River walk:

6-22-2020 1

To whom it might concerns

JUL 02 2020

my name is Edward M. Gonzalez.

Development Services

I'm a native san Diegain, born in National

city, and educated here in SAN Diego. I'am

also a Vietnam Veteran. When I returned from

Vietnam To Settle in San Diego, in 1970, I Noted

many changes to my city. A New Bay Bridge,

an Island call Harbor Island and some New

freeways, Interstate 5 was completed, A New

805 Freeway was built and Interstate 8 was

improved. The so Calkesan Diego Chargers had

A New Stadium, Jack murphy stadium, all good

improvements for san Diego.

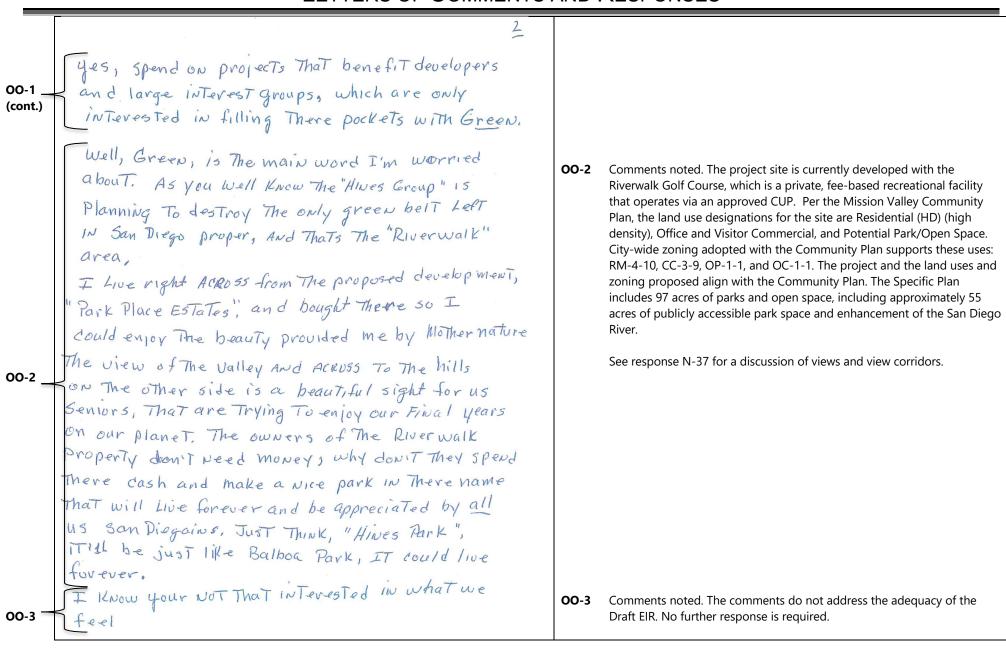
Then The city decided To build a Trolley system, copying Larger city's, All This system caused, was congestion, from down Town To The OUT Skirts of Our city.

This is where The down fall of MY SAN Diego Started.
The construction of so called "Affordable housing" began
making our city Look Like New York, with Tenaments
Scattered everywhere.

The building of high rise condo's piercing our down Town skyline. All This To ATTract people from other cities for more Tax revenue That our Politicians can spend unconsciously.

OO-1 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

00-1-



Because it's Rasier To listen To That All mighty dollar", and developers Than hear Loyal Citizens. People who care for This beautiful blue ball That God gave us, and This gorgeous city That politician's are working on derfacing. 00-3 (cont.) I hope you can understand The Love I have for my city, and only hope you can re-adjust your Thinking for The good of The community. Please make me a believer, That You really care. SINCEVELY MR. Edward M. Gonzalez Park Place Estates - OWNER Project NO. 581984/SCH. NO. 2018041028 P.S. Senior Lives do matter 5958 Gaines St S.D. 92110

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7

07-04-2020 (Via email to: DSDEAS@sandiego.gov)

E. Shearer-Nguyen, Environmental Planner City of San Diego Development Services Department 1222 First Avenue, MS-501 San Diego, CA 9210

Re: Comments re: Riverwalk Draft Environmental Impact Report

Dear Ms. Shearer-Nguyen;

There are many density issues that although promoted and allowed, are still concerning and will negatively affect the health, safety, well-being and quality of life, for those residing and working around the Riverwalk Development (RWD) and in Mission Valley. Results of supporting studies and projections concerning the effects on subject area, seem bent toward approval of development which will provide the density required by the Climate action plan. How can the State's and San Diego's City's aim to contribute to the goal to protect people and the environment, be so dismissive of the negative effects it will cause, potentially irreversibly, by the approval of cumulatively dense development projects? To me the City's blind eye is reckless and irresponsible. I am disappointed in the system, process and people who promote and vote to allow such flawed standards and unreasonably dense projects. This kind of disregard breaks my heart. Something is severely wrong here.

Where is the balance of pros and cons of the effects of the density push on residents in Transit Oriented Districts such as in Mission Valley in general and specifically in relation to the RWD?

How can the evaluation of the level of Greenhouse emissions be placed in the context of CEQA's standard of significance, by using statewide emissions opposed to effects from/on Mission Valley, the area being evaluated?

I don't see it. Realistically and practically speaking, many believe that the Riverwalk Development should be significantly scaled down considering the cumulative effect it contributes to, with the lack of mitigation for problems regarding air quality, traffic, noise, and a sound evacuation plan for the area. When I asked the developer and the City's lead representative about an evacuation plan in relation to the Mission Valley Community Plan Update and the RWD, I was appalled that NO accountability, information or referral regarding Evacuation responsibilities was shared by The City representative or the Developer. The RWD Draft EIR does mention, when it references the County of San Diego's Appendix Q, an evacuation plan for Mission Valley which as it turns out is to be led the Police department, who are not even sufficiently staffed for most of the other services they provide. In my view, this spells chaos and failure to evacuate our community successfully presently, not to mention the additional challenges of evacuating additional residents being considered by the City, including those in the 4300 units proposed in this Draft EIR.

Page 1 of 2

- **PP-1** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- PP-2 Comments noted. The purpose of CEQA is to evaluate the environmental effects based on a project's physical change on the environment, not to weigh the pros and cons of the proposal being evaluated. The Draft EIR has been prepared in accordance with the appropriate criteria, standards, and procedures of CEQA (California Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14 Section 15000 et seq.). As described in the environmental document, the Draft EIR identified the significant effects caused by the project and identification of mitigation measures, where feasible.
- **PP-3** See response M-15.
- **PP-4** Comments noted. As disclosed in Chapter 5.0 of the Draft EIR, the project would result in significant but mitigable impacts to noise; transportation/circulation and health and safety impacts were concluded to be less than significant. Lastly, the project would result in significant unmitigated operational air quality impacts. As disclosed in the EIR, there is no feasible mitigation for cumulative operational air quality impacts.
- PP-5 Comments noted. Section 5.16 addresses the project's potential impacts of an adopted emergency response plan or emergency evacuation plan relative to evacuation and emergency response, as presented in Section 5.16, the City participates in the San Diego County Multi-jurisdictional Hazard Mitigation Plan (MHMP), a Countywide plan to identify risks and minimize damage from natural and human-caused disasters. As concluded in Section 5.16, 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.

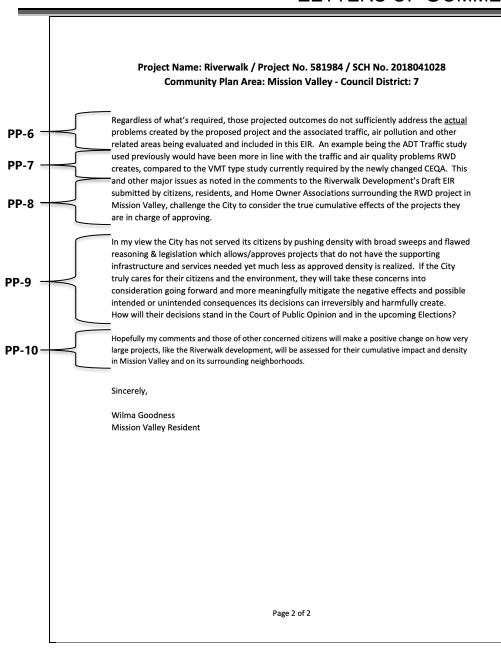
PP-2

PP-3

PP-4

PP-5

PP-6

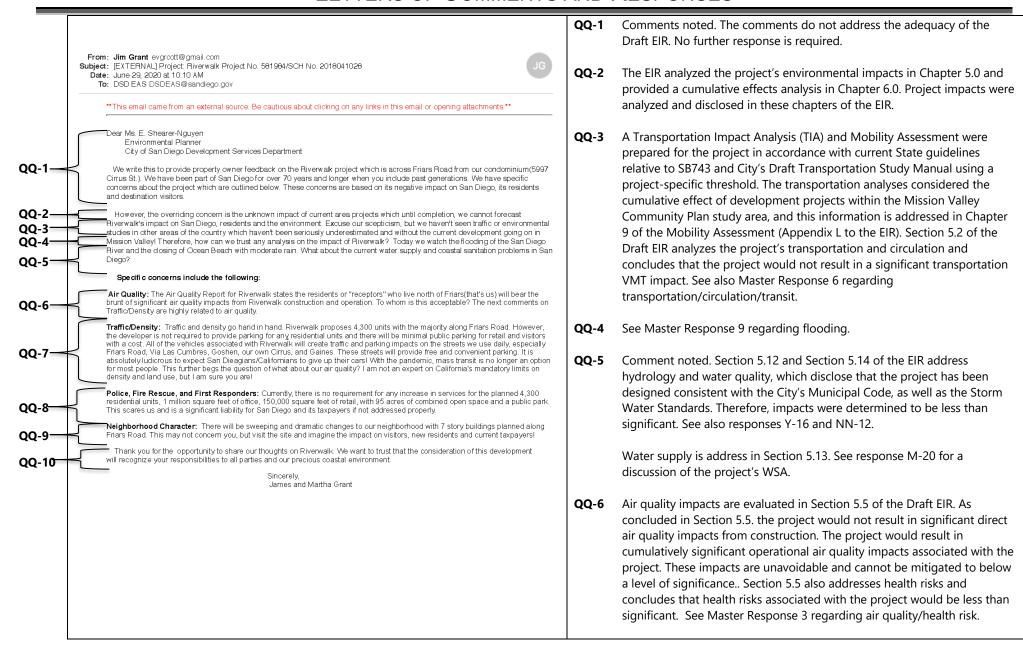


Comments noted. As described in the environmental document, the Draft EIR identified the significant effects caused by the project and identification of mitigation measures, where feasible.

Transportation and circulation are addressed in Section 5.2 of the EIR and concludes that the project would not result in a significant transportation VMT impact. Air quality impacts are evaluated in Section 5.5 of the Draft EIR. As concluded in Section 5.5. the project would not result in significant direct air quality impacts from construction. The project would result in cumulatively significant operational air quality impacts associated with the project. These impacts are unavoidable and cannot be mitigated to below a level of significance.

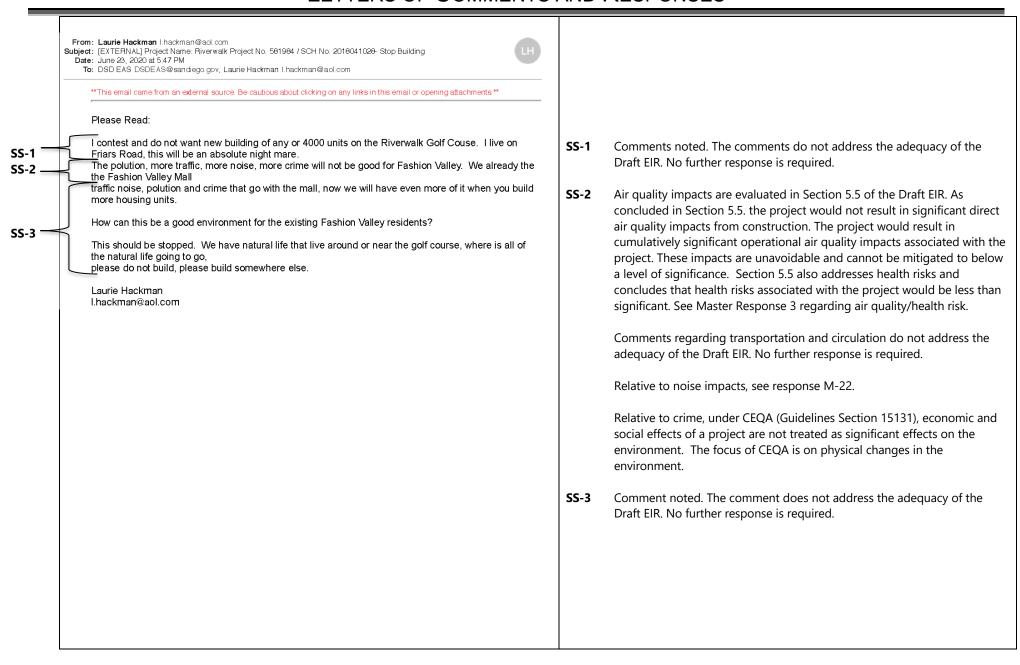
Those impacts are unavoidable and cannot be mitigated to below a level of significance. The Draft EIR also determined that impacts associated with biological resources, historical resources, tribal cultural resources, and noise would be significant. As required by the Draft EIR, the project would be required to implement mitigation measures that would reduce those impacts to below a level of significance. All other environmental issue areas addressed in the EIR were determined not to be significant.

