-Commercial Retail Space	1,000,000 square feet	700,000 square feet
Park, Open Space, and Trails	Approximately 97 acres	No Change

10.5.2.1 Environmental Analysis

Land Use

Like the project, this alternative would be consistent with relevant policies and guidelines of the applicable plans similar to the project, including the Mission Valley Community Plan (and its Mobility Element with regards to improvements to Fashion Valley Road), as well as the San Diego River Park Master Plan. Additionally, this alternative would be consistent with the ALUCPs for Montgomery-Gibbs Executive Airport and San Diego International Airport. Like the project, development under this alternative would require deviations from the Land Development Code relative to ESL regulations.

Like the project, this alternative would not result in physically dividing an established community. Implementation of the Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative would include a circulation network that connects through the project site and with the adjacent roadway network, similar to the project. As such, this alternative would facilitate connectivity in a similar manner as the project. Similarly, like the project, development under this alternative would also not result in land uses that are incompatible with the Montgomery Field or SDIA ALUCPs. This alternative would not, however, build-out at the level of intensity assumed for the project site in the Community Plan. Because of the much lower development intensity, this alternative would not be as transit-supportive as the project.

Future development under this alternative would occur in accordance design guidelines and development regulations proposed by the Riverwalk Specific Plan, which includes Tailored Development Standards. However, as with the project, those Tailored development Standards would not result in a significant environmental impact.

Like the project, this alternative would not result in conflict with the City's MSCP Subarea Plan or other approved local, regional, or State habitat conservation plan. Development would be located in the same areas as the proposed project. This alternative would require compliance with Guideline B15, as would the project, and would be required to implement conditions and mitigation measures similar to the project to ensure no significant impacts to wildlife habitat and sensitive species.

Relative to the Noise Element of the General Plan, like the project, this alternative would allow for residential development proximate to the I-8 freeway. The Riverwalk Specific Plan includes Policy R-18 regarding exterior useable open space, which prohibits residential balconies from fronting I-8 in areas that exceed an exterior noise level of 70 dBA CNEL. This policy would apply to this alternative and would preclude a land use incompatibility with regards to exterior noise levels. To avoid significant interior noise, interior noise levels would be required to meet implementation of construction techniques and materials required to meet Title 24 of the California Energy Code if noise standards are exceeded.

Transportation and Circulation

The Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative is anticipated to also result in a less than significant impact on transportation and circulation, because the resident VMT per capita and employee VMT per employee would be at least 15 percent below the Regional Average VMT/Capita and Regional Average VMT/Employee, respectively. Like the project, this alternative would implement pedestrian, bicycle, and transit plans that would be consistent with adopted alternative transportation mode plans and policies. Transportation and circulation impacts would be less than significant, the same as with the project.

Visual Effects and Neighborhood Character

Like the project, this alternative would not create a negative aesthetic on the site, as buildout of the site would be compatible with the bulk, scale, materials, and style of the surrounding development. The Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative would not result in a substantial alteration to the existing or planned character of the area as development would occur in accordance with the various design guidelines of the Riverwalk Specific Plan. By adhering to required regulations, the project would not create substantial light or glare that would adversely affect daytime or nighttime views in the area. This alternative would result in a project that is lower in scale and implements a reduced development intensity over the same development area as the project. ~~Visually, this alternative would appear more suburban in nature rather than urban in-fill. But, like~~Similar to the project, this alternative would not result in significant impacts with regard to visual effects and neighborhood character.

Biological Resources

Grading required under this alternative would not change from that proposed for the project. Significant direct impacts would occur to wetland/riparian vegetation communities, as well as indirect impacts to sensitive bird species during project construction. However, construction would be less, as less development would occur under this alternative. Therefore, impacts to biological resources would be incrementally less than those identified with the project. This alternative would require implementation of mitigation measures as presented in Section 5.4, *Biological Resources*, to reduce potential impacts to below a level of significance.

Air Quality

Operational air quality impacts associated with this alternative would be avoided, as development intensity would be reduced to below significance thresholds. Additionally, because less development would occur, there would be a reduction in construction emissions. Thus, this alternative would result in less air quality impacts when compared to the project.

Historical Resources

Grading required with this alternative would be similar to the project. Therefore, impacts to historical resources (archaeology) would be the same as those identified with the project. Mitigation measures like those required for the project would be required for this alternative and would reduce impacts to below a level of significance, similar to the project.

Energy

Energy consumption under this alternative would be incrementally reduced with the decrease in development intensity. However, like the project, no adverse effects on non-renewable resources are anticipated. This alternative would comply with UBC and Title 24 requirements for energy efficiency and would incorporate sustainable design features directed at reducing energy consumption. Impacts would be less than significant, as would the project. Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance would not result in significant impacts with regard to energy.

Noise

Like the project, temporary construction impacts to sensitive bird species would occur, and implementation of mitigation measures as required for the project would reduce impacts to below a level of significance. Because development intensity with this alternative would be less than the project, construction noise would be reduced and impacts to bird species during construction would be less. Like the project, depending on the size and location of ground-level HVAC units, an increase in ambient conditions may cause a significant impact which would require mitigation like that required for the project. ~~This alternative would construct the Riverwalk River Park in the same manner as the project, and noise from performances at the proposed amphitheater within the Riverwalk River Park could result in significant noise impacts to sensitive wildlife species within the San Diego River corridor requiring mitigation as is required for the project to reduce impacts to below a level of significance~~Like the project, noise associated with this alternative would not have an adverse impact on existing noise levels at neighboring sensitive properties.

Greenhouse Gas Emissions

Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative would not conflict with the CAP or any other applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases. Because less development would occur under this alternative than with the project, a lesser amount of GHG emissions would result. As with the project, impacts would be less than significant

Tribal Cultural Resources

Grading associated with the Reduced Development Intensity/Operational Air Quality Impact Avoidance would be similar to the project; therefore, impacts to tribal cultural resources would be the same as those identified with the project. Mitigation measures like those required for the project would also be required

for this alternative and would reduce impacts to below a level of significance. Overall, tribal cultural resources impacts would be similar to the project.

Geologic Conditions

Like the project, this alternative would involve development disturbance, albeit to a lesser degree, and like the project would require associated seismic and soil impacts. Similar to the project, this alternative would be required to implement standard grading and construction practices to ensure an acceptable level of risk. Geologic and soil impacts under this alternative would be avoided or reduced to below a level of significance through implementation of applicable design measures and geotechnical recommendations, as well as conformance with applicable regulatory/industry standard. Similar to the project, this alternative would not expose people or property to potentially substantial effects including the risk of life, injury, or death due to hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazard. Comparable to the project, impacts would be less than significant.

Hydrology

The Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative would not result in a reduction of impervious surfaces when compared with the project. Building heights would be reduced under this alternative, but the development area would remain the same. Thus, hydrology impacts under this alternative would be the same as the project. For both the project and this alternative, no significant impacts would occur relative to hydrology and drainage.

Like the project, this alternative would not result in a substantial increase in runoff ,because it would be required to construct storm drain systems to handle project runoff consistent with City storm water regulations. Like the project, this alternative would not increase the water surface elevation downstream of the site, within the site, or upstream of the site, and all structures constructed within the floodway would be raised two feet above based flood elevation. No significant impacts associated with drainage and runoff would result. This alternative would not result in flood hazards to the project site or impose flood hazards on other properties, because like the project, development would be required to elevate habitable portions of the project site out of the 100-year floodplain.

Public Utilities

Like the project, this alternative would not result in impacts to water infrastructure and wastewater infrastructure that would be significant. This alternative would result in less demand on potable water supply due to reduced development intensity. Water consumption would not be significant under this alternative or the project. This alternative would generate solid waste during the grading, construction, and operational phases at a lower rate than the project, because less development would occur. Like the project, this alternative would be required to implement strategies outlined in a project-specific WMP through conditions of approval, as well as compliance with applicable City regulations related to solid waste, impacts would be less than significant. Like the project, this alternative would incorporate water sustainable design features, techniques, and materials that would reduce water consumption to below a level of significance. Additionally, this alternative would include landscaping consisting of native and

drought-tolerant species consistent with the Landscape Regulations, resulting in an impact that would be less than significant. While this alternative would result in less impacts to public utilities, neither this alternative nor the project would result in significant impacts.

Water Quality

Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative is not expected to substantially affect the quality of storm water runoff leaving this site compared to existing conditions. When compared to the project, this alternative would generate a similar amount of in urban pollutants as the project. Although development intensity would be reduced, development would occur in the same development area as the project. Like the project, no short-term and long-term effects on local and regional water quality would result from implementation of this alternative. Like the project, this alternative would be required to implement BMPs as required by City regulations, which would preclude significant potential impacts to water quality. Thus, this alternative would result in the same level of no impacts to water quality as the project.

Public Services and Facilities

Development intensity under the Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative would result in a decrease in residential units and a reduction in commercial space. Impacts to public services and facilities would be reduced with regards to police protection and fire/life safety protection as the project. This alternative would result in a decreased demand for public services such as schools, parks, and libraries, as this alternative would generate less people than would the project (4,232 residents under this alternative compared to 7,998 with the project, based on a generation rate of 1.86 persons per household). Thus, like the project, this alternative would not result in significant impacts to the public services and facilities.

Health and Safety

Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative would not result in excessive use of hazardous materials, such as cleaning solvents; anticipated use would be at levels that would result in substantial hazardous emissions or waste. Industry standards are in place to ensure no risk to workers by hazardous materials during demolition and construction. Additionally, like the project, this alternative would not impair implementation of, or physically interfere with, emergency response plans or emergency evacuation plans. This alternative would also not result in conflicts with the applicable ALUCPs.