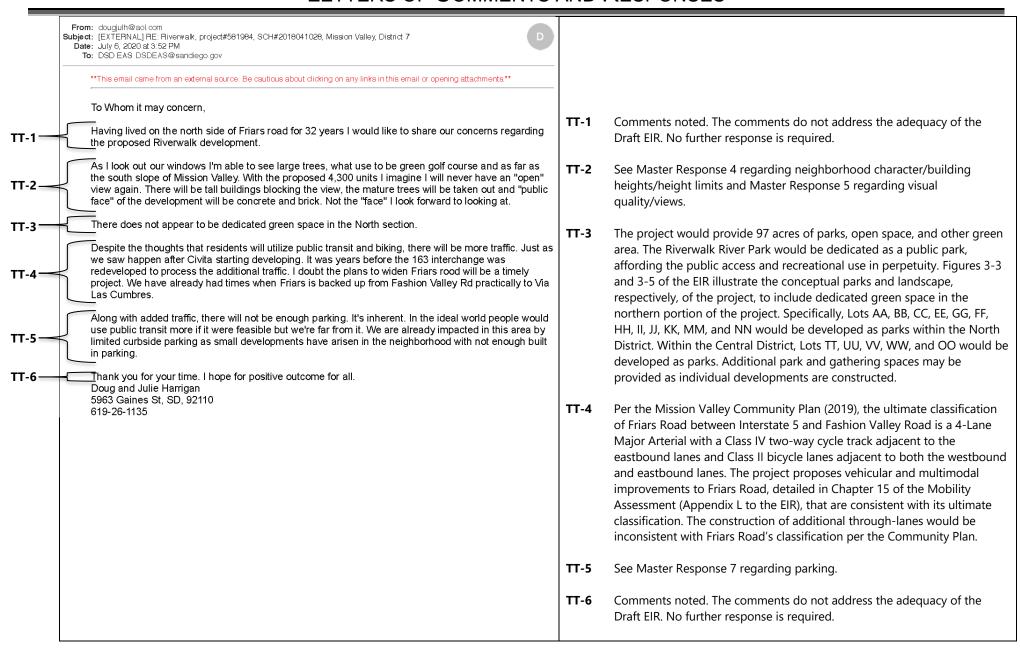
- PP-7 A Mobility Assessment utilizing automobile delay and LOS metric to evaluate operations within the project's study area in the Mission Valley Community Plan Area, was conducted to identify the project traffic's effect in the project study area. Based on this analysis, project improvements are recommended to ensure the Riverwalk project is overall consistent with the Mission Valley Community Plan transportation improvements, and that improvements will be implemented consistent with the Transportation Improvement Plan (TIP), Appendix A to the TIA (Appendix D to the EIR).
- **PP-8** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- **PP-9** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- **PP-10** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.



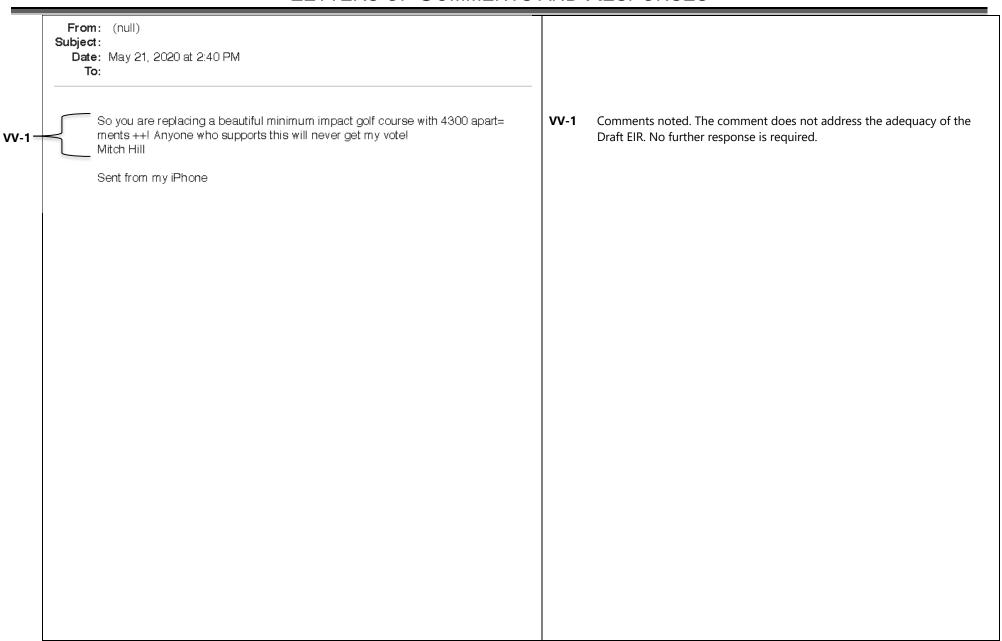
	QQ-7	See Master Response 7 regarding parking. The project does not propose changes to existing parking along fronting public roadways.
		See Master Response 6 regarding transportation/circulation/transit.
		See Master Response 10 regarding Covid pandemic.
	QQ-8	See Master Response 8 regarding public services and facilities.
	QQ-9	See Master Response 4 regarding neighborhood character/building heights/height limits and Master Response 5 regarding visual quality/views.
	QQ-10	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

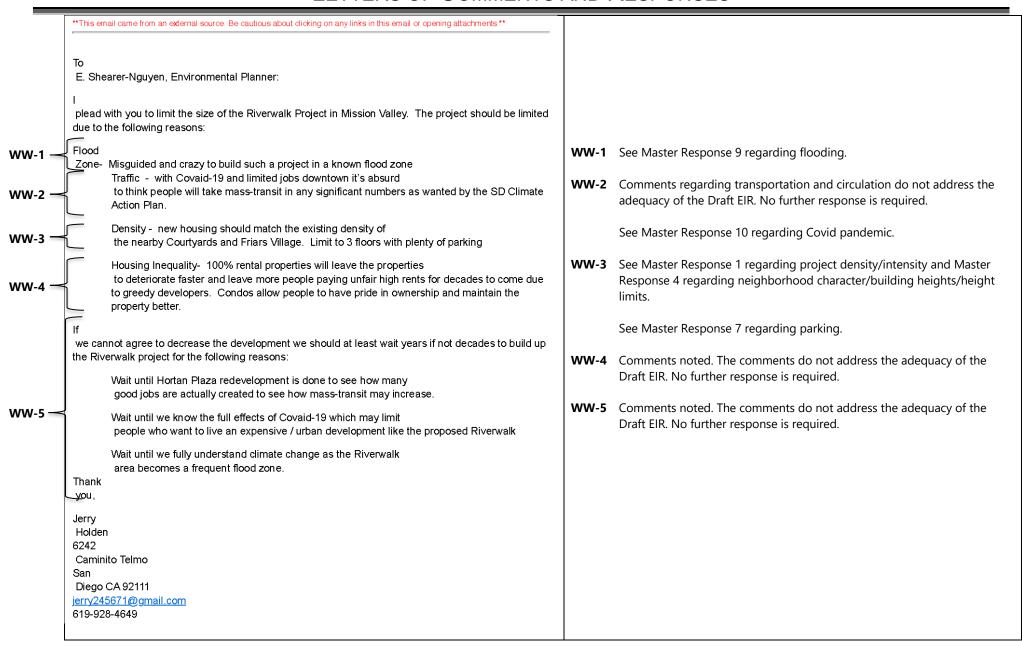
	LETTERS OF COMMENTS A	AND	I LOF ONOLO
	June 23, 2020		
	Project Name: Riverwalk		
	Project #: 581984/ <u>2018041028</u>		
	To: E. Shearer-Nguyen:		
RR-1	I am a homeowner in the Friars Village complex of Linda Vista. It is located near the proposed Riverwalk project referenced above. After reviewing the draft environmental impact report published on 05/15/2020, I feel strongly that the current plan will have long lasting negative effects on the character, quality of life, and safety of the Linda Vista community.	RR-1	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
RR-2 —	The proposal includes 4300 units, 1 M square feet of office space and a public park. There is not a requirement for any increases in police, fire rescue, and/or first responder services.	RR-2	See Master Response 8 regarding public services and facilities.
RR-3	It seems like most of the proposed units are positioned on Friars Road. This road has a considerable amount of traffic, and challenging parking. This substantial increase in units on Friars Road will greatly exacerbate the problem of traffic and parking especially when you consider that the developer is NOT required to provide parking for any of the residential units along with minimal public parking for retail and visitors. Parking will be at a premium, and the neighborhood communities within Linda Vista will be severely impacted.	RR-3	The project would be required to meet the City's parking standards. See Master Response 7 regarding parking.
RR-4 —	The Air Quality Report for the project states the residents or "receptors" that live north of Friars Road will bear the brunt of significant air quality impacts from the Riverwalk construction and operation. My residence is one of the many "receptors".	RR-4	See Master Response 3 regarding air quality/health risk.
RR-5	The potential of this project to improve the area exists, however, it the current proposal it misses the opportunity to create a positive improvement for all. The proposal should not be driven by cost efficiency, and that can lead to short-sighted results.	RR-5	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
RR-6	I think with the current state of mass transit in San Diese, that is SLOWLY improving, it is not rationale to think that homeowners in this project will not own vehicles, and depend on the transit options available.	RR-6	Comments noted. The comments do not address the adequacy of the draft EIR. No further response is required.
RR-7	Please continue to work on a reasonable, meaningful change to this Riverwalk project that will enhance our city, not create more problems. Respectfully yours.	RR-7	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
	Carolyn Greer		

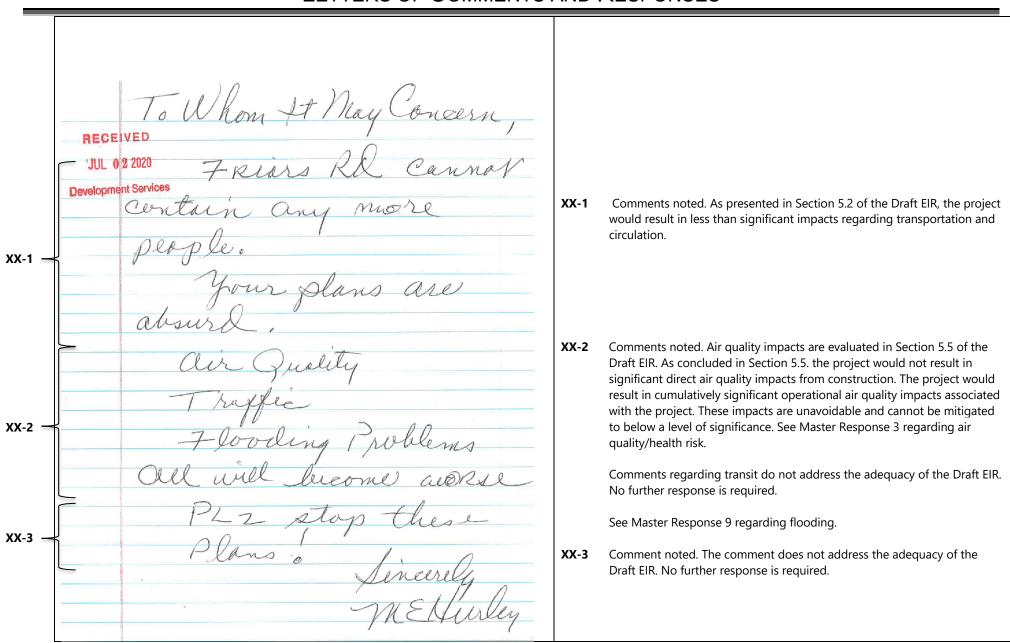


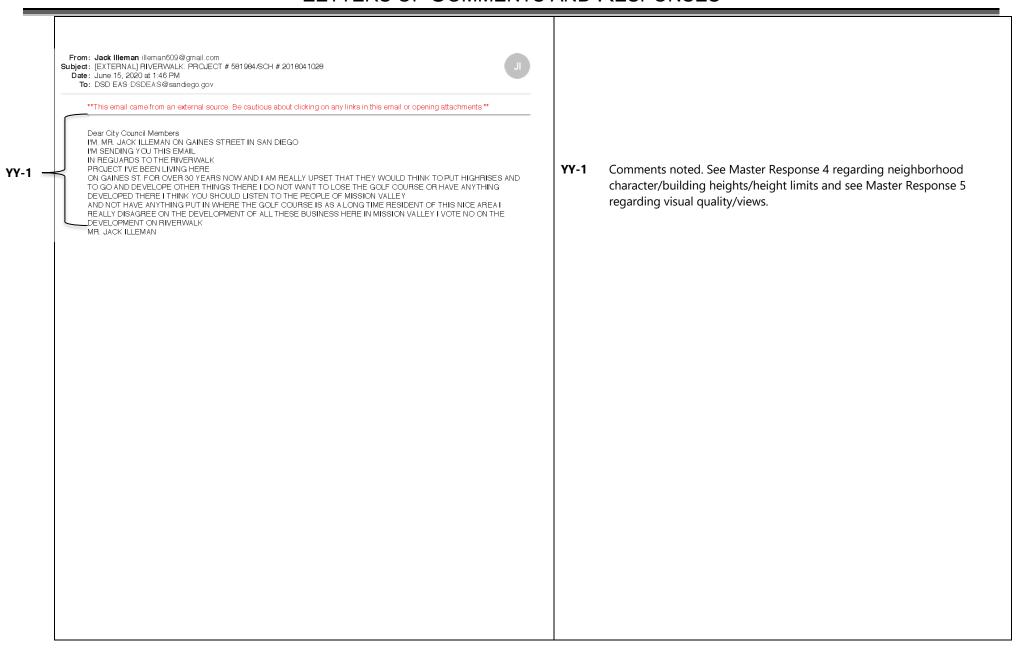


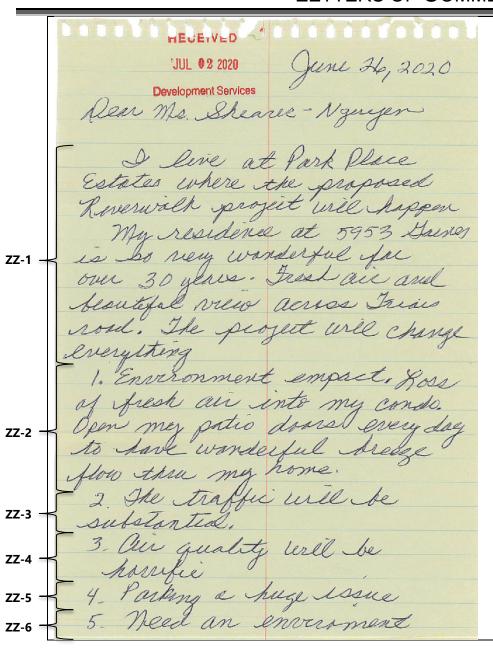
From: Jeff Hensel ieff.hensel@amail.com Subject: [EXTERNAL] Project Name: Riverwalk Project No. 581984 / SCH No. 2018041028 Date: July 6, 2020 at 3:52 PM To: DSD EAS DSDEAS@sandiego.gov Cc: lindavistariverwalk@gmail.com **This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.** UU-1 Comment noted. The comment does not address the adequacy of the As a Mission Valley resident for almost 10 years I am concerned about this proposed project. UU-1 Draft EIR. No further response is required. I am concerned about the negative impact on air quality, a dramatic increase in traffic and lack of sufficient parking that will overflow into the surrounding areas. The lack of increase in services for police and fire for the immediate area is another concerning factor. **UU-3** UU-2 Air quality impacts are evaluated in Section 5.5 of the Draft EIR. As Mission Valley has already added thousands of residential units in the past 5 years. Adding another 4,300 residential units without **UU-4** proper planning and parking will only negatively impact our community further. concluded in Section 5.5. the project would not result in significant direct Thank you, air quality impacts from construction. The project would result in Jeff Hensel cumulatively significant operational air quality impacts associated with the 5645 Friars Rd Unit 400 project. These impacts are unavoidable and cannot be mitigated to below San Diego, CA 92110 a level of significance. Section 5.5 also addresses health risks and concludes that health risks associated with the project would be less than significant. See Master Response 3 regarding air quality/health risk. See Master Response 7 regarding parking. UU-3 See Master Response 8 regarding public services and facilities. UU-4 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.





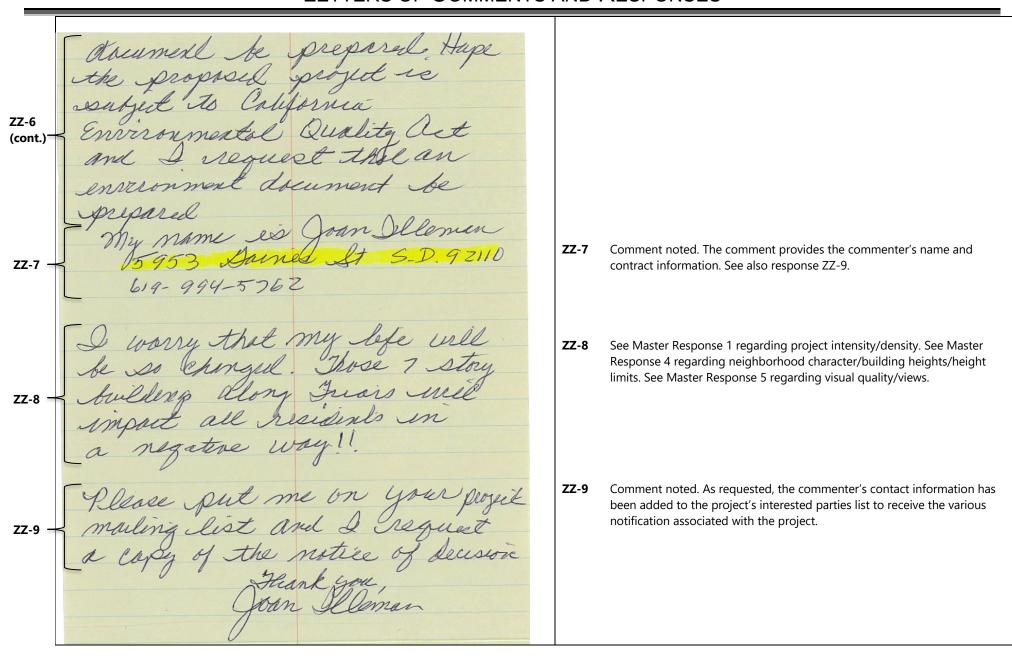






- **ZZ-1** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- **ZZ-2** Comments noted. See Master Response 3 regarding air quality/health risk
- **ZZ-3** Comments noted. As presented in Section 5.2 of the Draft EIR, the project would result in a less than significant transportation VMT impact. See Master Response 6 regarding transportation/circulation/transit.
- **ZZ-4** Comment noted. See Master Response 3 regarding air quality/health risk.
- **ZZ-5** See Master Response 7 regarding parking.
- The Draft EIR has been prepared in accordance with the appropriate criteria, standards, and procedures of CEQA (California Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14 Section 15000 et seq.). As described in the environmental document, the Draft EIR identified the significant effects caused by the project and identification of mitigation measures, where feasible.

The Draft EIR determined that impacts associated with biological resources, historical and tribal cultural resources, and noise would be significant. As required by the Draft EIR, the project would be required to implement mitigation measures that would reduce those impacts to below a level of significance. The Draft EIR also determined that the project would not result in significant direct air quality impacts from construction. However, the project would result in cumulatively significant operational air quality impacts associated with the project operations. Those impacts are unavoidable and cannot be mitigated to below a level of significance. All other environmental issue areas addressed in the EIR were determined not to be significant.



AAA-1	From: Sandra Keefer <sandrakeefer1 @aol.com=""> Sent: Wednesday, June 24, 2020 12:32 PM To: DSD EAS <dsdeas @sandiego.gov=""> Subject: [EXTERN AL] Riverwalk Building **This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.** Dear committee, Iam PLEADING with you to stop the building of 4,000 units here at Riverwalk we already have too much traffic congestion on Friars Road. Hive at Mission greens. You've already are taking the golf courses. YOU are NOT acting in the best interest of San Diegans. WE HAVE WORKED HARD to live here and out of greed you are ruining our SanDiego. Go build elsewhere or never here in America's Finest city Sandra Keefer Sent from my iPhone</dsdeas></sandrakeefer1>	AAA-1	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

June 24, 2020 RECEIVED JUL 06 2020 E.Shearer-Nguyen **Development Services** Environmental Planner City of San Diego **Development Services Center** 1222 1st Avenue, MS 501 San Diego, CA 92101 Subject: Project Name - Riverwalk Project No. - 581984/SCH No. 2018041028 Dear Sir, Tam a 28-year resident of The Courtyards in Mission Valley. Our condominiums are directly adjacent to the Riverwalk Golf Course. At this time,, a developer is planning on building many 5- or 7- story buildings, holding BBB-1 roughly 4,300 units. With all these buildings to be built, a commercial area, trolley stop, etc., there will be an increase in the bad air quality in the valley. Before construction starts, the developer will import large amounts of dirt. They want to BBB-2 bring the ground level up to the level of the trolley tracks. I can just imagine the dust all over, plus trying to breath some clean air. Then when the construction starts, there will be lots of noise for many years. As far as increasing police services and/or fireman, the developer does not indicate any Increase in the BBB-3 number of hours they work. How will any problems be handled? Of course, with all these people moving in, there will be huge traffic problems on Friars Road. As far as I know, it is possible there will not be enough parking provided for the residents living there, and so they will go to the BBB-4 streets intersecting with Friars Road, (Donohue, Goshen, Cirrus, etc.). Both of these situations will affect us every day. The main thing that would mitigate all these concerns, is reduce the number of units being built. Next, it would help if they could provide parking for each of their tenants with cars. They should also have a plan for BBB-5 = the traffic congestion, air quality and security. I love living here, and would hate to have to move after all these years. Would you please send me a copy of BBB-6 the notice of decision? Yours Truly Diane Trickwall Diane Lindwall 5865 Friars Road, #3308 San Diego, CA 92110

- Comments noted. The comments do not address the adequacy of the BBB-1 Draft EIR. No further response is required.
- **BBB-2** Comments noted. Air quality impacts are evaluated in Section 5.5 of the Draft EIR. As concluded in Section 5.5. the project would not result in significant direct air quality impacts from construction. The project would result in cumulatively significant operational air quality impacts associated with the project. These impacts are unavoidable and cannot be mitigated to below a level of significance. Section 5.5 also addresses health risks and concludes that health risks associated with the project would be less than significant. See Master Response 3 regarding air quality/health risk.
- See Master Response 8 regarding public services and facilities.
- BBB-4 Comment noted. See Section 5.2 of the EIR regarding the analysis of transportation and circulation for the project, which concludes the project would not result in a significant transportation VMT impact.

See Master Response 7 regarding parking.

BBB-5 Chapter 10.0 of the Draft EIR identifies reduced density project alternatives. Alternative 2 – Reduced Development Intensity/Operational Air Quality Impact Avoidance and Alternative 3 – Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts. As disclosed in Chapter 10.0, both alternatives would avoid significant unmitigated air quality impacts.

See Master Response 7 regarding parking.

Based on the recommendations of the Transportation Impact Analysis (TIA) (Appendix D to the EIR) and Mobility Assessment (Appendix L to the EIR) prepared for the project, the project will provide transportation improvements per the Transportation Improvement Plan, which is provided as Appendix A to the TIA.

Regarding air quality, see response BBB-2.

Relative to security, under CEQA (Guidelines Section 15131), economic and social effects of a project are not treated as significant effects on the

		environment. The focus of CEQA is on physical changes in the environment.
	BBB-6	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

From: roman romanmaes.com roman@romanmaes.com

Subject: [EXTERNAL] Re: Riverwalk EIR

Date: June 7, 2020 at 1:19 PM

To: vicki duffy duffygrandma@yahoo.com, DSDEAS DSDEAS@sandiego.gov

Ce: Councilmember Scott Sherman ScottSherman@sandiego gov, PLN Planning Planning@sandiego gov, SDPlanningGroups SDPlanningGroups@sandiego gov, Councilmember Georgette Gornez GeorgetteGornez@sandiego gov, CouncilMember Chris Cate ChrisCate@sandiego gov, nathan fletcher@sdcounty ca gov, contact@delano-delano-com

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| | V

CCC-1

Vicki,

Well written. When did they give a thumbs up..rosy etc..

Roman M Maes III, BBA, JD San Diego, California Phone 619-230-5582

Email roman@romanmaes.com

From: vicki duffy <duffygrandma@yahoo.com>

Sent: Sunday, June 7, 2020 12:28 PM

To: DSDEAS@sandiego.gov < DSDEAS@sandiego.gov>

Cc: ScottSherman@sandiego.gov <ScottSherman@sandiego.gov>;

planning@sandiego.gov <planning@sandiego.gov>; SDPlanningGroups@sandiego.gov

<SDPlanningGroups@sandiego.gov>; georgettegomez@sandiego.gov

<georgettegomez@sandiego.gov>; ChrisCate@sandiego.gov

<ChrisCate@sandiego.gov>; nathan.fletcher@sdcounty.ca.gov

<nathan.fletcher@sdcounty.ca.gov>; contact@delano-delano.com <contact@delano-</p>

delano.com>

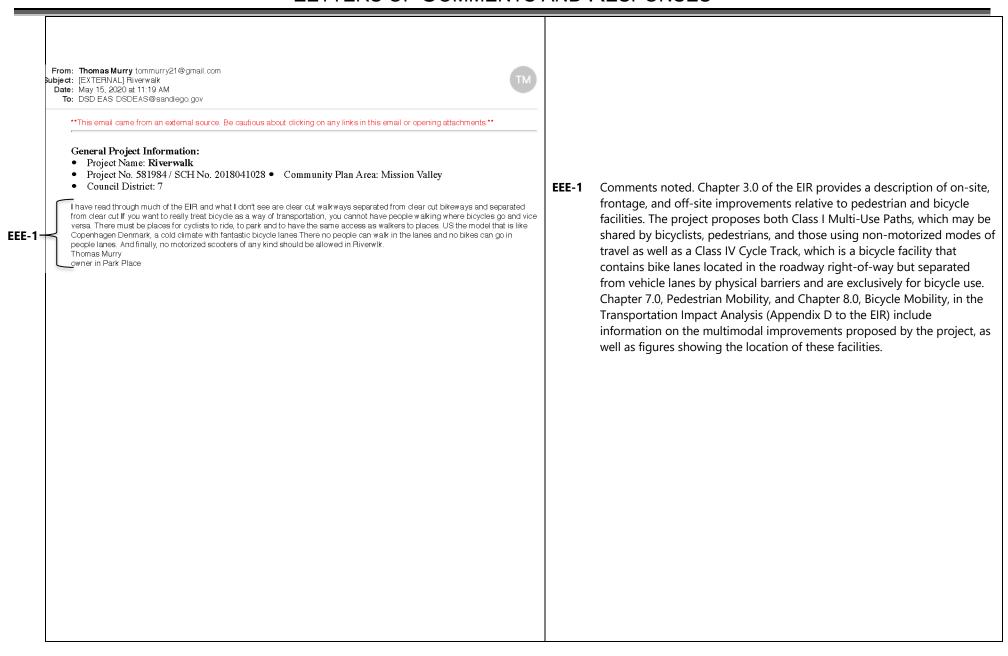
Subject: Riverwalk EIR

Despite the Union Tribune article stating that this Riverwalk Development merits a "rosy" "thumbs-up", as a resident of the area, I have to disagree. To me, this project feels like it is putting developers over people!

- 1. For the existing community, this will be a major disruption. Our current views of hills, trees, and sky will be GONE: blocked by high density buildings with up to 10,000 neighbors! Any of us elderly senior citizens with asthma, heart problems, or pulmonary issues will be besieged with the dangerous air pollution that will unavoidably increase in Mission Valley. For those of us who remember the cows living here, we can only note that the proponents of this professed advantageous growth, live in North County or elsewhere. (NIMBY!)
- Friars Road is a nightmare of traffic, even at the current density. There are times, because of oncoming gridlock traffic, that I have waited almost 15 minutes to turn in to the driveway of my complex. Therefore, the estimated 37,222 car trips (in approximately a quarter mile stretch of road,) DOES NOT translate to a "minimal impact."
- 3. With no fire station or police support planned for the development, this project amounts to nothing but urban sprawl with increased crime rates.
- 4. Having lived in Mission Valley since 1990, I have many photos to support my opinion that the Riverwalk Project will negatively effect the flood plain in this area.