Due to the presence of previously-removed USTs along with the existing wastewater clarifier, there is the potential for the presence of arsenic and organochlorine pesticides in soils within the project site, which is regarded a potentially significant impact associated with health and safety. Former agricultural uses on the project site that ceased over 50 years ago, there is the potential for exposure to COCs, which is regarded a potentially significant impact associated with health and safety with the project and would also be the same with this alternative. Conditions required for the project would also be required for this alternative and would mitigate these impacts to below a level of significance.

Cumulative Effects

Based on the analysis contained in Chapter 6.0 of the EIR, cumulative impacts have been evaluated for build-out of the Mission Valley Community Plan as part of the Mission Valley CPU Program EIR. Cumulative impacts at the Community Plan build-out level include development of the project site at a greater level of intensity than this alternative. In that manner, cumulative effects from this alternative would have already been anticipated in the Mission Valley CPU Program EIR. Like the project, this alternative would not result in cumulative impacts beyond those already addressed in the CPU Program EIR. Unlike the project, the air quality impacts (operational) of the project would not be cumulatively considerable. This alternative would have a lower intensity than buildout of the site anticipated in the Mission Valley Community Plan Program EIR; therefore, this alternative would not result in additional cumulative impacts.

10.5.2.2 Evaluation of Alternative

The Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative would result in avoidance of cumulatively significant air quality impacts associated with operational (vehicular) emissions. Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance alternative would be subject to Policy R-18 of the Riverwalk Specific Plan prohibiting residential balconies fronting I-8 to occur where exterior noise levels exceed 70 dBA CNEL, which would preclude a land use incompatibility with regards to exterior noise levels due to locating residential development proximate to the I-8 freeway. Because grading required under this alternative would not change from that proposed for the project, impacts to biological resources, historical resources, and tribal cultural resources would not change from those associated with the project. Appropriate mitigation measures would be required as with the project. Relative to health and safety, the same potential for health risks associated with contaminated soils would occur under this alternative as would with the project, and the same mitigation measures would be required to ensure that impacts are reduced to below a level of significance.

This alternative would result in an incremental decrease in energy use, GHG emission, hydrology, water quality, and public utilities, because less development intensity and density would result under this alternative. However, no significant impacts to those environmental issue area would occur with the project. This alternative would incrementally reduce the potential for impacts associated with geologic conditions and soils. However, neither the project nor this alternative would result in significant impacts associated geologic conditions. With regards to public services and facilities, development intensity under the Reduced Development Intensity – Operational Air Quality Impact Avoidance alternative would contribute less impacts to schools, parks, and libraries. Like the project, this alternative would not result in significant impacts to the public services and facilities.

The Reduced Development Intensity – Operational Air Quality Impact Avoidance alternative would meet the following project objectives:

- Create a focused long-range plan intended to promote increased residential density and employment opportunities consistent with the General Plan, Mission Valley Community Plan, San Diego River Park Master Plan, and the Climate Action Plan.
- Create a transit-accessible mixed-use development in a central, in-fill location.
- Promote multi-modal travel (pedestrian and bicycle friendly corridors) through the project site including connectivity via open space areas.
- Construct a new Green Line Trolley stop easily accessible from within Riverwalk and to adjacent surrounding residential and employment areas.
- Design a neighborhood that integrates the San Diego River through active and passive park uses, trails, resource-based and a connected open space.
- Allow for the establishment and creation of a habitat Mitigation Bank that provides long-term habitat conservation and maintenance.
- Improve the Fashion Valley Road crossing that:
    - Provides expanded storm water flow volume accommodating a 10- to 15-year storm event;
    - Improves emergency response times by facilitating north-south vehicular access in storm events; and
    - Expands active transportation circulation by providing sidewalks and a buffered two-way cycle track.
    - Modernizes flood control gate operations in the project vicinity.
- Celebrate and interpret important cultural and historic resources within the Specific Plan area.

This alternative would meet other project objectives but at a substantially reduced level, as summarized below.

- Assist the City's housing supply needs by providing a range of housing, including both market rate and deed-restricted affordable units, proximate to transit, jobs, amenities, and services.

    This alternative would result in a 47 percent reduction in housing, substantially reducing the amount of much needed housing (market-rate and affordable) that could occur with the project.

- Implement the City of Villages goals and smart growth principles by creating a mixed-use neighborhood with housing, commercial, employment, and recreation opportunities along transit while restoring a key stretch of the San Diego River.

    In addition to the much reduce residential development that would occur with this alternative, this alternative would also result in 30 percent less commercial retail and office and non-commercial retail uses and, thus, would not implement the City of Villages goals and smart growth principles to the extent the that project would.

10.5.3 Alternative 3 – Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts

As presented in Section 5.5, *Air Quality*, the project would result in a cumulatively significant impact associated with operational (vehicular) air emissions. Based on the size and scope of the project, there are no feasible measures for reducing air quality impacts; and impacts would remain significant and unmitigated. Additionally, as presented in Section 5.6, *Historical Resources*, the project has the potential to result in direct impacts to known cultural sites as a result of grading needed to remove soils and render the site suitable for development. By eliminating areas of development where some subsurface resources occur, impacts would be reduced. Therefore, a Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative was evaluated that reduces development intensity to a level such that significant operational air quality impacts would be avoided. Additionally, under this alternative, mixed-use development would be eliminated in areas where grading has the potential to affect significant historical resources and tribal cultural resources.

This alternative would develop the project site with a reduced development intensity that would result in: 2,200 residential units; 40,000 square feet commercial retail space; 900,000 square feet of commercial and office and non-commercial retail space and 114 acres of park, open space, and trails. This alternative would generate approximately 24,942 ADT and would result in 51 percent less residential units,18 percent less commercial and office and non-commercial retail uses, and 17 percent more parks when compared to the project. This alternative would require application of zones that reflect the reduced development intensity and modifications to the proposed Riverwalk Specific Plan to reflect the land use intensity associated with this alternative. This alternative would result in 4,938 EDUs. As such, some off-site roadway improvements required for the project may not be required under this alternative, as less development intensity would generate less traffic. (See Table 10-2, *Development Intensity Comparison – Proposed Project and Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts Alternative).*

Table 10-2. *Development Intensity Comparison – Proposed Project and Reduced Development Intensity – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts Alternative*

Land Use	Proposed Project	Reduced Development Intensity – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts Alternative
Residential	4,300 units	2,200 units
Commercial Retail Space	152,000 square feet	40,000 square feet
Office and Non-Commercial Retail Space	1,000,000 square feet	900,000 square feet
Park, Open Space, and Trails	Approximately 97 acres	Approximately 114 acres

Future development under this alternative would have similar characteristics as the project, albeit at a reduced level, and would follow the same design guidelines and development regulations proposed by the Riverwalk Specific Plan as would the project. Grading and public street infrastructure, including improvements to Fashion Valley Road, would also remain the same as shown for the project with the following exceptions:

- Development would not occur on Lots 16 through 25 and Lots 39 and 40 (see Figure 10-1, *General Areas of Development Under the Reduced Development Intensity – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts Alternative*) to avoid potential disturbance of Sites SDI-11767 and SDI-12220.
- Development would not occur on Lot 31 to avoid potential disturbance of Site SDI-12126.
- Extension of Riverwalk Drive beyond its current western terminus, as well as development of Street 'J1' and Street 'J2' would not occur to avoid potential disturbance of Site SDI 11767.
- Construction of the Street 'J2' vehicular tunnel under the MTS trolley tracks would not occur, to avoid potential disturbance of Site SDI 11767.
- Development on Lots 32 through 37 would not occur, as these lots would not be afforded at least two methods of ingress and egress without Riverwalk Drive and Streets 'J1' and 'J2'.

As such, no development would occur south of the trolley tracks and north of the San Diego River (i.e., all of the Central District of the Riverwalk Specific Plan). Approximately one-third of the developable area in the North District would be removed. (See Figure 10-1, *General Areas of Development Under the Reduced Development Intensity – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts Alternative*.) Development density and intensity shown in Table 10-2 would be accommodated in the remaining portion of the North District and the South District.

10.5.3.1 Environmental Analysis

Land Use

This alternative would be generally consistent with the Mission Valley Community Plan (and its Mobility Element) with regards to improvements to Fashion Valley Road, as well as the San Diego River Park Master Plan, except as described below under Transportation and Circulation.

This alternative would be consistent with the ALUCPs for Montgomery-Gibbs Executive Airport and San Diego International Airport. Similarly, like the project, development under this alternative would also not result in land uses that are incompatible with the Montgomery Field or SDIA ALUCPs. This alternative would not, however, build-out at the level of intensity assumed for the project site in the Community Plan. Because of the much lower development intensity, this alternative would not be as transit-supportive as the project. Like the project, development under this alternative would require deviations from the Land Development Code relative to ESL regulations. Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would be consistent with the City of San Diego General Plan's applicable goals and policies and the City's Climate Action Plan.

Like the project. this alternative would not result in physically dividing an established community. Like the project, implementation of the Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would include a circulation network that connects through the project site and with the adjacent roadway network. As such, this alternative would facilitate connectivity in a similar manner as the project.

Future development under this would occur in accordance the design guidelines and development regulations proposed by the Riverwalk Specific Plan, which includes Tailored Development Standards. However, as with the project, those Tailored Development Standards would not result in a significant environmental impact.