CCC-1 Comments noted. Comments provided in this letter are identical to comments submitted by Vicky Duffy (Letter HH). See responses HH-1 through HH-6.

Sent: Friday, June 1s To: SDB EAS - GSDB Subject: [EXTERNAL "This email came for DDD-1 This Hines project is DDD-2 Lunderstand the nee	DEAS@sentiepo.gop ALJ Riverwalk Project from an external source. Be cautious about clicking on any links in this email or opening attachments." s far and above ridiculous with the number of APARTMENTS 4300 in SEVENTEEN HUGE BUILDINGS ed for housing but particularly AFFORDABLE HOUSING. Out of 4300 apartments on 430 will be affordable and Mission Valley will be jammed with approximately 10,000 more people. things like parking, air quality, flooding, all addressed by conjecture and unproven "facts". Int, it looks like "jamming" more into a livable space into one barely recognizable as "living"!		Comment noted. The project is consistent with the Mission Valley Community Plan. Per the Community Plan, the land use designations for the site are Residential (HD) (high density), Office and Visitor Commercial, and Potential Park/Open Space. City-wide zoning adopted with the Community Plan supports these uses: RM-4-10, CC-3-9, OP-1-1, and OC-1-1 The project and the land uses and zoning proposed align with the Community Plan. Comments noted. For clarification, the project is estimated to generate a population of approximately 7,998 residents, based on 4,300 residential units and SANDAG's estimate of 1.86 persons per household.
		DDD-3	The EIR has been prepared in accordance with the appropriate criteria, standards, and procedures of CEQA (California Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14 Section 15000 et seq.). The analysis is based on technical reports prepared by qualified technical experts. The technical reports have been prepared in accordance with City requirements See Master Response 7 regarding parking. See Master Response 3 regarding air quality/health risk. See Master Response 9 regarding flooding.
		DDD-4	Comment noted. The comment does not address the adequacy of the Draft EIR. No further response is required.



Victor Alberto Ochoa Riverwalk Comments on EIR 5.10 Tribal Cultural Resources

Date: July 2, 2020

To: E. Sheare-Nguyen, Environmental Planner

DSDEAS@sandiego.gov (asking for reply on receipt)

From: Victor Alberto M. Ochoa, 1615 Linbrook Drive, SD, CA 92111

mailto:aochoa@sdsu.edu

Subj: Riverwalk Project Number: 581984 / SCH No. 2018041028

Reference EIR Chapter 5.10, Comments on: How have tribal, ethnic, cultural, and historical aspects of the Specific Riverwalk Plan area been protected in the design of the Riverwalk project plan?

Background of 5.10 Tribal Cultural Resources (TRC)

5.10. 1.2 Many areas of San Diego County, including mesas and the coast, are known for intense and diverse prehistoric occupation and important archaeological and Tribal Cultural Resources. The project area is within the traditional territory of the Kumeyaay people, also known as Ipai, Tipai, or Diegueño. At the time of Spanish contact, Yuman-speaking Kumeyaay bands occupied southern San Diego and southwestern Imperial counties and northern Baja California. The Kumeyaay lived in semi-sedentary villages, or rancherias, with some rancherias containing more than one clan. Kumeyaay villages were located in river valleys, such as the San Diego River, with access to water and boulder outcrops and along the shoreline of coastal estuaries. Kumeyaay had a hunting and gathering economy based primarily on various plant resources.

Comments on Chapter 5.10 - Recommendation

Consider addressing two archeological concepts: vertical cultural resources and horizontal explicit cultural resources. As a member of the Linda Vista Riverwalk Subcommittee I suggest that this 5.10 section address both Kumayaay vertical cultural resources (three sites that have ancestral remains) and horizontal explicit cultural resources (spiritual, linguistic, humanistic, history and heritage, socio-political, traditional lifeway's, and natural plants of the area). Vertical relationships may yield information about the cultural history of the site, and horizontal relationships are about the living ways of how the site was used (Simonetti, 2013).

In my review of what is being proposed, while the EIR (5.10) addresses vertical cultural resources requirement that call for the protection of ancestral remains, there is *limited_mention of the horizontal cultural resources* other than plants and proposed Kumeyaay

FFF-1 Comments noted. The comments provide excerpt text from Section 5.10, Tribal Cultural Resources of the FIR

FFF-2 As addressed in the Draft EIR, impacts to Tribal Cultural Resources are analyzed in Section 5.10 of the EIR, and mitigation measures 5.10-1 through 5.10-4 would fully mitigate potential impacts to Tribal Cultural Resources. Additionally, Section 5.6 analyzes potential impacts to archaeological resources, which may include subsurface tribal cultural resources. Mitigation measures MM 5.6-1 and MM 5.6-2 would fully mitigate potential historical resources impacts. These mitigation measures are included in the project MMRP (Chapter 11.0 of the EIR).

EEE 2

1

Victor Alberto Ochoa Riverwalk Comments on EIR 5.10 Tribal Cultural Resources

street names. I suggest that the horizontal cultural resources be included in the development of the site plan. The Riverwalk plan site should honor Kumeyaay oral history, beliefs and lifeway's of the past (Hinton, 2001 & 2013) and as expressed by its present living people:

The Riverwalk development stands upon a land that carries the footsteps of millennia of Kumeyaay people. They are a people whose traditional lifeway's intertwine with a worldview of earth and sky in a community of living beings. This land is part of a relationship that has nourished, healed, protected and embraced the Kumeyaay people to the present day. It is part of a worldview founded in the harmony of the cycles of the sky and balance in the forces of life.

Riverwalk pathways would be enriched by the inclusion of horizontal explicit cultural resources using pictograms that convey meanings of lifeway's, sacred symbolism, artwork, artifacts, indigenous music, engaging spatial architecture, indigenous plants, and street names, historical antecedents, and exhibits of its present expressions of the past and present.

FFF-2 _ (cont.)

The EIR promises that "the streets within the South District of the project would include traditional Kumeyaay names. Both the Iipay Nation of Santa Isabel and JamuI Indian Village concurred with City staff's determination and concluded consultation on April 30, 2020".

The importance of the Riverwalk plan site as stated in the EIR, can also support horizontal TCR,

Tribal Cultural Resources include sites, features, places, cultural landscapes, and sacred places or objects that have cultural value or significance to a Native American Tribe. Tribal Cultural Resources include "non-unique archaeological resources" that, instead of being important for "scientific" value as a resource, can also be significant because of the sacred and/or cultural tribal value of the resource. Tribal representatives are considered experts appropriate for providing substantial (guidance regarding) the locations, types, and significance of tribal cultural resources within their traditionally and cultural affiliated geographic area (PRC §21080.3.1(a)).

Consider visiting sites listed below that have many explicit and implicit forms that can be incorporated as a larger dimension of what constitutes tribal cultural resources into their living spaces:

FFF-3 —

 Vancouver native nations museum, a Museum of Anthropology at the University of British Columbia campus in Vancouver, British Columbia, Canada is renowned for its displays of world arts and cultures, in particular works by First Nation band governments of the Pacific Northwest. **FFF-3** Comments noted. The comment does not address the adequacy of the Draft EIR. No further response is required.

2

Victor Alberto Ochoa Riverwalk Comments on EIR 5.10 Tribal Cultural Resources

- Monterey County Pacific Grove has pathways that depict the lifeway's of indigenous people. Pacific Grove, that includes the existence of a 4,000-year old village site that is depicted through murals as one walks through a pathway adjacent to the ocean.
- Cesar Chavez Elementary, in the San Diego Unified School District, designed by Joseph Martinez, local architect, throughout its campus incorporated Mesoamerican symbolism representing the ancestral heritage of the Americas.
- The Southwest Museum of the American Indian, located at 234 Museum Drive, Los Angeles 90065, has a collection that is widely regarded as one of the finest collections of Native American objects in the United States that includes art, archives, and cultural materials at the 103 year-old Southwest Museum site.
- The Museum of archeology in Mexico City contains the world's largest collection of Mesoamerica archaeological and anthropological artifacts from Mexico's pre-1519 and also has ethnographic exhibits about Mexico's present-day indigenous groups. The museum has 23 permanent exhibit halls. Upper part of the museum has contemporary lifeway's of salient cultural groups that reside in its 32 states.

The Riverwalk EIR site plan also assures that:

- a. The area is considered sensitive for Tribal Cultural Resources (TCR) as identified by Iipay Nation of Santa Isabel and Jamul Indian Village, affiliated traditionally and culturally with the project area. Therefore, there is the potential for TCR to be further impacted by project implementation by including both archeological vertical and horizontal dimensions (spiritual, linguistic, humanistic, historical & heritage, traditional lifeway's, and explicit natural plants of the area.
- b. Native plant palette of species traditionally used by the Kumeyaay, an interpretive signage program that would identify the native plant species and how they were used, and that project streets be identified with Kumeyaay names.
- c. The signage would be provided along the trails within the River Park, with plants traditionally utilized by Native American tribes identified by a symbol.
- d. The three recorded sites, SDI-11767, SDI-12220, and SDI-12126, have been evaluated and determined to be significant cultural resources. One site, SDI-4675, has not yet been evaluated, but only a small portion of the site intersects the project area and would not be impacted, as it would remain in its current open space condition.
- e. The Archaeological Data Recovery Plan (ADRP) provisions for the discovery of human remains shall be invoked in accordance with the California Public

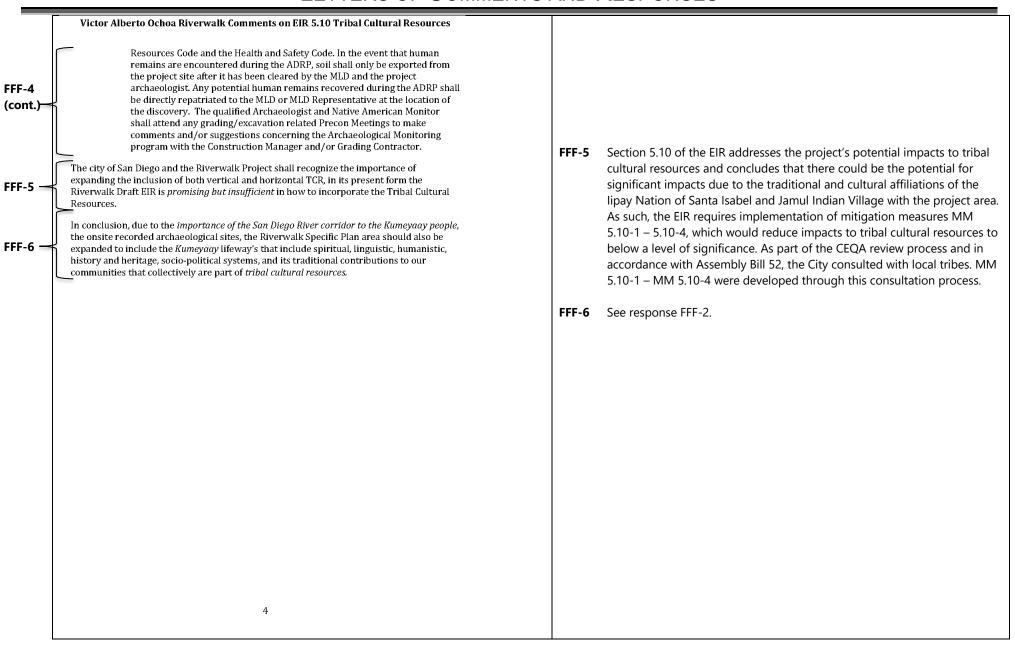
FFF-4 Comments noted. The comments provide excerpt text from Section 5.10.3.1 of Section 5.10 Tribal Cultural Resources and MM 5.6-1 from Section 5.6 Historical Resources of the EIR.

3

FFF-4

FFF-3

(cont.)



From: Marilyn Owens mbeausm@san.rr.com @ Subject: [EXTERNAL] RIVERWALK COMMUNITY PLAN Date: July 4, 2020 at 3:59 PM To: DSDEAS@sandiego.gov Cc: Mary Shepperd mshepperd3@gmail.com "This email came from an external source. Be cautious about dicking on anylinks in this email or opening attachments." Project Name: Riverwalk Project No. 581984 / SCH No. 2018041028 — Community Plan Area: Mission Valley Council District: 7 I am writing because I believe it is important to be able to voice an opinion when the place I have called home for over forty years will be changed forever. I am convinced that my opinion will have no effect on the decisions made which are totally influenced by money. Other GGG-1 residents have spent countless hours attempting to be a part of decisions that will be made to change Mission Valley forever. I write to support those dedicated efforts. The changes to air quality due to increased traffic, the increase in GGG-2 congestion and burden on public services are obvious concerns. Bicycle lanes and trolley tracks will have no impact on the number of GGG-3 motor vehicles that will be added to our community. I lived in this valley during the 1980 flooding and have lived wondering what would happen to this valley in the event of earthquake GGG-4 destruction of the El Capitan Dam. Has consideration been given to the loss of life and property from such a disaster? Water is the greatest expense for the condo complex where I reside. We have twenty-two acres of landscaping plus water for 440 units. Compare the water usage for the number of residential and commercial units being planned for the Riverwalk project, to the cost GGG-5 of water for grass the nine holes of the golf course. The cost to water the grass was prohibitive! This is just one section of the project. A serious consequence of our recent state of the economy in our country may rescue us from this area being overdeveloped. Will there GGG-6 be jobs for those new residents to Mission Valley, will there be buyers for all those new condos? Justice may prevail. Thank you for considering these concerns, Marilyn Owens

- **GGG-1** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- **GGG-2** Section 5.5 also addresses health risks and concludes that health risks associated with the project would be less than significant. See Master Response 3 regarding air quality/health risk.

As presented in Section 5.2 of the Draft EIR, the project would result in a less than significant transportation VMT impact.

See Master Response 8 regarding public facilities.

- **GGG-3** Comment noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- **GGG-4** El Capitan Reservoir is over 22 miles east of and upstream of the project site. The project would not cause a failure of the El Capitan Dam and would not result in an impact to the dam. Furthermore, the project is not responsible for the conditions of the dam and would not cause any impacts that would result in dam failure.
- **GGG-5** For a discussion of water supply, see responses M-20.

Relative to water usage, as addresses in Section 5.13 of the EIR, the project would replace a predominately non-drought resistant landscaping (the golf course), which uses large amounts of water for irrigation, with a project developed in accordance with Title 24 of the CCR, and incorporate water conservation devices, and, therefore, would not result in the use of excessive amounts of potable water. Furthermore, landscaping would consist of indigenous and drought-tolerant shade plant species in accordance with the City's Landscape regulations. All irrigation design and maintenance would conform to the City of San Diego's latest water use restrictions, and the project's irrigation system has been designed to meet the City's water efficient landscape ordinance contained within Chapter 14, Article 2, Division 4, Landscape Regulations, of the Municipal Code.

GGG-6 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

RECEIVED

JUL 0 2 2020

Amanda Perricone

Development Services

6005 Cirrus Street San Diego, CA 92110 amandaperricone6@gmail.com (858) 945-7551

June 23, 2020

E. Shearer-Nguyen Environmental Planner City of San Diego Development Services Center 222 1st Avenue, MS 501 San Diego, CA 92101

Project Name: Riverwalk

Project No. 581984 / SCH No. 2018041028

Dear E. Shearer-Nguyen,

I am writing in regards to the proposed project "Riverwalk" (Project No. 581984 / SCH No. 2018041028). I am a homeowner in the area and am concerned with a few aspects of the plan as it stands currently.

A major concern is the traffic and parking impacts due to the additional 4,300 residential units and retail/office space with no requirement for parking for residential units and limited public parking at a cost. This area already sees heavy traffic and has limited parking, and it will only become worse with the addition of these units with no designated parking. I am also very concerned with the air quality impacts, and it has been outline that the area north of Friars will bear the brunt.

This development has the potential to be a great thing for the area, but not as it stands now. The proposed 7 story development directly off of Friars will be an eyesore and take away from the beauty of the Riverwalk space. The pleasant, peaceful character of this neighborhood was a major draw for me, and I fear that will be taken away if this development moves forward as it is currently. I urge you to revise these plans to account to the traffic and parking, as well as the impacts to the homeowners and residents of this community.

Thank you for your time,

amanda 18

Amanda Perricone

HHH-1 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

HHH-2 See Master Response 6 regarding VMT Analysis, which summarizes why the project would result in a less than significant transportation VMT impact.

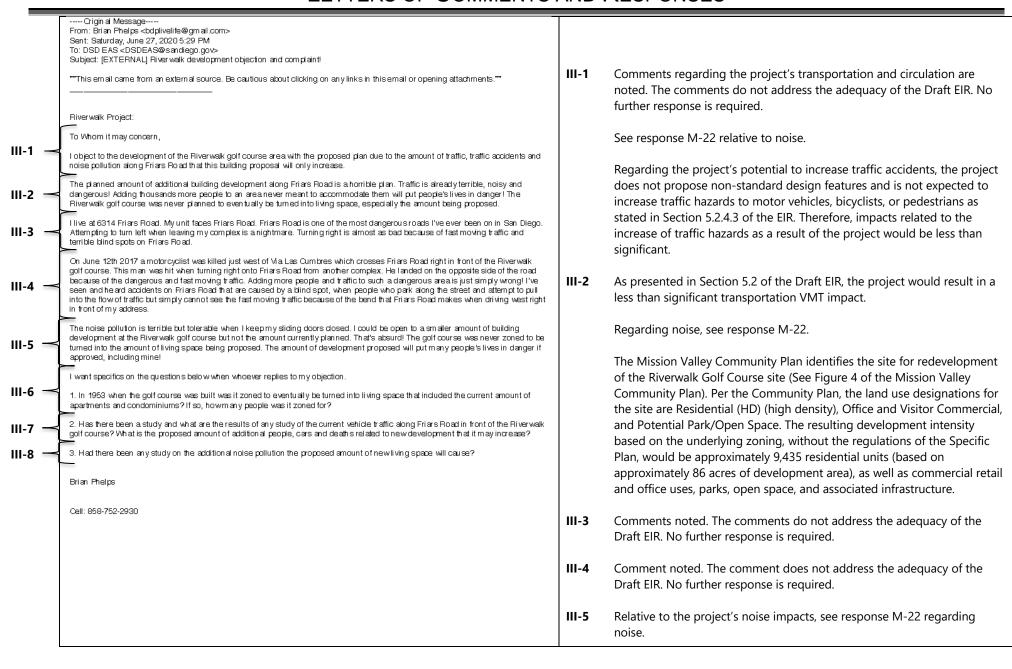
See Master Response 7 regarding parking.

HHH-3 See Master Response 3 regarding air quality/health risk.

HHH-4 See Master Response 4 regarding neighborhood character/building heights/height limits and Master Response 5 regarding visual quality/views.

HHH-2-

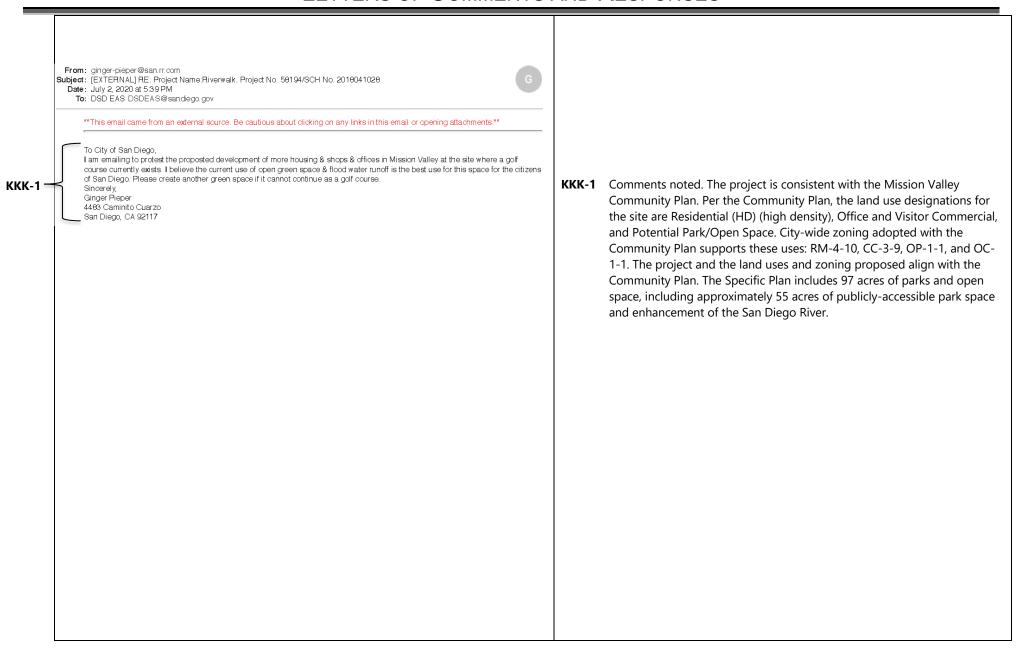
HHH-3

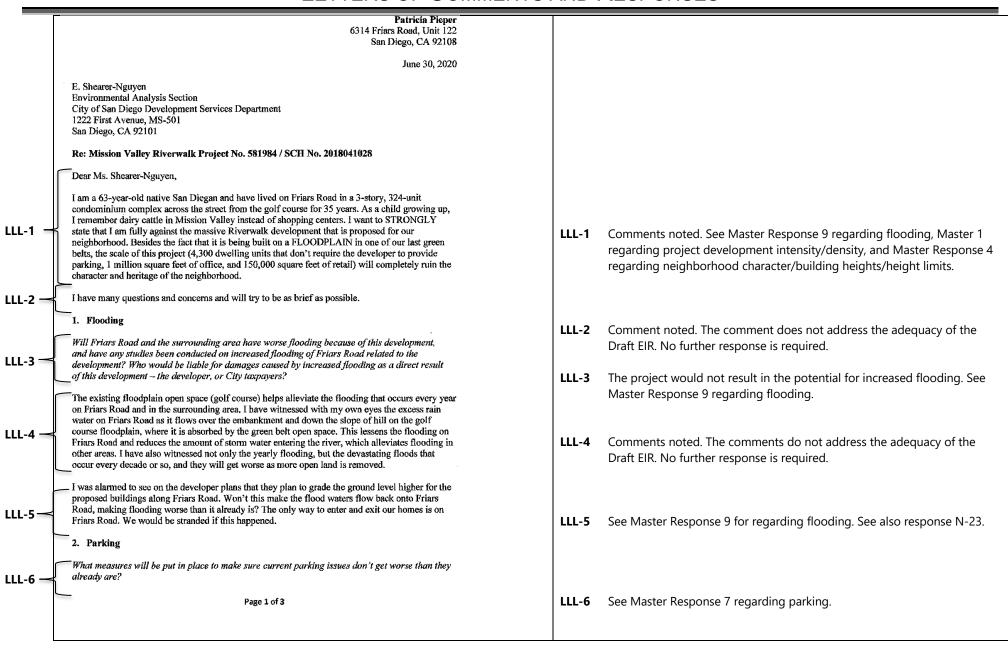


See also response III-2. III-6 See responses III-2. III-7 A Transportation Impact Analysis (TIA) (Appendix D to the EIR) and Mobility Assessment (Appendix L to the EIR) were prepared to evaluate the project's expected trip generation, the project's effect on the transportation network within the project's study area, and identify significant transportation VMT impacts. See Master Response 6 regarding transportation/circulation/transit. Buildout of the project is estimated to generate a population of approximately 7,998 residents, based on 4,300 residential units and SANDAG's estimate of 1.86 persons per household. In terms of deaths, it is not an issue that is analyzed under CEQA. An EIR is required to identify and focus on the significant effects of a proposed project on the environment. Environment is defined as the "physical conditions which exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, noise, [and] objects of historic or aesthetic significance." Cal. Pub. Res. Code § 21060.5; see also CEQA Guidelines § 15360. As such, effects that are subject to review under CEQA must be related to a change to the physical environment. CEQA Guidelines § 15358(b). This is further outlined in CEOA Guidelines Section 15126.2, which states that in assessing impacts of a project on the environment, the lead agency is required to "limit its examination to changes in the existing physical conditions." III-8 A noise report was prepared, upon which Section 5.8, Noise, of the Draft EIR is based. The Draft EIR evaluates noise impacts from the project in Section 5.8. The analysis is Section 5,8 is based on a project-specific Noise Study, which is included as Appendix K. See also response M-22.

From: Brian Phelps bdplivelife@gmail.com Subject: [EXTERNAL] Project Name: Riverwalk Project No. 581984 / SCH No. 2018041028 Date: July 3, 2020 at 8:17 PM To: DSD EAS DSDEAS@sandiego.gov **This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.** Riverwalk Project To Whom it may concern, I object to the extensive over development of the Riverwalk golf course area with the proposed plan due to the amount of traffic, traffic accidents and noise pollution along Friars Road that this building proposal will only increase. The planned amount of additional building development along Friars Road is a horrible plan. Traffic is already terrible, noisy and dangerous! Adding thousands more people to an area never meant to accommodate them will put people's lives in danger! The Riverwalk golf course was never planned to eventually be turned into living space, especially the amount being proposed. Comments provided in this letter are identical to comments submitted by Brian Phelps (Letter III). See responses III-1 through III-8. I am a owner at The Bluffs. I live at 6314 Friars Road. My unit faces Friars Road. Friars Road is one of the most dangerous roads I've ever been on in San Diego. It's very fast with multiple blind curves. Attempting to turn left when leaving my complex is a nightmare. Turning right is almost as bad because of fast moving traffic and terrible blind curves along Friars Road. On June 12th 2017 a motorcyclist was killed just west of Via Las Cumbres which crosses Friars Road right in front of the Riverwalk golf course. This man was hit when turning right onto Friars Road from another complex. He landed on the opposite side of the road because of the dangerous and fast moving traffic. Adding more people and traffic to such a dangerous area is just simply wrong! I've seen and heard accidents on Friars Road that are caused by the blind curves. People who park along the street constantly have accidents when they attempt to pull into the flow of traffic, simply because they cannot see the fast moving vehicles when driving west right in front of my address. Adding more traffic to this area will simply make more accidents and cause more deaths. The noise pollution is terrible too but tolerable when I keep my sliding doors closed. I could be open to a much smaller amount of building development at the Riverwalk golf course but not the amounts currently planned or being tossed around. That's absurd! The golf course was never zoned to be turned into the amount of living space being proposed. The amount of development proposed will put many people's lives in danger if approved, including minel I want specifics on the questions below when whoever replies to my objection. 1. In 1953 when the golf course was built was it zoned to eventually be turned into living space that included the current amount of apartments and condominiums along Friars? If so, how many people was it zoned for? 2. Has there been a study and what are the results of any study of the vehicle traffic previous to the Corona-19 virus along Friars Road in front of the Riverwalk golf course? What is the estimated amount of additional traffic accidents and deaths this will cause with proposed amount of new dwelling units? 3. Has there been any study on the additional noise pollution the proposed amount of new living space will cause? Brian Phelps Cell: 858-752-2930 Sent from my iPhone

JJJ-1





It is a fantasy to think that people will only be riding public transportation and not using cars just because they live near a mass transit center. Our neighborhood is already dense, and traffic, air pollution and parking along Friars Road have been an increasing problem for decades. Entering LLL-7 and exiting condominium driveways along Friars Road gets dangerous because of the speed and amount of traffic that already exists. People have been killed at or near the 2 major intersections of Friars Rd/Fashion Valley Rd and Friars Rd/Via Las Cumbres.