Like the project, this alternative would not result in conflict with the City's MSCP Subarea Plan or other approved local, regional, or State habitat conservation plan. Development would be located in the same areas as the proposed project, This alternative would require compliance with Guideline B15, as would the project, and would be required to implement conditions and mitigation measures similar to the project to ensure no significant impacts to wildlife habitat and sensitive species.

Relative to the Noise Element of the General Plan, like the project, this alternative would allow for residential development proximate to the I-8 freeway. The Riverwalk Specific Plan includes Policy R-18 relative to exterior useable open space, which prohibits residential balconies from fronting I-8 in areas that exceed an exterior noise level of 70 dBA CNEL. This policy would apply to this alternative and would preclude a land use incompatibility with regards to exterior noise levels. To avoid significant interior noise, interior noise levels would be required to meet implementation of construction techniques and materials required to meet Title 24 of the California Energy Code if noise standards are exceeded.

This alternative would not develop Riverwalk Drive to its ultimate classification per the Community Plan or Streets 'J1' and 'J2'; as such, this alternative would not be consistent with the Mission Valley Community Plan. However, major circulation element roadways would remain in place and the alternative would implement improvements to key roadways, such as Fashion Valley Road. Internal circulation would be accommodated to ensure compatibility with the existing and planned roadway network of the Mission Valley Community Plan.

This alternative would be consistent with the ALUCPs for Montgomery-Gibbs Executive Airport and San Diego International Airport. Like the project, development under this alternative would require deviations from ESL regulations. This alternative would be consistent with the polices and guidelines relative to the City's MSCP Subarea Plan.

In summary, this alternative would result in no change with regards to the analysis of land use impacts from what has been evaluated for the project.

Transportation and Circulation

This alternative would be generally consistent with the Mission Valley Community Plan (and its Mobility Element) with regards to improvements to Fashion Valley Road, as well as the San Diego River Park Master Plan, except this alternative would not develop:

- Riverwalk Drive as a two-lane Collector roadway, as the roadway would not be constructed beyond the terminus at the existing golf course clubhouse.
- Class II bike lanes along Riverwalk Drive from Fashion Valley Road to the trolley stop, as Riverwalk Drive would terminate at the existing golf course clubhouse.
- Streets 'J1' and 'J2" as two-lane Collector roadways.
- Class II bike lanes along Streets 'J1' and 'J2', as these roadways would not be constructed.

Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative is anticipated to also result in a less than significant impact on transportation and circulation, because the resident VMT per capita and employee VMT per employee would be at least 15 percent below the Regional VMT/Capita and Regional VMT/Employee, respectively. Like the project, this alternative would implement pedestrian, bicycle, and transit plans that would be consistent with adopted alternative transportation mode plans and policies. Additionally, this alternative would not result in increased traffic hazards due to circulation network design, and would improve access by way of improvements to Fashion Valley Road. Like the project, transportation and circulation impacts would be less than significant.

Visual Effects and Neighborhood Character

This alternative would result in the same scale and intensity of development, and would occur in the same areas as the project except where development would be eliminated in areas to avoid impacts to cultural resources as previously described. A greater portion of the project site would not be developed with urban uses. Instead, development under this alternative would occur along Friars Road, broken up by a greater amount of open area, and then a smaller area of development area along Fashion Valley Road and at Hotel Circle North / Fashion Valley Road. While development under this alternative would appear visually different than what would occur with the project, like the project, this alternative would not create a negative aesthetic on the site. Development would occur in accordance with the Riverwalk Specific Plan, like the project, to ensure compatibility with the bulk, scale, materials, and style of the surrounding development. Thus, neither the project or this alternative would not result in a substantial alteration to the existing or planned character of the area. By adhering to required regulations, the project would not create substantial light or glare that would adversely affect daytime or nighttime views in the area. Like the project, this alternative would not result in significant impacts with regard to visual effects and neighborhood character.

Biological Resources

The Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would construct the Fashion Valley Road improvements, as with the project. As such, significant direct impacts would occur to wetland/riparian vegetation communities. Less grading would not occur under this alternative, which would reduce the indirect impacts to sensitive bird species during project construction. Nonetheless, this alternative would require implementation of mitigation measures as presented in Section 5.4, *Biological Resources*, to reduce potential impacts to below a level of significance.

Air Quality

Operational air quality impacts associated with this alternative would be avoided, as development intensity would be reduced to a level such that vehicular emissions would be below significance thresholds. Additionally, because less development would occur, there would be a reduction in construction emissions. Thus, this alternative would result in less air quality impacts when compared to the project.

Historical Resources

The Reduced Development Intensity, Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would avoid potential impacts to three significant archaeological sites and a data recovery program would not be required. While mitigation measures required for the project would reduce impacts to below a level of significance for all cultural resources, this alternative would avoid disturbance to Sites SDI-11767, SDI-12220, and SDI-12126, resulting in reduced impacts to cultural resources.

Energy

Energy consumption under this alternative would be incrementally reduced with the decrease in development intensity. However, like the project, no adverse effects on non-renewable resources are anticipated. This alternative would comply with UBC and Title 24 requirements for energy efficiency and would incorporate sustainable design features directed at reducing energy consumption. Impacts would be less than significant, as would the project. Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources would not result in significant impacts with regard to energy.

Noise

Like the project, temporary construction impacts to sensitive bird species would also occur, and implementation of mitigation measures as required for the project would reduce impacts to below a level of significance. However, because less development would occur under this alternative, impacts would be reduced. Additionally, depending on the size and location of ground-level HVAC units, and increase in ambient conditions may cause a significant impact that would require mitigation like that required for the project. ~~This alternative would construct the Riverwalk River Park in the same manner as the project, and~~

~~noise from performances at the proposed amphitheater within the Riverwalk River Park could result in significant noise impacts to sensitive wildlife species within the San Diego River corridor requiring mitigation as is required for the project to reduce impacts to below a level of significance~~Like the project, noise associated with this alternative would not have an adverse impact on existing noise levels at neighboring sensitive properties.

Greenhouse Gas Emissions

This alternative would result in less development intensity and, therefore, would generate less GHG emissions than the project. Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts would not conflict with the CAP or any other applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases. Impacts would, therefore, be less than significant. Like the project, this alternative would not result in significant GHG emissions.

Tribal Cultural Resources

This alternative would avoid disturbance to Sites SDI-11767, SDI-12220, and SDI-12126, resulting in fewer potential impacts to tribal cultural resources. The Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts would avoid potential impacts to these sites, and data recovery would not be required. Nonetheless, this alternative would require mitigation measure, comprised of monitoring during ground-disturbing activities , which would reduce impacts to tribal cultural resources to below a level of significance.

Geologic Conditions

Like the project, this alternative would involve development disturbance, albeit to a lesser degree. Similar to the project, this alternative would be required to implement standard grading and construction practices to ensure an acceptable level of risk. Geologic and soil impacts under this alternative would be avoided or reduced to below a level of significance through implementation of applicable design measures and geotechnical recommendations, as well as conformance with applicable regulatory/industry standard. Similar to the project, this alternative would not expose people or property to potentially substantial effects including the risk of life, injury, or death due to hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazard. Comparable to the project, impacts would be less than significant. Like the project, geologic and soil impacts under this alternative would be avoided or reduced to below a level of significance through implementation of applicable design measures and geotechnical recommendations, as well as conformance with applicable regulatory/industry standard.

Hydrology

Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would result in an increase in impervious surfaces from what exists currently, albeit less than the project due to the reduced development area. Also like the project, this alternative would not result in an increase in runoff because the alternative would be required to construct storm drain systems to handle project runoff consistent

with City storm water regulations. No significant impacts associated with drainage and runoff would result. This alternative would not result in flood hazards to the project site or impose flood hazards on other properties, because habitable structures would be elevated in those portions of the project site in the 100-year floodplain. This alternative would not increase the water surface elevation downstream of the site, within the site, or upstream of the site. This alternative would result in greater pervious surfaces than the project, as no development would occur south of the trolley tracks (i.e., all of the Central District of the Riverwalk Specific Plan). Approximately one-third of the developable area in the North District would be removed. Thus, impacts under this alternative associated with hydrology would be less than those that are anticipated with the project (due to the diminished increase in impervious surfaces) and, like the project, would not be significant.

Public Utilities

Because this alternative would result in less development intensity and less development area, less impact to water infrastructure and wastewater infrastructure would occur. Like the project, impacts would not be significant. Like the project, this alternative would generate solid waste during the grading, construction, and operational phases; however, solid waste generation would be less due to less development intensity. Like the project, strategies outlined in a project-specific WMP through conditions of approval, as well as compliance with applicable City regulations related to solid waste, would be required to ensure impacts would be less than significant. Like the project, this alternative would incorporate water sustainable design features, techniques, and materials that would reduce water consumption to below a level of significance. Additionally, this alternative would include landscaping consisting of native and drought-tolerant species consistent with the Landscape Regulations, resulting in an impact that would be less than significant as with the project.

Water Quality

The Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would result in less generation of urban pollutants that could affect sensitive water bodies, like the San Diego River, than the project due to an overall reduction in development area and intensity. Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative is not expected to substantially affect the quality of storm water runoff leaving this site compared to existing conditions. No short-term and long-term effects on local and regional water quality would result from implementation of this alternative. Like the project, this alternative would be required to implement BMPs as required by City regulations, which would preclude significant potential impacts to water quality.

Public Services and Facilities

Development intensity under the Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would result in a decrease in residential units, and a reduction in commercial and office space. Impacts to public services and facilities would be less with regards to police protection and fire/life safety protection as the project.

This alternative would also result in less demand for public services such as schools, parks, and libraries, than the project, as this alternative would generate less people than would the project (4,092 residents under this alternative compared to 7,998 with the project, based on a generation rate of 1.86 persons per household). This alternative would create approximately 17 percent more park space than the project, which would further reduce the Mission Valley Community Plan identified deficit of park space for Mission Valley. Like the project, this alternative would not result in significant impacts to the public services and facilities.

Health and Safety

Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would not result in excessive use of hazardous materials, such as cleaning solvents; anticipated use would be at levels that would result in substantial hazardous emissions or waste. Industry standards are in place to ensure no risk to workers by hazardous materials during demolition and construction. Additionally, like the project, this alternative would not impair implementation of, or physically interfere with, emergency response plans or emergency evacuation plans. This alternative would also not result in conflicts with the applicable ALUCPs. Due to the presence of previously-removed USTs along with the existing wastewater clarifier, there is the potential for the presence of arsenic and organochlorine pesticides in soils within the project site, which is regarded a potentially significant impact associated with health and safety. Former agricultural uses on the project site that ceased over 50 years ago, there is the potential for exposure to COCs, which is regarded a potentially significant impact associated with health and safety with the project and would also be the same with this alternative. Conditions required for the project would also be required for this alternative and would mitigate these impacts to below a level of significance.

Cumulative Effects

Based on the analysis contained in Chapter 6.0 of the EIR, cumulative impacts have been evaluated for build-out of the Mission Valley Community Plan as part of the Mission Valley CPU Program EIR. Cumulative impacts at the Community Plan build-out level include development of the project site at a greater level of intensity than this alternative. In that manner, cumulative effects from this alternative would have already been anticipated in the Mission Valley CPU Program EIR. Like the project, this alternative would not result in cumulative impacts beyond those already addressed in the CPU Program EIR. Unlike the project, the air quality impacts (operational) of the project would not be cumulatively considerable. This alternative would have a lower intensity than buildout of the site anticipated in the Mission Valley CPU Program EIR; therefore this alternative would not result in additional cumulative impacts.

10.5.3.2 Evaluation of Alternative

The Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would result in avoidance of cumulatively significant air quality impacts associated with operational (vehicular) emissions and would lessen impacts

relative to historic resources and tribal cultural resources. The intensity of development under this alternative would be reduced to a level where operational air quality emissions standards are not exceeded, and development in areas of three significant cultural sites would be eliminated.

Like the project, the Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative has the potential to result in land use compatibility conflicts due to locating sensitive receptors (i.e., residential development) proximate to the I-8 freeway) and would be subject to Policy R-18 of the Riverwalk Specific Plan prohibiting residential balconies fronting I-8 to occur where exterior noise levels exceed 70 dBA CNEL, which would preclude a land use incompatibility with regards to exterior noise levels.

Grading required under this alternative for Fashion Valley Road would not change from that proposed for the project; impacts to biological resources would not change from those associated with the project. Appropriate mitigation measures would be required as with the project. Additionally, grading for areas where development occurs under this alternative would have the potential to result in significant indirect noise impacts to sensitive biological resources, as would the project. However, due to a reduction in development areas, those impacts would be less.

Relative to health and safety, the same potential for health risks associated with contaminated soils would occur under this alternative as would with the project, and the same mitigation measures would be required to ensure that impacts are reduced to below a level of significance. Like the project, this alternative would not result in impacts associated with energy, GHG emissions, geologic conditions, hydrology, water quality, and public utilities.

With regards to public services and facilities, development intensity under the Reduced Development Intensity – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would contribute less impacts to schools, parks, and libraries. But, like the project, this alternative would not result in significant impacts to the public services and facilities.

The Reduced Development Intensity – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative would meet the following project objectives:

- Create a focused long-range plan intended to promote increased residential density and employment opportunities consistent with the General Plan, Mission Valley Community Plan, San Diego River Park Master Plan, and the Climate Action Plan.
- Design a neighborhood that integrates the San Diego River through active and passive park uses, trails, resource-based and a connected open space.
- Allow for the establishment and creation of a habitat Mitigation Bank that provides long-term habitat conservation and maintenance.
- Improve the Fashion Valley Road crossing that:
    - Provides expanded storm water flow volume accommodating a 10- to 15-year storm even;

  - Improves emergency response times by facilitating north-south vehicular access in storm events; and
  - Expands active transportation circulation by providing sidewalks and a buffered two-way cycle track.
  - Modernizes flood control gate operations in the project vicinity.
- Celebrate and interpret important cultural and historic resources within the Specific Plan area.

This alternative would meet other project objectives but at a substantially reduced level, as summarized below.

- Assist the City's housing supply needs by providing a range of housing, including both market rate and deed-restricted affordable units, proximate to transit, jobs, amenities, and services.
- Create a transit-accessible mixed-use development in a central, in-fill location.

  This alternative would result in a 48 percent reduction in housing, substantially reducing the amount of much needed housing (market-rate and affordable) and the amount of housing immediately proximate and access to transit that could occur with the project. Further, development on lots immediately adjacent to the trolley stop would not occur, eliminating the mixed-use density proposed around the transit station.

- Implement the City of Villages goals and smart growth principles by creating a mixed-use neighborhood with housing, commercial, employment, and recreation opportunities along transit while restoring a key stretch of the San Diego River.

  In addition to the much reduced residential development that would occur with this alternative, this alternative would also result in 18 percent less commercial retail and office and non-commercial retail uses and, thus, would not implement the City of Villages goals and smart growth principles to the extent the that project would.

- Promote multi-modal travel (pedestrian and bicycle friendly corridors) through the project site through on-site trails, paths, and sidewalks that connect to internal and adjacent amenities and services throughout Mission Valley.

  While multi-modal travel could occur under this alternative, development intensity would be reduced, would occur in a disconnected and less efficient manner, and would not promote multi-modal accessibility to the extent of the project.

- Construct a new Green Line Trolley stop easily accessible from within Riverwalk and to adjacent surrounding residential and employment areas.

  Because less development intensity would occur under this alternative, particularly immediately adjacent to the transit stop, the potential transit ridership and use of a new transit stop would be reduced.

10.6 Environmentally Superior Alternative

The environmental analysis of alternatives presented above is summarized in Table 10-3, *Comparison of Alternatives to Project*. CEQA requires that the EIR identify the environmentally superior alternative among all of the alternatives considered, including the project. If the No Project alternative is selected as environmentally superior, then the EIR shall also identify an environmentally superior alternative among the other alternatives. Based on the comparison of the overall environmental impacts for the described alternatives, the No Project/No Build alternative is identified as the environmentally superior alternative. The No Project/No Build alternative would not result in any of the environmental effects associated with the project and would avoid all significant impacts. The No Project/No Build alternative would not meet any objectives of the project.

Of the remaining alternatives, the Environmentally Superior Alternative is the Reduced Development Intensity – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts alternative as it could reduce or avoid the significant environmental effects associated with the project. More specifically, cumulatively significant operational air quality impacts and reduced impacts to historical resources and tribal cultural resources when compared to the project while meeting the project objectives, but to a lesser extent as compared to the project.

Table 10-3. *Comparison of Alternatives to Project*

Environmental Issue Area	Project	Alternative 1 No Project/No Build	Alternative 2 Reduced Intensity Development – Operational Air Quality Impact Avoidance	Alternative 3 Reduced Intensity Development – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts
Land Use	Less than significant impact to plans and policies. Secondary impacts relative to increased noise levels during construction on sensitive biological resources.	Greater level of impact than project. Would not implement goals and policies of the San Diego River Park Master Plan. Would not provide for improvements to Fashion Valley Road as envisioned in the Mission Valley Community Plan. Would not fulfill the long-standing long-range planning goals for the community, the City, and the region.	Same as project (i.e., less than significant).	Same as project (i.e., less than significant).
Transportation and Circulation	Less than significant impact.	No new development; therefore, no impacts.	Same as project (i.e., less than significant).	Same as project (i.e., less than significant).
Visual Effects and Neighborhood Character	Less than significant impact.	No new development; therefore, no impacts.	Same as project (i.e., less than significant).	Same as project (i.e., less than significant).
Biological Resources	Significant direct impacts on wetland/riparian vegetation communities. Significant indirect impacts on sensitive avian species due to increased noise levels during construction.	No new development; therefore, no impacts. Would not improve the ecology of the San Diego River.	Same as project. Would require same mitigation.	Same as project. Would require same mitigation.
Air Quality	Cumulatively significant operational impacts.	No new development; therefore, no impacts.	Lesser level of impact than project. Would avoid cumulatively significant operational impacts.	Lesser level of impact than project. Would avoid cumulatively significant operational impacts.

Environmental Issue Area	Project	Alternative 1 No Project/No Build	Alternative 2 Reduced Intensity Development – Operational Air Quality Impact Avoidance	Alternative 3 Reduced Intensity Development – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts
Historical Resources	Potential to impacts subsurface cultural resources.	No new development; therefore, no impacts.	Same as project. Would require same mitigation.	Lesser level of impact than project. Would avoid impacts to three potentially significant archaeological sites. Would require same mitigation for potential impacts.
Energy	Less than significant impact.	Same as project (i.e., less than significant).	Same as project (i.e., less than significant).	Same as project (i.e., less than significant).
Noise	Significant temporary noise impacts to sensitive avian species during construction. Significant increase in ambient noise levels due to HVAC units, depending on location. ~~Significant impact due to performances at Riverwalk River Park amphitheater.~~	No new development; therefore, no impacts.	Same as project. Would require same mitigation.	Same as project. Would require same mitigation.
Greenhouse Gas Emissions	Less than significant impact.	No new development; therefore, no impacts.	Same as project (i.e., less than significant).	Same as project (i.e., less than significant).
Tribal Cultural Resources	Potential to impacts subsurface cultural resources.	No new development; therefore, no impacts.	Same as project. Would require same mitigation.	Lesser level of impact than project. Would avoid impacts to three potentially significant archaeological sites. Would require same mitigation for potential impacts.
Geologic Conditions	Less than significant impact.	No new development; therefore, no impacts.	Same as project (i.e., less than significant).	Same as project (i.e., less than significant).