> I will give an example of current parking issues that we've dealt with for decades on Friars Road (on the same stretch of land the Riverwalk development wants to take place). Parking is only allowed on one side of the street. Our 324-unit condominium complex has one parking space per bedroom, (Other condominium and apartment complexes on Friars Road have a similar scenario.) This is not sufficient for the need. The overflow has completely exhausted all available street parking on Friars Road, as well as on the Via Las Cumbres cross street around the corner. Our complex used to have a 38-space parking lot for visitors, but because of the street parking shortage, our Board took away 34 of the visitor parking spots so that the overflow of residents would have a place to park. That only leaves 4 visitor parking spaces for 324 units. And we still don't have enough parking for our residents.

If the Riverwalk development cannot be halted, Riverwalk would need a minimum of 2 parking spaces per bedroom in the dwelling units (this includes studio units).

3. Traffic

LLL-8 —

LLL-9 -

LLL-10-

LLL-11-

LLL-12-

LLL-13-

LLL-14-

What measures will be put in place to make sure traffic doesn't get worse than it already is?

Traffic is heavy on Friars Road and is dangerous for people trying to parallel park in tight spots with cars zooming by. The only access into and out of our complex is directly on Friars Road. It is already scary entering and exiting our buildings. Increased traffic will put us in more danger.

Measures would have to be put in place to accommodate any increase in traffic. The only way to keep us safe would be to put stop lights at some of the entry and exit points of our complex. There should also be medians put into the road at crossings to keep the elderly safe when crossing the street. (Most old people can only make it half way across the street before the light changes, and there are a lot of seniors in this area.) Wildlife corridors should also be put in place. (There is too many squished wildlife on Friars Road already because of heavy traffic.)

4. Air Pollution

What measures will be put in place to make sure air quality doesn't get worse?

The existing golf course open space across the street from our complex helps lessen the impact of poor air quality from the I-8 Freeway, as well as poor air quality of the busy Friars Road that our complex resides on. If the Riverwalk project goes through it will adversely affect the health of current long-time residents. Just the construction alone is going to affect air quality, not to mention increased air pollution from an increase in traffic, an increase of stop-and-go traffic, and an increase of cars driving round and round looking for parking where none exists.

I believe the community, as well as all residents of San Diego would be better served if the golf course was left as open parkland, a non-polluting last vestibule of open space for wildlife and for the well-being of our citizens. Let it do its job as a floodplain capturing rain water. The only way to keep us healthy is to not go through with the project in its current form!

Page 2 of 3

- LLL-7 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- Comments noted. The comments do not address the adequacy of the LLL-8 Draft EIR. No further response is required.
- LLL-9 Based on the recommendations of the Transportation Impact Analysis (TIA) (Appendix D to the EIR) and Mobility Assessment (Appendix L to the EIR) prepared for the project, the project will provide transportation improvements per the Transportation Improvement Plan, which is provided as Appendix A to the TIA.
- **LLL-10** As concluded in Section 5.2 of the EIR, the project does not propose nonstandard 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.
- **LLL-11** As outlined in Chapter 3.0 and Section 5.2 of the EIR, the project includes multimodal improvements to existing roadways in the study area.
- **LLL-12** Wildlife corridors are addressed in Section 5.4 of the EIR. As stated in the EIR, the project would not substantially interfere with wildlife movement or impede the use of wildlife nursery sites, and impacts would be less than significant.

The central portion of the project site contains the MHPA along the San Diego River and provides for a regional wildlife corridor on-site. Animals are relatively free to move through and along the existing river channel. The project includes a new spanned crossing for Fashion Valley Road, which would improve wildlife movement in the river corridor. The Riverwalk River Park would also facilitate wildlife movement through the creation and enhancement of native habitats along the San Diego River and the existing wetlands. The project would sustain wildlife use through the site by maintaining and expanding wetland habitat area along the existing channel. Additionally, the establishment of the project's proposed 50-foot no use buffer to the wetland habitats would facilitate use of the

	channel by wildlife, particularly at night when the passive and active components of the park would be closed. The planting of native species along the river channel and within the passive and active parks also would provide more cover for animals than is presently provided by the golf course. Thus, the project would result in benefits to wildlife and wildlife corridors that do not exist under current conditions.
LLL-13	See responses M-9 and NN-10. Also, see response Master Response 3 regarding air quality/health risk.
	See Master Response 7 regarding parking.
LLL-14	Comment noted. The comment does not address the adequacy of the Draft EIR. No further response is required.

5. Safety What safety measures will be put in place in regards to health, traffic, emergency response times and increased crime all negatively impacted by density of proposed development? LLL-15 -< Increased traffic will put us more at risk of car accidents. Emergency response times will be lengthened if **LLL-15** See response LLL-10. there is more traffic and more stop lights, putting us more at risk, too. Our condominium buildings have shared hallways and walls. A fire would be disastrous if responders can't arrive promptly. See Master Response 8 regarding public services and facilities. High density developments are dangerous during times of pandemic. Look at New York City. (San Diego citizens don't want San Diego to become another high-density New York City. And our tourists LLL-16 don't come here because they want San Diego to be like New York, either.) Relative to crime, under CEQA (Guidelines Section 15131), economic and The only way I can see to maintain safety for current residents if Riverwalk happens, is provide social effects of a project are not treated as significant effects on the LLL-17 another fire station close by and cut the density of the project drastically. environment. The focus of CEQA is on physical changes in the 6. Density and Infrastructure environment. Who requested this mega-dense Riverwalk project and who benefits from it? Why build more of these monstrosities when there are currently some being built just one mile away from the proposed **LLL-16** See Master Response 10 regarding Covid pandemic. Riverwalk project, and others that where built north on Friars Road nearby that still have vacancies LLL-18 years later? Do you have a report to refer to that lists the vacancy and occupancy rates of the behemoth developments that have been completed within the last 5 years and others that are currently **LLL-17** Comment noted. Chapter 10.0 of the Draft EIR addresses reduced density being erected in Mission Valley? (I would like to see a copy) project alternatives. See also Master Response 8 regarding public services San Diego is already too big for the infrastructure and resource base to support these dense projects in and facilities. the long term. Our neighborhood has insufficient infrastructure and available drinking water to absorb LLL-19 -10,000+ more people in such a small area for just the Riverwalk development, not to mention the impact on wildlife. **LLL-18** The project is consistent with the Mission Valley Community Plan, which I have yet to meet a San Diegan that approves of this Riverwalk project. I do not believe our City identifies the land use designations on the site as Residential (HD) (high LLL-20 - Planner forefathers wanted us to model ourselves after New York City with dense 7-story density), Office and Visitor Commercial, and Potential Park/Open Space. developments such as this, which impact the health, safety and well-being of our citizens. City-wide zoning adopted with the Community Plan supports these uses: 7. Home Values RM-4-10, CC-3-9, OP-1-1, and OC-1-1. The project and the land uses and If home values go down as a direct result of this development, will homeowner's receive compensation? LLL-21 zoning proposed align with the Community Plan. I foresee a drop in home values for our entire complex as well as other complexes across the street from this proposed development. Instead of being a complex next to a busy street with a view of open **LLL-19** Comments noted. Relative to comments addressing water availability, see space to compensate for the noisy, smelly traffic, we will become a box across the street from gigantic LLL-22 boxes on a busy street with more traffic, more noise, more pollution, more crime and more flooding response M-20. and nothing to compensate for the negativities. This section of Mission Valley is at maximum capacity already. As I mentioned earlier, I believe the Section 5.4 of the EIR addresses impacts to biological resources. As area would better serve the community and ALL of San Diego by leaving it as parkland and a last concluded in Section 5.4, direct impacts to biological resources (wildlife) vestibule of open space for wildlife. Let the floodplain green belt do its job of absorbing rainwater to LLL-23 alleviate flooding in the area. It protects our environment, heritage and well-being. would occur as a result of improvements to Fashion Valley Road. Mitigation measures are provided that would reduce impacts to below a Sincerely, Patricia Rupa level of significance. Patricia Pieper **LLL-20** Comments noted. Health and safety is analyzed in EIR Section 5.15, Public Services and Facilities, and 5.16, Health and Safety. See Master Response 8 Page 3 of 3 regarding public services and facilities.

LLL-21	Comment noted. Under CEQA (Guidelines Section 15131) economic and social effects of a project are not treated as significant effects on the environment. The focus of CEQA is on physical changes in the environment.
LLL-22	Comments noted. As disclosed in the Draft EIR, the project would result in less than significant impacts to transportation and flooding. Relative to noise, see response M-22. See Master Response 3 regarding air quality/health risk. Relative to crime, which is considered a social issue under CEQA, CEQA (Guidelines Section 15131) state that economic and social effects of a project are not treated as significant effects on the environment. The focus of CEQA is on physical changes in the environment.
LLL-23	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

From: Pat Pieper patpieper2012@gmail.com

Subject: [EXTERNAL] Re: Mission Valley Riverwalk Project No. 581984 / SCH No. 2018041028

Date: July 5, 2020 at 11:10 PM

To: DSD EAS DSDEAS@sandiego.gov

"This email came from an external source. Be cautious about clicking on any links in this email or opening attachments."

E. Shearer-Nguyen Environmental Analysis Section City of San Diego Development Services Department 1222 First Avenue, MS-501 San Diego, CA 92101

Re: Mission Valley Riverwalk Project No. 581984 / SCH No. 2018041028

Dear Ms. Shearer-Nguyen,

I am a 63-year-old native San Diegan and have lived on Friars Road in a 3-story, 324-unit condominium complex across the street from the golf course for 35 years. As a child growing up, I remember dairy cattle in Mission Valley instead of shopping centers. I want to STRONGLY state that I am fully against the massive Riverwalk development that is proposed for our neighborhood. Besides the fact that it is being built on a FLOODPLAIN in one of our last green belts, the scale of this project (4,300 dwelling units that don't require the developer to provide parking, I million square feet of office, and 150,000 square feet of retail) will completely ruin the character and heritage of the neighborhood. I have many questions and concerns and will try to be as brief as possible.

1. Flooding

Will Friars Road and the surrounding area have worse flooding because of this development, and have any studies been conducted on increased flooding of Friars Road related to the development? Who would be liable for damages caused by increased flooding as a direct result of this development – the developer, or City taxpayers? The existing floodplain open space (golf course) helps alleviate the flooding that occurs every year on Friars Road and in the surrounding area. I have witnessed with my own eyes the excess rain water on Friars Road as it flows over the embankment and down the hill slope on the golf course floodplain, where it is absorbed by the green belt open space. This lessens the flooding on Friars Road and reduces the amount of storm water entering the river, which alleviates flooding in other areas. I have also witnessed not only the yearly flooding, but the devastating floods that occur every decade or so, and they will get worse as more open land is removed.

I was alarmed to see on the developer plans that they plan to grade the ground level higher for the proposed buildings along Friars Road. Won't this make the flood waters flow back onto Friars Road, making flooding worse than it already is? The only way to enter and exit our homes is on Friars Road. We would be stranded if this happened.

2. Parking

What measures will be put in place to make sure current parking issues don't get worse than they already are?

It is a fantasy to think that people will only be riding public transportation and not using cars just because they live near a mass transit center. Our neighborhood is already dense, and traffic, air pollution and parking along Friars Road have been an increasing problem for decades. Entering and exiting condominium driveways along Friars Road gets dangerous because of the speed and amount of traffic that already exists. People have been killed at or

MMM- 1 Comments provided in this letter are identical to comments submitted by Patricia Piper (Letter LLL). See responses LLL-1 through LLL-23.

MMM-1

near the 2 major intersections of Friars Rd/Fashion Valley Rd and Friars Rd/Via Las Cumbres

I will give an example of current parking issues that we've dealt with for decades on Friars Road (on the same stretch of land the Riverwalk development wants to take place). Parking is only allowed on one side of the street. Our 324-unit condominium complex has one parking space per bedroom. (Other condominium and apartment complexes on Friars Road have a similar scenario.) This is not sufficient for the need. The overflow has completely exhausted all available street parking on Friars Road, as well as on the Via Las Cumbres cross street around the corner. Our complex used to have a 38-space parking lot for visitors, but because of the street parking shortage, our Board took away 34 of the visitor parking spots so that the overflow of residents would have a place to park. That only leaves 4 visitor parking spaces for 324 units. And we still don't have enough parking for our residents. If the Riverwalk development cannot be halted, Riverwalk would need a minimum of 2 parking spaces per bedroom in the dwelling units (this includes studio units).

3. Traffic

What measures will be put in place to make sure traffic doesn't get worse than it already is? Traffic is heavy on Friars Road and is dangerous for people trying to parallel park in tight spots with cars zooming by. The only access into and out of our complex is directly on Friars Road. It is already scary entering and exiting our buildings. Increased traffic will put us in more danger.

Measures would have to be put in place to accommodate any increase in traffic. The only way to keep us safe would be to put stop lights at some of the entry and exit points of our complex. There should also be medians put into the road at crossings to keep the elderly safe when crossing the street. (Most old people can only make it half way across the street before the light changes, and there are a lot of seniors in this area.) Wildlife corridors should also be put in place. (There is too many squished wildlife on Friars Road already because of heavy traffic.)

4. Air Pollution

What measures will be put in place to make sure air quality doesn't get worse? The existing golf course open space across the street from our complex helps lessen the impact of poor air quality from the I-8 Freeway, as well as poor air quality of the busy Friars Road that our complex resides on. If the Riverwalk project goes through it will adversely affect the health of current long-time residents. Just the construction alone is going to affect air quality, not to mention increased air pollution from an increase in traffic, an increase of stop-and-go traffic, and an increase of cars driving round and round looking for parking where none exists.

I believe the community, as well as all residents of San Diego would be better served if the golf course was left as open parkland, a non-polluting last vestibule of open space for wildlife and for the well-being of our citizens. Let it do its job as a floodplain capturing rain water. The only way to keep us healthy is to not go through with the project in its current form!

5. Safety

What safety measures will be put in place in regards to health, traffic, emergency response times and increased crime all negatively impacted by density of proposed development?

MMM-1_ (cont.)

Riverwalk Project

Increased traffic will put us more at risk of car accidents. Emergency response times will be lengthened if there is more traffic and more stop lights, putting us more at risk, too. Our condominium buildings have shared hallways and walls. A fire would be disastrous if responders can't arrive promptly.