Environmental Issue Area	Project	Alternative 1 No Project/No Build	Alternative 2 Reduced Intensity Development – Operational Air Quality Impact Avoidance	Alternative 3 Reduced Intensity Development – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts
Hydrology	Less than significant impact.	No new development; therefore, no impacts. However, would not result in any improvements to hydrologic conditions, including flooding during major storm events.	Same as project (i.e., less than significant).	Same as project (i.e., less than significant). Would result in less impervious area than project.
Public Utilities	Less than significant impact.	No new development; therefore, no impacts.	Same as project (i.e., less than significant).	Same as project (i.e., less than significant).
Water Quality	Less than significant impact.	No new development; therefore, no impacts.	Same as project (i.e., less than significant).	Same as project (i.e., less than significant).
Public Services and Facilities	Less than significant impact.	No new development; therefore, no impacts.	Same as project (i.e., less than significant).	Same as project (i.e., less than significant).
Health and Safety	Potential for the presence of arsenic and organochlorine pesticides in soils within the project site. Potential for exposure to COCs due to former agricultural uses on the project site.	No new development; therefore, no impacts. However, would not result in any improvements to hydrologic conditions, including flooding during major storm events. Therefore, no improvement to emergency response times.	Same as project. Would require same mitigation.	Same as project (i.e., less than significant).

Environmental Issue Area	Project	Alternative 1 No Project/No Build	Alternative 2 Reduced Intensity Development – Operational Air Quality Impact Avoidance	Alternative 3 Reduced Intensity Development – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts
Cumulative Effects	Cumulative impacts evaluated for build-out of the Mission Valley Community Plan as part of the Mission Valley CPU Program EIR. No significant unmitigated cumulative impacts, except impacts associated with air quality.	No new development; therefore, no impacts.	No new impacts. Lesser level of impact than project. Would avoid cumulatively significant operational air emissions.	No new impacts. Lesser level of impact than project. Would avoid cumulatively significant operational air emissions.

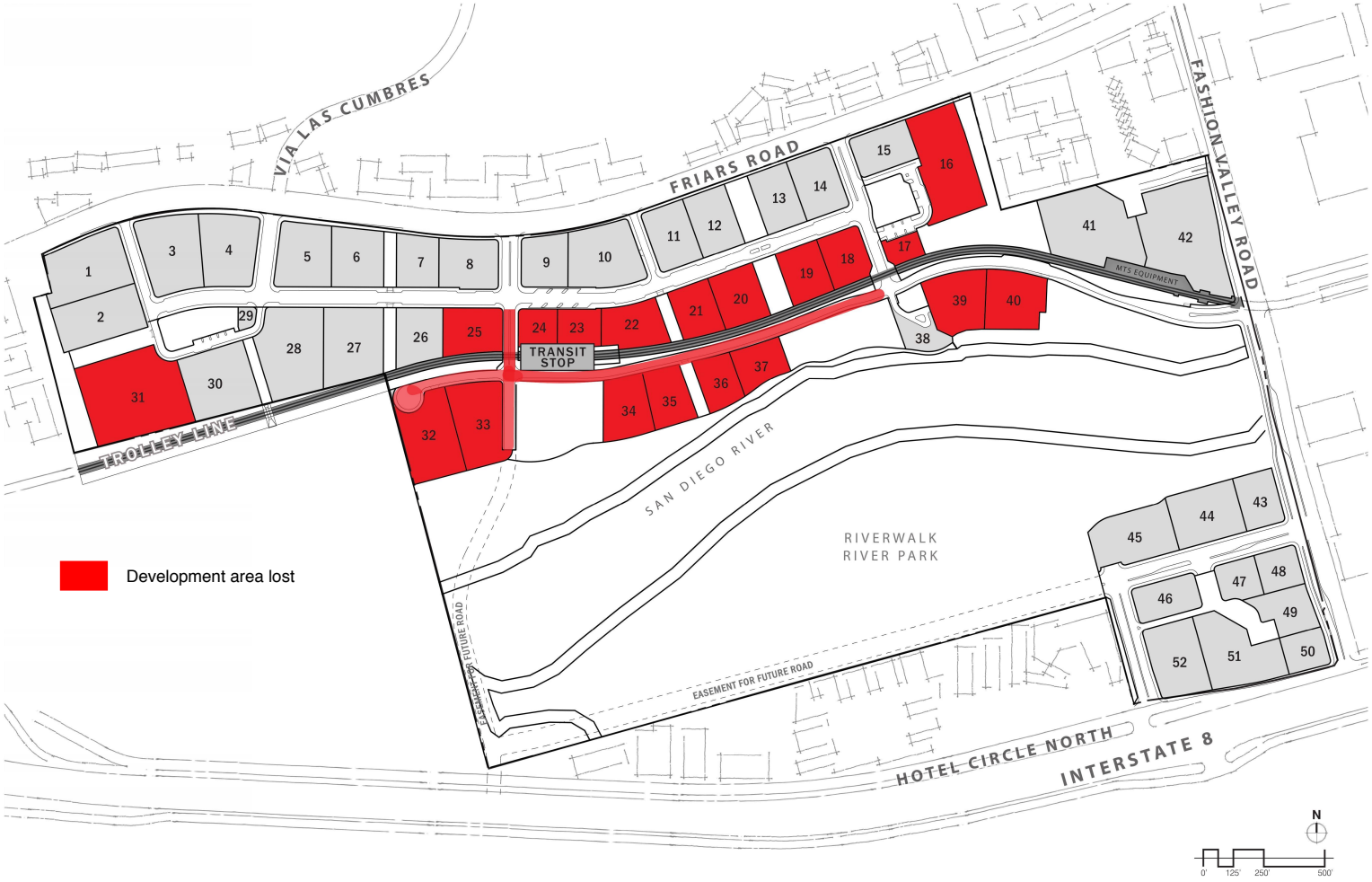

Figure 10-1. ***General Areas of Development Under the Reduced Development Intensity – Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts Alternative***

11.0 MITIGATION MONITORING AND REPORTING PROGRAM

CEQA, Section 21081.6, requires that a mitigation monitoring and reporting program (MMRP) be adopted upon certification of an EIR to ensure that the mitigation measures are implemented. The mitigation monitoring and reporting program specifies what the mitigation is, the entity responsible for monitoring the program, and when in the process it should be accomplished.

The EIR, incorporated herein as referenced, focuses on issues determined to be potentially significant by the City of San Diego. The issues addressed in the EIR include land use, transportation/circulation, visual effects and neighborhood character, biological resources, air quality, historical resources, energy, noise, greenhouse gas emissions, tribal cultural resources, geologic conditions, hydrology, public utilities, water quality, public services and facilities, and health and safety.

PRC section 21081.6 requires the monitoring of measures proposed to mitigate significant environmental effects. Issues related to biological resources, historical resources, noise, and tribal cultural resources, were determined to be potentially significant and require mitigation as described in this EIR. All impacts associated with these issue areas would be fully mitigated to below a level of significance with implementation of mitigation measures. Cumulative air quality impacts would remain significant and unmitigable.

The Mitigation Monitoring and Reporting Program (MMRP) for the project is under the jurisdiction of San Diego and other agencies as specified below. The MMRP for the project addresses only the issue areas identified above as potentially significant. The following is an overview of the mitigation monitoring and reporting program to be completed for the project.

11.1 Monitoring Activities

Monitoring activities would be accomplished by individuals identified in the *Document Submittal/ Inspection Checklist* table, below. Specific consultant qualifications will be determined by the City of San Diego.

11.2 Mitigation Measures

GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans,

specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS**."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

   http://www.sandiego.gov/development-services/industry/standtemp.shtml

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/ Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY –** The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRE-CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from the MITIGATION MONITORING COORDINATOR (MMC). Attendees must also include the Permit Holder's Representative(s), Job Site Superintendent and the following consultants:

   Qualified Acoustician, Archaeologist(s), Native American Monitor(s), and Biologist(s)

   Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

   CONTACT INFORMATION:

   a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**

   b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant t is also required to call **RE and MMC at 858-627-3360.**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 581984 and/or Environmental Document Number 581984, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

   Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency:

   - *California Department of Fish and Wildlife: California Fish and Game Code Section 1602 Streambed Alteration Agreement*
   - *Federal Emergency Management Agency: Conditional Letter of Map Revision*
   - *Regional Water Quality Control Board: National Pollutant Discharge Elimination System General Construction Permit, Clean Water Act Section 401 Waiver/ Certification*
   - *U.S. Army Corps of Engineers: Clean Water Act Section 404 Authorization*
   - *PUC Approval of the Formal Application*

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11"x17" reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

   Note: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary,

overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Land Use (MSCP)	Land Use Adjacency Issues CVSRs	Land Use Adjacency Issue Site Observations
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
Biology	Biology Reports	Biology/Habitat Restoration Inspection
Paleontology	Paleontology Reports	Paleontology Site Observation
Archaeology	ADRP Reports and Archaeology Reports	ADRP/Archaeology/Historic Site Observation
Noise	Acoustical Reports	Noise Mitigation Features Inspection
Traffic	Traffic Reports	Traffic Features Site Observation
Tribal Cultural Resources	Native Plant Palette, Interpretative Signage Plan, Street Sign Plan, ADRP Reports, and Archaeology Reports	Native Plant Palette, Interpretative Signage Plan, Street Sign Plan, ADRP Reports, and Archaeology Reports
Waste Management	Waste Management Reports	Waste Management Inspections
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

Biological Resources

MM 5.4-1: Biological Resources (Protection During Construction)

Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, or beginning any construction-related activity on-site, but prior to the first preconstruction, for lots south of the MTS Trolley Tracks (Lots 32-40, 43-52, TT, UU, VV, WW, XX, YY, ZZ, AAA, BBB, CCC, DDD, or EEE as shown on VTM 2213361) the Development Services Department (DSD) Environmental Designee (ED) shall review and approve all construction documents (plans, specifications, details, etc.) to ensure the MMRP requirements are incorporated.