High density developments are dangerous during times of pandemic. Look at New York City. (San Diego citizens don't want San Diego to become another high-density New York City. And our tourists don't come here because they want San Diego to be like New York, either.)

The only way I can see to maintain safety for current residents if Riverwalk happens, is provide another fire station close by and cut the density of the project drastically.

6. Density and Infrastructure

Who requested this mega-dense Riverwalk project and who benefits from it? Why build more of these monstrosities when there are currently some being built just one mile away from the proposed Riverwalk project, and others that where built north on Friars Road nearby that still have vacancies years later? Do you have a report to refer to that lists the vacancy and occupancy rates of the behemoth developments that have been completed within the last 5 years and others that are currently being erected in Mission Valley? (I would like to see a copy)

San Diego is already too big for the infrastructure and resource base to support these dense projects in the long term. Our neighborhood has insufficient infrastructure and available drinking water to absorb 10,000+ more people in such a small area for just the Riverwalk development, not to mention the impact on wildlife.

I have yet to meet a San Diegan that approves of this Riverwalk project. I do not believe our City Planner forefathers wanted us to model ourselves after New York City with dense 7-story developments such as this, which impact the health, safety and well-being of our citizens.

7. Home Values

If home values go down as a direct result of this development, will homeowner's receive compensation?

MMM-1_(cont.)

MMM-1	I foresee a drop in home values for our entire complex as well as other complexes across the street from this proposed development. Instead of being a complex next to a busy street with a view of open space to compensate for the noisy, smelly traffic, we will become a box across the street from gigantic boxes on a busy street with more traffic, more noise, more pollution, more crime and more flooding and nothing to compensate for the negativities.	
(cont.)	This section of Mission Valley is at maximum capacity already. As I mentioned earlier, I believe the area would better serve the community and ALL of San Diego by leaving it as parkland and a last vestibule of open space for wildlife. Let the floodplain green belt do its job of absorbing rainwater to alleviate flooding in the area. It protects our environment, heritage and well-being.	
	Sincerely,	
	Patricia Pieper	

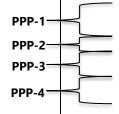
_	LETTERS OF COMMENTS	AND IX	ESPONSES
	June 29, 2020		
	E. Shearer-Nguyen, Environmental Analysis Section City of San Diego Development Services Department 1222 First Avenue, MS-501 San Diego, CA 92101		
	Re: Project: Riverwalk. Project No. 581984 / SCH No. 2018041028 in Mission Valley		
	Dear E. Shearer-Nguyen,	NNN-1	The comments do not address the adequacy of the Draft EIR. No
	I have never written the City of San Diego Development Services Department before, but when I found out about this development I had to speak up.		further response is required.
NNN-1 ─	I think the City is doing a disservice to the people of San Diego if they allow this development to go through. I've lived in San Diego for 74 years. I remember when Mission Valley was agricultural and there were dairy farms in the valley. Developing this parcel of land removes the last of our heritage. Just because it is open space doesn't mean the City needs to develop it. It is open	NNN-2	Comments noted. The project is consistent with the Mission Valley Community Plan, which identifies a portion of the project site as a Potential Park/Open Space. The project is also consistent with the existing zoning, which shows the Community Plan designated Potential Park/Open Space area as zoned OP-1-1 and OC-1-1. See also response Y-10.
NNN-2 ─	space for a reason. It is a floodplain. It worked well as a golf course, because that open space minimized the flooding the valley experiences every year. I've witnessed 74 years of flooding. Developing it is not going to stop the flooding, it will probably make it worse. It would serve the community well if the City made it into a park. Mission Valley already has plenty of shopping and commercial areas and housing. The huge developments erected just down the road years ago still have huge banners draped		Flooding is addressed in Section 5.12 of the EIR. As concluded in that section, the project would result in less than significant impacts associated with flooding. See also Master Response 9 regarding flooding.
NNN-3	across them saying "Now Leasing" — if they're still vacant why build more? There's abandoned store fronts in the Mission Valley shopping center. Isn't that a message we don't need more?	NNN-3	Comments noted. A portion of the project site is designated for Potential Park/Open Space in the Mission Valley Community Plan. Per the Community Plan, the project would be required to provide
NNN-4	How would going through with this development in its current form benefit San Diegans? Wouldn't it be causing more harm than good?		approximately 22 acres of population-based parkland. The project would provide approximately 55 acres of population-based parks,
NNN-5	Have any studies been done on how it will negatively (or positively) impact the area it is being built in? I travel through that area and traffic is already heavy.		resulting in an excess of approximately 33 acres of park space provided beyond what is required by City standards.
NNN-6	Have any studies been done on whether the citizens of San Diego even want this development to occur, or if parkland would be more beneficial to the environment and more useful for San Diegans? Sincerely,	NNN-4	Comments noted. The EIR has been prepared in accordance with the appropriate criteria, standards, and procedures of CEQA (California Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14
	Robert Piper		Section 15000 et seq.). As described in the environmental document, the Draft EIR has analyzed the potential environmental effects of the project and identification of mitigation measures, where feasible.
	Robert Pieper		Ultimately, pursuant to CEQA Guidelines Sections 15091 and 15093,

	Findings and a Statement of Overriding Considerations, has been prepared for the consideration of the decision-maker and left to its discretion to determine whether to approve or deny the project or any of the alternatives, or combination thereof.
NNN	Various technical studies have been prepared and are the basis for the analysis in the Draft EIR. (For a list of all technical studies and references, see the EIR Table of Contents and Chapter 12.0.)
NNN	N-6 Comment noted. See responses NNN-3 and NNN-5.

From: (null) Subject:

Date: July 3, 2020 at 6:57 AM

To:



I am a homeowner at 6406 Friars Rd #234

San Diego, CA 92108. I would like to raise some concerns about the proposed-development on Friars Road, River walk. The air quality, traffic, parking,= Are going to negatively impact our environment, and way of life in a negat-ive manner. 7 stories are entirely too high! Any possible view will be eliminated. There may be a middle ground but the development in its present state is just too much! Please give this more consideration and input from neighbors.

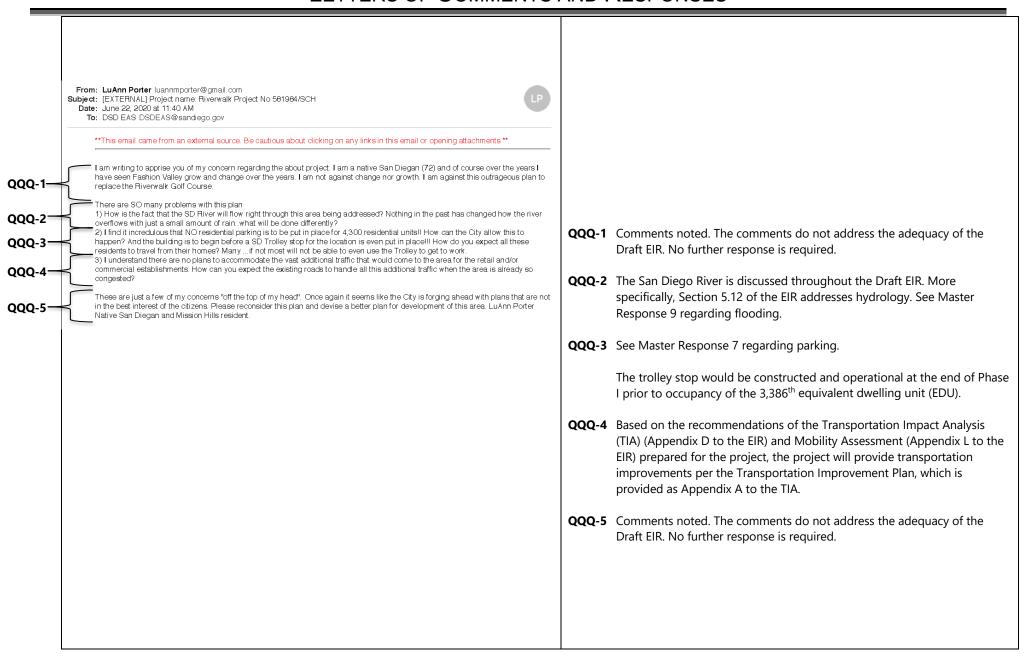
Jamie Plemons 6406 Friars Rd #234 San Diego, CA 92108 805-415-0877

- **PPP-1** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- **PPP-2** See Master Response 3 regarding air quality/health risk.

See Master Response 6 regarding transportation/circulation/transit.

See Master Response 7 regarding parking.

- **PPP-3** See responses N-36 and N-37 and Master Response 5 regarding visual quality/views.
- **PPP-4** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.



RRR-2 —	Project Name: Riverwalk Project No. 581984 / SCH No. 2018041028 To whom it may concern: We are homeowners in a nice and peaceful community on the Gaines Street area off of Friars Rd. called Park Place Estates. Our condo faces the golf course which is supposed to undergo significant changes. We are writing because we are extremely concerned about the upcoming plans and oppose the drastic changes that are being presented. We just received a potential visual of what it would look like for our community and this drastic change will affect our current way of life, seemingly not for the better. Our community is one in which you can hear the birds chirping; see people leisurely walking, and dogs playing happily. We do not have heavy traffic, congestion or noise pollution. The plan that has been presented is sure to bring about noise pollution and bad air quality due to the heavy construction that will ensue. This will disrupt our way of life in a major and dramatic fashion. Parking is also a major point of concern. With that much development, parking is sure to become an issue in our little nestled community. About a mile to the east from where we live, we already have Fashion Valley mall, along with many other shops and a plethora of restaurants. There are off ramps there to get on or off Hwy 163. The area is always very busy with substantial traffic. What is currently being proposed will expand that mayhem into our peaceful community. This is very concerning to us and hope you will reconsider.		Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required. Relative to noise impacts, see response M-22. As presented in Section 5.5 of the EIR, the project would not result in significant construction-related air quality impacts. See Master Response 3 regarding air quality/health risk
	Sincerely, Alison and Alvaro Quesada Park Place Estates Community	RRR-3	See Master Response 7 regarding parking. Comments noted. The comments do not address the adequacy of the draft EIR. No further response is required.

Riverwalk

SSS-2

SSS-3-

SSS-4-

SSS-5-

SSS-6-

SSS-7

Project No.581984 / SCH No.2018041028

SSS-1 Toppose the Riverwalk Project in Mission Valley.

First and foremost, it will, the DEIR states, significantly increase air pollution in the Valley. The destruction of considerable green space in Mission Valley by this development will continue an unfortunate trend of eliminating open green spaces for the sake of questionable development, contributing to a hotter climate, loss of biodiversity, air pollution, and a degradation of the quality of life for the Valley's residents. Air pollution's deleterious effects on health are well known. Compromising the health of the Valley's residents for the sake of an unpopular and unneeded (see all the "Leasing Now" signs at virtually every apartment complex along Friars Road) development is irresponsible. Valley residents have a right to live in a healthy environment.

The traffic analysis is unconvincing. It is based on numerous assumptions, some stated, some not, which feed into its conclusion that traffic impacts will be minimal. The assumption that a trolley stop will significantly reduce traffic is dubious. Public rapid transit in San Diego is not robust. The public transportation network needed to move people from one location to another efficiently, reliably, and quickly is not well developed. People will not use public transportation if it is unreliable and slower and less convenient than driving. Plus, public transportation in San Diego is not inexpensive, further reducing the likelihood of its mass use. Given the current low ridership of public transportation in San Diego, there is no reason to assume ridership will increase because of an additional trolley stop or that it will significantly reduce traffic.

The parking requirements for the development are nebulous at best. No where could I find any projection of the number of parking spaces created, only mention of how the developer will attempt to mitigate the unsightliness of its parking structures and a series of legal requirements with no estimate how many parking spaces they translate into. At an informational meeting about 18 months ago, the developer said about 9,000 parking spaces would be provided, apparently to ease worries about potential parking congestion in areas adjacent to the development. I couldn't find this projected number in the DEIR. However, it seems if the number 9,000 (or thereabouts) is still being considered, that is a lot of cars the developer anticipates using the development. If so, it seems the developer's contention that the trolley will mitigate traffic is not really serious. In other words, the traffic/parking situation seems quite unsettled and drawing conclusions about pollution and traffic impacts are premature and unjustified.

The report's conclusions about noise pollution are rather dismissive of the health impact of noise pollution. It notes that in a number of areas surrounding the development noise levels already exceed the 65 db standard for residential areas. And then, remarkably, it states that because the increase in noise is less than a "significant" increase, further exceeding the already high noise levels is not important. What is significant and not significant with respect to noise is also a subjective measure. Maybe the people who will have to live with increased noise should be consulted. This issue must be taken more seriously, especially how noise impacts the health and well-being of those who must endure it. Further, because we don't really have a reliable estimate of the traffic increase, the noise levels projected by the report are questionable.

Developers and those who will benefit financially from their projects like to scream NIMBYism whenever opposition to one of their schemes materializes. This is convenient for it makes their opponents seem selfish and opposed to the common good. However, developers and those backing them rarely live in

- **SSS-1** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- **SSS-2** Air quality impacts are evaluated in Section 5.5 of the Draft EIR. As concluded in Section 5.5, the project would not result in significant direct air quality impacts from construction. The project would result in cumulatively significant operational air quality impacts associated with the project. These impacts are unavoidable and cannot be mitigated to below a level of significance. Section 5.5 also addresses health risks and concludes that health risks associated with the project would be less than significant. See also Master Response 3 regarding air quality/health risk.

Relative to the loss of open space, the project is consistent with the Mission Valley Community Plan and, per the Community Plan, includes development of the Riverwalk River Park and other areas of parks and open space. The project would provide 97 acres of publicly accessible parks and open space, including approximately 55 acres of publicly-accessible park space and enhancement of the San Diego River.

Greenhouse gas emissions are discussed in Section 5.9 of the Draft EIR and concluded the project would result in a less than significant impact.