I. Prior to Construction

A. **Biologist Verification**: The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2018), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

B. **Preconstruction Meeting:** The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.

C. **Biological Documents:** The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.

D. **BCME:** The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

E. **Avian Protection Requirements:** To avoid any direct impacts to the Clark's marsh wren, Cooper's hawk, double-crested cormorant, yellow warbler, yellow breasted chat, western bluebird, least Bell's vireo, southwestern willow flycatcher, willow flycatcher, least bittern, Vaux's swift, osprey, and ~~the~~ light-footed Ridgway's rail, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The survey area shall cover the limits of disturbance and 300 feet (500 for raptors) from the area of disturbance. The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction

activities. If nesting Clark's marsh wren, Cooper's hawk, double-crested cormorant, yellow warbler, yellow breasted chat, western bluebird, least Bell's vireo, southwestern willow flycatcher, willow flycatcher, least bittern, Vaux's swift, osprey, and/or ~~the~~ light-footed Ridgway's rail are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

F. **Resource Delineation:** Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

G. **Education:** Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

II. During Construction

A. **Monitoring**: All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

B. **Subsequent Resource Identification:** The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests of the Clark's marsh wren, Cooper's hawk, double-crested cormorant, yellow warbler, yellow breasted chat, western bluebird, least Bell's vireo,

southwestern willow flycatcher, willow flycatcher, least bittern, Vaux's swift, osprey, and/or ~~the~~ light-footed Ridgway's rail or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

MM 5.4-2: Biological Resources Wetlands

Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting for public improvements or impacts associated with the construction of Fashion Valley Road between Riverwalk Drive and Hotel Circle North., the Owner/Permittee shall mitigate for City wetland/riparian vegetation impacts to 0.64-acre (0.01 acre of coastal and valley freshwater marsh, 0.57 acre of southern cottonwood-willow riparian forest) and 0.06-acre of open water. Mitigation for impacts to City jurisdictional wetlands shall occur at a 3:1 mitigation-to-impact ratio in accordance with Table 2a of the City's Biology Guidelines. Accordingly, mitigation for City wetland/riparian impacts shall include a 1:1 creation component to ensure no net loss of wetlands and a 2:1 restoration/enhancement component. The Owner/Permittee shall provide 1.92 acres of habitat and shall be achieved on-site via the following, as detailed in the *Riverwalk Project Wetland Mitigation Plan* (Alden Environmental, Inc. February 19, 2020):

- Creation of 0.21-acre of freshwater marsh riparian and 0.57-acre of southern cottonwood-willow riparian forest
- Enhancement of 1.14-acres of southern cottonwood-willow riparian forest

Biological Resources Other Resources Agency Permits

Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting for public improvements or impacts associated with the construction of Fashion Valley Road between Riverwalk Drive and Hotel Circle North, the Owner/Permittee shall provide evidence of the following permits: a 404 permit from U.S. Army Corps of Engineers, 401 Certification from Regional Water Quality Control Board, and a 1602 streambed alteration agreement from the California Department of Fish and Wildlife. Evidence shall include copies of permit(s) issued, letter of resolution(s) by the responsible agency documenting compliance, or other evidence documenting compliance deemed acceptable by MSCP, DSD, and MMC.

MM 5.4-3: Biological Resources (Revegetation Plan)

Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting for

public improvements or impacts associated with the construction of Fashion Valley Road between Riverwalk Drive and Hotel Circle North, the Assistant Deputy Director (ADD) environmental designee of the City's Land Development Review Division (LDR) shall verify that the following statements are shown verbatim on the grading and/or construction plans as a note under the heading *Environmental Requirements*: "Riverwalk Specific Plan" is subject to Mitigation, Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the "Environmental Impact Report PTS. No. 581984 / SCH No. 2018041028."

Prior to Permit Issuance

A. Land Development Review (LDR) Plan Check

1. Prior to 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 environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of direct impacts to City wetland/riparian vegetation impacts to 0.64-acre (0.01 acre of coastal and valley freshwater marsh, 0.57 acre of southern cottonwood-willow riparian forest) and 0.06-acre of open water, and the remaining restoration revegetation onsite subjected to MSCP B15 requirements shall be shown and noted on the appropriate landscape construction documents. The landscape construction documents and specifications must be found to be in conformance with the *Habitat Restoration Plan*, prepared by Alden Environmental, Inc., February 19, 2020, 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 (2018). 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 to insure that for 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/riparian mitigation area 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 MMC.
    c. 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 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. 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 MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.
4. PBQ must also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program (SWPPP) training.

Prior to Start of Construction

A. PQB/PRS Shall Attend Preconstruction (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, Construction Manager (CM) and/or Grading Contractor (GC), Landscape Architect (LA), Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC.
      b. The PQB shall also attend any other grading/excavation related Precon Meetings 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 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 MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.
      b. PQB shall coordinate with the construction superintendent to identify appropriate Best Management Practices (BMP) 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 MMC and the 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 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, landscape establishment in association with demolition and construction of Fashion Valley Road improvements which would result in impacts to sensitive biological resources as identified in the LCD and on the RRME. **The RIC and/or QBM are 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's shall be faxed by the CM 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 of 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 including southern cottonwood-willow riparian forest, southern willow scrub, coastal and valley freshwater marsh, emergent wetland, and open water to avoid impacts to: Clark's marsh wren, Cooper's hawk, double-crested cormorant, yellow warbler, yellow breasted chat, western bluebird, least Bell's vireo, southwestern willow flycatcher, willow flycatcher, least bittern, Vaux's swift, osprey, and ~~the~~ light-footed Ridgway's rail, as shown on the approved LCD.
6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.
7. The PQB or QBM shall oversee implementation of BMP, 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 to verify the removal of all temporary construction BMP upon completion of construction activities. Removal of temporary construction BMP shall be verified in writing on the final construction phase CSVR.
8. PQB shall verify in writing on the CSVR's 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 MMC prior to the issuance of the Notice of Completion (NOC) or any bond release.

B. Disturbance/Discovery Notification Process
   1. If unauthorized disturbances occur or sensitive biological resources are discovered that where 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 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 Best Management Practices (BMP). After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMP.
   3. The PQB shall also submit written documentation of the disturbance to 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 MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.
   2. 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 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 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 BMP, 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 to verify the removal of all temporary post-construction BMP upon completion of construction activities. Removal of temporary post-construction BMP shall be verified in writing on the final post-construction phase CSVR.

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/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.
2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting

Program (with appropriate graphics) to 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 MMC for review and approval within 30 days following the completion of monitoring.
4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.
5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.
6. MMC will provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)
   1. 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 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, MMC will schedule after review of report.
      c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with 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.

MM 5.4-4: Biological Resources – Least Bell's Vireo (State Endangered/Federally Protected)

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits the City Manager (or appointed environmental designee) shall verify that the following project requirements regarding the least Bell's vireo are shown on the construction plans:

   No clearing, grubbing, grading, 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 City Manager:

A. A qualified biologist (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 decibels [dBA] or to the ambient noise level if it already exceeds 60 dBA hourly average for the presence of the least bell's vireo. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service 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 qualified biologist; 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 dBA or to the ambient noise level if it already exceeds 60 dBA hourly average at the edge of occupied least bell's vireo or habitat. An analysis showing that noise generated by construction activities would not exceed 60 dBA 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 city manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of any of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

III. At least two weeks prior to the commencement of 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 dBA or to the ambient noise level if it already exceeds 60 dBA hourly average 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 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, 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 16).

* 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 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA 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 qualified biologist shall submit substantial evidence to the City Manager 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.

MM 5.4-5: Biological Resources – Southwestern Willow Flycatcher (Federally Endangered)

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits the City Manager (or appointed environmental designee) shall verify that the following project requirements regarding the southwestern willow flycatcher are shown on the construction plans: No clearing, grubbing, grading, 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 City Manager:

A. A qualified biologist (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 decibels [dBA] hourly average or to the ambient noise level if it already exceeds 60 dBA 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 U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If the southwestern willow flycatcher is present, then the following 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 qualified biologist; 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 dBA hourly average at the edge of occupied southwestern Willow flycatcher habitat or to the ambient noise level if it already exceeds 60 dBA hourly average. An analysis showing that noise generated by construction activities would not exceed 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA 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 City Manager 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 qualified biologist; or

III. At least two weeks prior to the commencement of 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 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA 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 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, 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 dBA 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 City Manager, as necessary, to reduce noise levels to below 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA 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 City Manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between May 1 and September 1as 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

MM 5.6-1: Historical Resources Archaeological Data Recovery Program

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Owner/Permittee shall ensure that the following mitigation measures are outline verbatim on appropriate construction plans.

2. The project requires implementation of an Archaeological Data Recovery Program (ADRP) to mitigate impacts to archaeological site (SDI-11767, SDI-12220, and SDI-12126) prior to the issuance of ANY construction permits or the start of ANY construction if no permits are required. The ADRP with Native American participation consists of a Statistical Sample and shall be implemented as described below after consultation with DSD ED in accordance with the Cultural Resources Report prepared by (*Riverwalk Redevelopment Project Archaeological Research and Data Recovery Program* (ASM Affiliates Inc., February 2020).

    a. A sampling strategy shall be conducted in accordance with the Methods Section of the *Riverwalk Redevelopment Project Archaeological Research and Data Recovery Program* (ASM Affiliates Inc., February 2020). Additional test units can be added in consultation with DSD EAS, project archaeologist, and Native American Monitor

    b. Laboratory Analysis in the form of specialized studies shall be conducted in accordance with the ADRP;

    c. Curation of all materials recovered during the ADRP with the exception of human remains and any associated burial goods, shall be prepared in compliance local, state and federal standards and be permanently curated at an approved facility that meets City standards;

    d. ADRP provision for the discovery of human remains shall be invoked in accordance with the California Public Resources Code, the Health and Safety Code. In the event human remains are encountered during the ADRP, soil shall only be exported from the project site after it has been cleared by the Most Likely Descendant (MLD) and the Project Archaeologist;

    e. Archaeological and Native American Monitoring shall be conducted during the remaining grading activities after completion of the ADRP and acceptance of a draft progress report for the program. The detailed Mitigation Monitoring and Reporting Program is identified in below.

    f. Upon completion of the ADRP and prior to issuance of grading permits, the qualified archaeologist and Native American Monitor shall attend a second preconstruction meeting to make comments and/or suggestions concerning the proposed grading process.

Discovery of Human Remains During Data Recovery

i. The Archaeological Data Recovery Plan (ADRP) provisions for the discovery of human remains shall be invoked in accordance with the California Public Resources Code and the Health and Safety Code. In the event that human remains are encountered during the ADRP, soil shall only be exported from the project site after it has been cleared by the MLD and the project archaeologist. Any potential human remains recovered during the ADRP shall be directly repatriated to the MLD or MLD Representative at the location of the discovery.

ii. If the MLD does not make a recommendation within 48 hours of notification, or if the recommendations are not acceptable to the landowner following extended discussions and mediation between the City of San Diego and the MLD, the landowner shall reinter the remains and burial items with appropriate dignity on the property in a location not subject to further subsurface disturbance. The location of reinternment shall be protected by recording the location with the NAHC and the South Coastal Information Center.

1. There shall be no further excavation or disturbance in that portion of the site or any nearby area reasonably suspected to overlie adjacent human remains until the San Diego County Medical Examiner is contacted and the discovery location shall be mapped by the monitoring archaeologist and protected and secured from further disturbance whenever possible.

2. The monitoring archaeologist shall notify the Principal Investigator, the City Mitigation Monitoring Coordinator, and will contact the San Diego County Medical Examiner. The Medical Examiner shall make a determination as to the origins of the human remains.

3. If the remains are recognized as or suspected to be Native American by the Medical Examiner or an authorized representative, the Medical Examiner shall contact the California Native American Heritage Commission (NAHC) within 24 hours of the discovery.

4. The NAHC designates and contacts the Most Likely Descendant (MLD).

5. The MLD shall make a recommendation for treatment of the remains and associated burial items within 48 hours of notification. Possible options for treatment may include:

    a. Preservation in place and avoidance.
    b. Reburial of the remains on the property in an area to remain undisturbed by the landowner.
    c. Transport of the remains off-site.

6. The landowner shall discuss with the Most Likely Descendant all reasonable options regarding the descendant's preferences for the treatment of human remains and any

associated grave goods, as provided in PRC Section 5097.98.

7. ADRP provisions for the discovery of human remains shall be invoked in accordance with the California PRC and the Health and Safety Code. In the event that human remains are encountered during the ADRP, soil shall only be exported from the project site after it has been cleared by the MLD and the project archaeologist. Any potential human remains recovered during the ADRP shall be directly repatriated to the MLD or MLD Representative at the location of the discovery.

MM 5.6-2: Historical Resources (Archaeological and Native American Monitoring)

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, 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 applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

1. 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 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 meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. 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 Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to 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, Native American consultant/monitor (where

Native American resources may be impacted), 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.

2. Identify Areas to be Monitored
   a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
   b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
3. 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 site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
   1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and 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 AME.
   2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
   3. 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 grading/trenching activities, presence of fossil

formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process
   1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
   2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
   3. The PI shall immediately notify 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.
   4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance
   1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
      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) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
      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.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification
   1. 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) of the Development Services Department to assist with the discovery notification process.
   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 provenance of the remains.
   2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
   3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

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 CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
   4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
   5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
      a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, 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, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN
      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. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

V. 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 8AM of the next business day.
      b. Discoveries
         All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
      c. Potentially Significant Discoveries
         If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.
      d. The PI shall immediately contact MMC, or by 8AM of 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.

VI. 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 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 for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be

submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

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 for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC 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.
3. The cost for curation is the responsibility of the property owner.

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 include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

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 that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring

Report from MMC which includes the Acceptance Verification from the curation institution.

Noise (Operational)

MM 5.8-1: Prior to issuance of Building Permit the City shall require the design and installation of stationary noise sources for the project to include the following:

- Implement best design considerations and shielding, including installing stationary noise sources associated with HVAC systems indoors in mechanical rooms.
- Prior to the installation of equipment, the applicant or its designee shall prepare an acoustical study(s) of proposed mechanical equipment, which shall identify all noise-generating equipment, predict noise level property lines from all identified equipment, and recommended mitigation to be implemented (e.g., enclosures, barriers, site orientation), as necessary, to comply with the City of San Diego noise ordinance.
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~~**MM 5.8-2:** As part of any General Development Plan for the Riverwalk River Park, if an amphitheater is included in the site plan, Owner/Permittee shall perform an acoustical evaluation of the amphitheater, to be reviewed by both DSD and MSCP, that identifies the location and orientation of the amphitheater and confirms that noise levels from the amphitheater would not exceed 60 dBA hourly average at the MHPA boundary.~~

Tribal Cultural Resources

MM 5.10-1 Prior to issuance of Building Permit or beginning of any construction related activity for the Riverwalk River Park, the Development Services Department (DSD) Director's Environmental Designee (ED) shall verify the plant palette shown on construction documents includes plants from the following species traditionally utilized by the Native American tribes culturally affiliated with the project area in barrier plantings and adjacent to the River Park Pathway: mugwort (*Artemisia douglasiana*), mulefat (*Baccharis salicifolia)*, western ragweed (*Ambrosia psilostachya)*, California deergrass (*Muhlenbergia rigens*), red willow (*Salix lasiolepis*), elderberry (*Sambucus nigra*), Freemont's cottonwood (*Populus fremontii*), black willow (*Salix exigua*), and arroyo willow (*Salix lasiolepis*), yerba mansa (*Anemopsis*), spiny rush (*Juncas acutus*), pale spikerush (*Elocharis macrostachya*), Saltmarsh fleabone (*Pluchea odorata*), Creeping wild rye (*leymus tritcoides*), San Diego sagewort (*Artemisia palmeri*), Tarragon (*Artemisia dracunculus*), and Purple needlegrass (*Stipa pulchra*).

MM 5.10-2 Prior to issuance of Building Permit or beginning of any construction related activity for the Riverwalk River Park, the Development Services Department (DSD) Director's Environmental Designee (ED) shall verify the interpretive signage along the River Pathway as shown on construction documents. Signage shall include 20 plant identification signs (each approximately 6 by 8-inches) along the River Pathway with plants traditionally utilized by Native American tribes identified by a symbol. A storyboard sign (approximately 20 by 30

inches) shall also be provided that describes the native plants identified along the river pathway and their relationship to the Kumeyaay people's ability to thrive in the region. The interpretative signage plan shall be reviewed and accepted to the satisfaction of DSD, Iipay of Santa Isabel, and Jamul Indian Village.

MM 5.10-3 Prior to recordation of Final Map for the South District, Owner/permittee shall submit a street sign plan that includes Kumeyaay street names to be reviewed and accepted to the satisfaction of DSD.

MM 5.10-4 Prior to issuance of any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, Owner/Permittee shall implement the conditions as detailed in MM 5.6-1 Historical Resources (Archaeological Data Recovery Monitoring) and MM 5.6-2 Historical Resources (Archaeology and Native American Monitoring).

12.0 REFERENCES

A list of the reference materials consulted in the course of the EIR's preparation is included in this section.

- Alden Environmental, Inc. *Biological Technical Report.* February 19, 2020.
- Alden Environmental, Inc. *Habitat Restoration Plan.* October 4, 2019.
- ASM Affiliates, Inc. *Addendum to the Class III Cultural Resource Inventory*. ~~December 8, 2019~~August 6, 2020.
- ASM Affiliates, Inc. *Archaeological Research and Data Recovery Program*. ~~February 2020~~July 2, 2020.
- ASM Affiliates, Inc. *Historical Resources Technical Report.* December 2019.
- Birdseye Planning Group, *Air Quality Study*. ~~March~~ August 2020.
- Birdseye Planning Group, *Energy Calculations for the Riverwalk Project*. June 13, 2019.
- Birdseye Planning Group, *Noise Study*. ~~March~~ September 2020.
- California Air Resources Board, *Ambient Air Quality Standards*. May 2016.
- California Air Resources Board, *San Diego Air Quality Management Plans*. December 2016.
- California Air Resources Board, *2015, 2016, & 2017 Annual Air Quality Data Summaries*. June 2, 2019.
- California Emission Estimator Model Users Guide. September 2016.
- California Environmental Protection Agency, 2006.
- Chang Consultants, *Preliminary Drainage Report*. April 7, 2020.
- Chang Consultants, *Storm Water Quality Management Plan (SWQMP)*. April 7, 2020.
- City of San Diego, *Climate Action Plan.* 2015.
- City of San Diego, *Draft Amendment to the Mission Valley Community Plan*. May 2020.
- City of San Diego, *Draft Riverwalk Specific Plan*. ~~May~~ September 2020.
- City of San Diego, *Drainage Manual*. January 2017.
- City of San Diego, *Environmental Impact Report Guidelines*. 1992; Revised 2005.
- City of San Diego, *General Plan*. March 2008.
- City of San Diego, *Land Development Code*. 2014.
- City of San Diego, *Storm Water Standards Part I: BMP Design Manual*. October 2018~~January 2016~~.
- City of San Diego, *Traffic Impact Study Manual*. July 1998.
- City of San Diego Development Services Department*, California Environmental Quality Act Significance Determination Thresholds.* July 2016.
- City of San Diego Development Services Department*, Seismic Safety Study, Geologic Hazards and Faults.* Updated 2008.
- City of San Diego Planning Department, *Mission Valley Community Plan*, September 2019.
- City of San Diego Public Utilities Department, *SB 610 Water Supply Assessment Report*, ~~April 5, 2019~~July 27, 2020.
- Citygate, *Standards of Response Cover Review for the San Diego Fire-Rescue Department*, February 22, 2017.
- Linscott, Law, and Greenspan/Urban Systems Associates, Inc., *Riverwalk Transportation Impact*

Analysis. ~~March 20~~September 24, 2020.
- Linscott, Law, and Greenspan, *Mobility Assessment*, ~~March 30,~~September 2020.
- KLR Planning, *CAP Consistency Checklist.* February 14, 2020.
- KLR Planning. *EnviroFacts Search.* January 28, 2019.
- KLR Planning, *Waste Management Plan.* March 2020.
- Project Design Consultants, *Sewer Study*. December 2019.
- NMG Geotechnical, Inc., *Preliminary Geotechnical Investigation and Planning Study.* September 25, 2017; updated November 27, 2019.
- Regional Water Quality Control Board. *Order No. R9-2013-0001, NPDES No. CAS0109266. National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region.* May 8, 2013.
- San Diego County, *Hydrology Manual*. June 2003.
- San Diego Air Pollution Control District, *Smog in San Diego Fact Sheet*. January 2010.
- San Diego County Air Pollution Control District, *San Diego Regional Air Quality Strategy*. December 2016.
- San Diego County Regional Airport Authority, A*irport Land Use Compatibility Plan for Montgomery Field*. January 25, 2010.
- San Diego County Regional Airport Authority, A*irport Land Use Compatibility Plan for the San Diego International Airport*. April 3, 2014.
- San Diego Regional Water Quality Control Board, *Water Quality Control Plan for the San Diego Basin (Basin Plan).* September 1994; updated 2016.
- SCS Engineers, *Phase I Environmental Site Assessment: Riverwalk Area 1, Assessor's Parcel Numbers 436-611-06 & -29, 436-650-14, and Northern Portions of 437-240-26 & -28 at 1150 Fashion Valley Road and 5905 Friars Road, San Diego, California.* January 20, 2017.
- SCS Engineers, *Phase I Environmental Site Assessment: Riverwalk Area 2, Assessor's Parcel Numbers 436-610-09, -13, -14, and Central Portions of 437-240-26 & -28, 760-950-25, and 436-610-15 at 1150 Fashion Valley Road, San Diego, California.* January 20, 2017.
- SCS Engineers, *Phase I Environmental Site Assessment: Riverwalk Area 3, Southern Portions of Assessor's Parcel Numbers 437-240-26 & -28 at 1150 Fashion Valley Road, San Diego, California.* January 20, 2017.
- SCS Engineers, *Subsurface Assessment: Riverwalk Phase I Assessor's Parcel Numbers 436-611-06 and -29 and 436-650-14, and Portions of 437-240-26, -27, -28, and -29 at Portions of 5905 Friars Road and 1150 Fashion Valley Road, San Diego California.* October 20, 2014.
- SCS Engineers, *Subsurface Assessment: Riverwalk Phase 2 Portions of Assessor's Parcel Numbers 436-240-26, -27, -28, and -29 at Portions of 1150 Fashion Valley Road, San Diego California.* October 20, 2014.
- SCS Engineers, *Subsurface Assessment: Riverwalk Phase 3 Portions of Assessor's Parcel Numbers 437-240-26 and -28 at Portions of 1150 Fashion Valley Road, San Diego California.* October 20, 2014.
- Spindrift Archaeological Consulting, *Cultural Resources Inventory Report*. October 2017.
- State of California Department of General Services, Building Standards Commission, *California Code of Regulations, Title 24: California Building Standards Code.* July 1, 2019.

- State Office of Planning and Research (OPR), *Technical Advisory on Evaluating Transportation Impacts on CEQA*. December 2018.
- West Coast Civil, *Water Study*. February 3, 2020.

13.0 INDIVIDUALS AND AGENCIES CONSULTED/ PREPARERS

This document has been prepared by the City of San Diego's Development Services Department. The EIR is based on independent analysis and determination made pursuant to the San Diego Land Development Code Section 128.0103.

Provided below is a list of individuals who assisted in preparing this document.

City of San Diego

Development Services Department

- Jeff Peterson, Development Project Manager
- Elizabeth Shearer-Nguyen, EAS
- Meghan Cedeño, Transportation
- Ann French-Gonsalves, Transportation
- Kristal Feilen, LDR Planning
- Daniel Neri, LDR Landscape
- Jacobe Washburn, LDR Geology
- Karen Vera, Associate Engineer - LDR Engineering
- Suzanne Segur, Plan Historic
- Irina Itkin, PUD-Water and Sewer Development
- Leonard Wilson, PUD-Water and Sewer Development

Environmental Services Department

- Lisa Wood, Program Manager

Planning Department

- Nancy Graham, Plan-Long-Range Planning
- Kristen Forburger, MSCP
- Collette Redon, Plan-Facilities Financing
- Scott Sandel, Park Planning

Public Utilities Department

- Khuram Shah, Associate Engineer Water Planning Section

Fire-Rescue Department

- Larry Trame, Assistant Fire Chief
- Mark Dossett, Assistant Fire Marshal
- Capt. John Sandmeyer, Marine Safety Captain

San Diego Police Department

- Brian Schimpf, Police Officer II

Agencies/Individuals Consulted

San Diego Unified School District

- Sarah Hudson, Demographer

Caltrans

- Maurice Eaton, Branch Chief
- Kimberly Dodson, Associate Transportation Planner

CDFWS

- Kelly Fisher, Environmental Scientist

CPUC

- Anton Garabetian
- Howard Huie
- Kevin Schumaker

MTS

- Wayne Terry
- Sharron Cooney
- Paul Jablonski
- Karen Landers

San Diego Regional Water Quality Control Board

- Lisa Honma

USFWS

- David Zoutendyk, Acting Assistant Field Supervisor
- Patrick Gower, Biologist

USACOE

- Christopher Allen, Regulatory Project Manager

EIR Preparation and Management

KLR Planning

- Karen L. Ruggels
- Brittany Ruggels Wallace

- Joseph Villapando
- Jennifer Clemente

Air Quality Technical Report

Birdseye Planning Group

- Ryan Birdseye

AECOM

- Yara Fisher
- Mary Kaplan
- Paola Pena
- Matthew Gerken

Biological Technical Report

Alden Environmental, Inc.

- Greg Mason

Bridge Engineers

T.Y. Lin

- Peter Smith

Cultural Resource Inventory (Addendum)

ASM Affiliates, Inc.

- James Daniels

Drainage Study

Chang Consultants

- Wayne Chang

Environmental Site Assessment

SCS Engineers

- Tyler Overton
- Luke Montague
- Daniel Johnson

Geotechnical and Geologic Evaluation

NMG Geotechnical, Inc.

- Terri Wright
- Reza Saberi

Health Risk Assessment

AECOM

- Yara Fisher
- Mary Kaplan
- Paola Pena

Historical Resources Technical Report

ASM Affiliates, Inc.

- Sarah Stringer-Bowsher
- Marilyn Norvell
- Shannon Davis

Noise Study

Birdseye Planning Group

- Ryan Birdseye

Phase I, Phase II, Screening Subsurface Assessment

SCS Engineers

- Cristobal Ramirez
- Luke Montague
- Daniel Johnson

Rail Safety Engineers

Jacobs

- Clark Adams
- Michael Boraks

Sewer Study

Project Design Consultants

- Greg Shields

Storm Water Quality Management Plan

Chang Consultants

- Wayne Chang

Transportation Impact Study

Linscott, Law, and Greenspan Engineers

- Shankar Ramakrishman

Urban Systems Associates, Inc.

- Justin P. Schlaefli

Waste Management Plan

KLR PLANNING

- Karen L. Ruggels
- Joseph Villapando

Water Study

West Coast Civil

- Kyle McCarty

Water Supply Assessment

City of San Diego Public Utilities Department

- Khuram Shah

Dexter Wilson Engineering

- Andrew Oven