Biological resources are discussed and analyzed in Section 5.4 of the EIR, which concluded that direct impacts to biological resources would occur as a result of improvements to Fashion Valley Road. Mitigation measures are provided that would reduce impacts to below a level of significance. Overall, the project would not result in the loss of biodiversity.

As it pertains to quality of life, under CEQA (Guidelines Section 15131) economic and social effects of a project are not treated as significant effects on the environment. The focus of CEQA is on physical changes in the environment.

SSS-3 Comment noted. See also Master Response 6 regarding transportation/circulation/transit.

	SSS-4 SSS-5	See Master Response 7 regarding parking. See Master Response 6, regarding Vehicles Miles Traveled (VMT) Analysis, which summarizes why the project would not result in a significant transportation VMT impact, Master Response 7 regarding parking, and Master Response 3 regarding air quality/health risk.
9	SSS-6	See responses M-10, M-11, and M-22.
S	SSS-7	Comments noted. The comment does not address the adequacy of the Draft EIR. No further response is required.

the area where their project is situated. Opposition to this project is not motivated by "not in my backyard" but by the destruction of the backyard. This development will destroy the present living SSS-7 environment in the western part of Mission Valley. Friars Road will become a major thoroughfare (cont.) which will cut the valley in two. Traffic along Friars Road will increase substantially, destroying its use as a reasonably pleasant path to walk for exercise. Crossing Friars Road will become more dangerous, especially for older residents and children. The increased noise and air pollution generated by traffic will SSS-8induce people to close windows and doors in the summer months and rely instead on air conditioning to cool their homes, further increasing air and noise pollution and climate warming. Noise and congestion will destroy the Valley's low key and leisurely life style. Few things more reliably fracture a neighborhood than a wide, multilane road with heavy, fast moving traffic, which is exactly what the western portion of Friars Road will become if this misguided development is allowed to proceed. Traffic SSS-9 calming measures, on the other hand, with the increased traffic load this development generates will result in traffic jams. Neither scenario is desirable. Tastly, as the current COVID-19 pandemic has all too starkly illustrated, dense urban population clusters are more susceptible to the spread of disease. Cramming more people and activities into a confined area SSS-10= like a valley is a health hazard and is not good policy. The developer and landowner seem hell bent on creating this development, no matter its costs to the community. Development of this magnitude should not occur without the approval of the community SSS-11affected. Evaluating it only from the perspective of a general plan ignores the interests of the residents of the community. The justification to put this project in Mission Valley is flimsy at best. It seems to rely on the somewhat circular reasoning that Mission Valley is the only site appropriate for a project of this scope, without addressing why a project of this scope is needed at all. The DEIR only cursorily mentions SSS-12 = a few other possible sites for a development like this and with little examination rejects them. Why is a development of this sort pushed in a confined residential area already dense with apartments when areas completely unoccupied or areas of predominantly single family homes aren't considered? Where is the fairness in spreading development throughout San Diego? One wonders who or what is motivating SSS-13this development. For over 3 decades the landowner has been trying to turn this land into a moneymaking commercial/residential development. Is the choice of this place for this project a product of need or an effort by a private landowner to increase the value of his land? The City Council needs to re-examine the assumptions behind a general plan which supports this kind of development in Mission Valley, and why such a plan was approved for Mission Valley in the first place. At whose urging? Does the Council want this distinctive part of Mission Valley to replicate the visually numbing concrete, steel, and glass landscape to the east? SSS-14 Opposition to this project is opposition to the destruction of our neighborhood. This project does not enhance the quality of life in our neighborhood, it does not fulfill needs, it does not preserve the environment – it destroys our neighborhood and we object. I urge you, do not approve this project. Thank you.

SSS-8 The project would include improvements to Friars Road as described in Chapter 3.0 and Section 5.2 of the EIR. See also Master Response 6 regarding transportation/circulation/transit.

The planned classification of Friars Road west of Fashion Valley Road is a 4-Lane Major Arterial per the Mission Valley Community Plan (2019). The project proposes vehicular and multimodal improvements to Friars Road as outlined in Chapter 3.0, Project Description, and Section 5.2, Transportation and Circulation, of the EIR, and these improvements would be consistent with its planned classification As concluded in Section 5.1 of the EIR, the project would not physically divide an established neighborhood.

- Relative to comments regarding noise impacts, see response M-22.

 Relative to air quality and climate change, see response SSS-2. As presented in Section 5.2 of the Draft EIR, the project would result in less than significant impacts regarding transportation and circulation. See also Master Response 6 regarding transportation/circulation/transit.
- **SSS-10** See Master Response 10 regarding Covid pandemic.
- **SSS-11** Comments noted. As presented in Section 5.1 of the Draft EIR, land use impacts were evaluated based on applicable documents, including the City's General Plan, the Mission Valley Community Plan, the MHPA, the San Diego River Park Master Plan, and the City's Land Development Code. The intensity of development proposed for the Specific Plan is well within the approved density in the Mission Valley Community Plan and is consistent with the underlying zone. See Master Response 1 regarding development intensity/density.
- SSS-12 A discussion of "Alternative Locations" is presented in 10.4.1 of the Draft EIR. In accordance with CEQA Guidelines Section 15126.6(f)(2), 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. CEQA Guidelines Section 15126.6(f)(2) requires that, when identifying possible alternative locations, the EIR should focus on sites

Sincerely,

Allen Riedy

6024 Gaines St. San Diego, CA 92110

	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." Thus, the Draft EIR considers other potential locations for the project in other portions of the City that remain undeveloped and of appropriate size to develop the project and concludes that those 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, would result in similar or greater environmental effects, and/or are not under the applicant's ownership. For those reasons, no alternative site location was analyzed in detail within the Draft EIR.
SSS-13	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
SSS-14	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

	Margie Roehm 6035 Cirrus Street San Diego, California 92110 margieroehm@gmail.com		
	Project Name: Riverwalk Project number: 581984/SCH No. 2018041028 Community Plan Area: Mission Valley Council District: 7		
гтт-1 —	To All Associated With Riverwalk Project, I am a resident at Park Place Estates located on Friars Road close to the Riverwalk Project. I have read the Environmental Impact Report and have followed the planning discussions concerning this project for several years. My concerns are focused on two areas. Traffic congestion in West Mission Valley both during the build out and for years to come. Also the lack of parking accommodations for the residents/visitor vehicles on the Riverwalk site during and after completion of the Riverwalk Project.	тт-1	Comments noted. As presented in Section 5.2 of the Draft EIR, the project would result in less than significant impacts regarding transportation and circulation. See also Master Response 6 regarding transportation/circulation/transit. See Master Response 7 regarding parking.
гтт-2 —	Riverwalk Density Impact on Traffic In reading the Environmental Impact Report, I understand that that by 2025, the first phase of the Riverwalk Project will be complete. Section 5.2.3.3 of the impact report discusses Trip Generation. It states: "Phase 1 of the project is calculated to generate 14,932 net new cumulative average daily trips (ADT). Phase 1 of the project is calculated to generate 17,248 driveway ADT. Phase II of the project is calculated to generate 28,305 net new cumulative ADT. Phase II of the project is calculated to generate 20,896 driveway ADT. Projected build out (phase I,II,III) is calculated to generate 37,222 net new cumulative ADT. Project buildout is calculated to generate 41,186 driveway ADT.	TTT-2	Comments noted. The comments do not address the adequacy of the draft EIR. No further response is required.
ГТТ-3 —	1.) What evidence has been provided to prove or even show how many residents/employees at Riverwalk will convert to mass transit, bikes, or walking for their daily mode of transportation? 2.) What percentage of residents will use mass transit and still drive their cars for other trips? 3.) What percentage of Riverwalk residents/employees would have to use mass transit, walking, or bikes daily to reduce the ADT level on the surrounding streets similar to today's level of traffic?	ттт-з	See Master Response 6 regarding the expected use of transit.
ГТТ-4 —	Another concern is the planned buildout of the trolley station. It will not be built until Phase II. If it's at the mid to end of the Phase II buildout, the expected new cumulative ADT will be well on its way to 28,305. Would it not be wiser to build the Trolley station in Phase I and help minimize the escalation of congestion on Friars and surrounding streets?	TTT-4	The transit station would be constructed and operational at the end of Phase I prior to occupancy of the 3,386 th equivalent dwelling unit (EDU).
TTT-5 —	Do we really want to choke our roads similar to our Los Angeles neighbors??	TTT-5	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

	The Alternative Plan #2 of "Reduced Development Intensity/Operational Air Quality Impact Avoidance" listed under the 10.5.2 of the Environmental Plan is much preferred.		
ттт-6 →	It lists residential density would be 2,275 units, 106,000 square feet of Commercial Retail and 700,000 square feet of commercial and office and non-commercial retail space. The park area would be approximately 97 acres. Total ADT for this alternative would be 29,800. This alternative plan offers the needed housing. There is enough housing, retail, commercial for the developer to recoup their costs and maintains the park along the River. It limits wisely the impact on the West Mission Valley area and implements the Trans Modality Village concept. We have one chance to do this right for future generations. Let's build a model village that we can all be proud of.	TTT-6	Comments noted. The comment identifies support of Alternative 2. No further response is required.
	Riverwalk Phase I and Alvarado 2nd Pipeline Construction		
TTT-7 -	Friars Road traffic congestion will become a large issue due to the strain of building the Riverwalk Project Phase 1 combined with the construction of the Alvarado 2nd Pipeline Extension Project that will be occurring from mid-2021 to mid-2024. As you know, the city will be tearing up Friars to replace a 16" Water Main and add a 48" Alvarado 2nd CML&C Water Main right in front of the Riverwalk construction site. This will compound frustrations for residents of West Mission Valley. Although this is a temporary situation, it all adds in to "Traffic Congestion".	ттт-7	See Master Response 11 regarding the Alvarado 2 nd Pipeline Extension project.
	Parking		
TTT-8 -	I agree with the trend to minimize cars longterm. How quickly this happens, realistically speaking, is going to take several years. Unbundling parking spots from units, not building enough parking for even one car per residential unit and charging for parking in the retail areas will only force the Riverwalk residents /visitors to park in surrounding neighborhoods. This will definitely put a negative strain on the adjacent neighborhoods. The developer needs to provide adequate parking on the Riverwalk site to accommodate the cars of their residents and visitors. Please do not ignore this subject.	ТТТ-8	See Master Response 7 regarding parking.
TTT-9 →	These are my questions and concerns. Please feel free to email me.	TTT-9	Comment noted. The comment does not address the adequacy of the Draft EIR. No further response is required.
	Thank you for your time,		Draft Life. No further response is required.
	Margie Roehm		

June 27, 2020

Margie Roehm 6035 Cirrus Street San Diego, California 92110 margieroehm@gmail.com

Project Name: Riverwalk Project number: 581984/SCH No. 2018041028

Community Plan Area: Mission Valley

Council District: 7

To All Associated With Riverwalk Project,

I am a resident at Park Place Estates located on Friars Road close to the Riverwalk Project. I have read the Environmental Impact Report and have followed the planning discussions concerning this project for several years.

My concerns are focused on two areas. Traffic congestion in West Mission Valley both during the build out and for years to come. Also the lack of parking accommodations for the residents/visitor vehicles on the Riverwalk site during and after completion of the Riverwalk Project.

Riverwalk Density Impact on Traffic

In reading the Environmental Impact Report, I understand that that by 2025, the first phase of the Riverwalk Project will be complete. Section 5.2.3.3 of the impact report discusses Trip Generation.

It states: "Phase 1 of the project is calculated to generate 14,932 net new cumulative average daily trips (ADT). Phase 1 of the project is calculated to generate 17,248 driveway ADT.

Phase II of the project is calculated to generate 28,305 net new cumulative ADT. Phase II of the project is calculated to generate 30,896 driveway ADT.

Projected build out (phase I,II,III) is calculated to generate 37,222 net new cumulative ADT. Project buildout is calculated to generate 41,186 driveway ADT.

- 1.) What evidence has been provided to prove or even show how many residents/employees at Riverwalk will convert to mass transit, bikes, or walking for their daily mode of transportation?
- 2.) What percentage of residents will use mass transit and still drive their cars for other trips?
- 3.) What percentage of Riverwalk residents/employees would have to use mass transit, walking, or bikes daily to reduce the ADT level on the surrounding streets similar to today's level of traffic?

Another concern is the planned buildout of the trolley station. It will not be built until Phase II. If it's at the mid to end of the Phase II buildout, the expected new cumulative ADT will be well on its way to **28,305.** Would it not be wiser to build the Trolley station in Phase I and help minimize the escalation of congestion on Friars and surrounding streets?

Do we really want to choke our roads similar to our Los Angeles neighbors??

UUU-1 Comments provided in this letter are identical to comments submitted by Margie Roehm (Letter TTT). See responses TTT-1 through TTT-10.

UUU-1-

The Alternative Plan #2 of "Reduced Development Intensity/Operational Air Quality Impact Avoidance" listed under the 10.5.2 of the Environmental Plan is much preferred.

It lists residential density would be 2,275 units, 106,000 square feet of Commercial Retail and 700,000 square feet of commercial and office and non-commercial retail space. The park area would be approximately 97 acres. Total ADT for this alternative would be 29,800. This alternative plan offers the needed housing. There is enough housing, retail, commercial for the developer to recoup their costs and maintains the park along the River. It limits wisely the impact on the West Mission Valley area and implements the Trans Modality Village concept. We have one chance to do this right for future generations. Let's build a model village that we can all be proud of.

Riverwalk Phase I and Alvarado 2nd Pipeline Construction

UUU-1 (cont.)

Friars Road traffic congestion will become a large issue due to the strain of building the Riverwalk Project Phase 1 combined with the construction of the Alvarado 2nd Pipeline Extension Project that will be occurring from mid-2021 to mid-2024. As you know, the city will be tearing up Friars to replace a 16" Water Main and add a 48" Alvarado 2nd CML&C Water Main right in front of the Riverwalk construction site. This will compound frustrations for residents of West Mission Valley. Although this is a temporary situation, it all adds in to "Traffic Congestion".

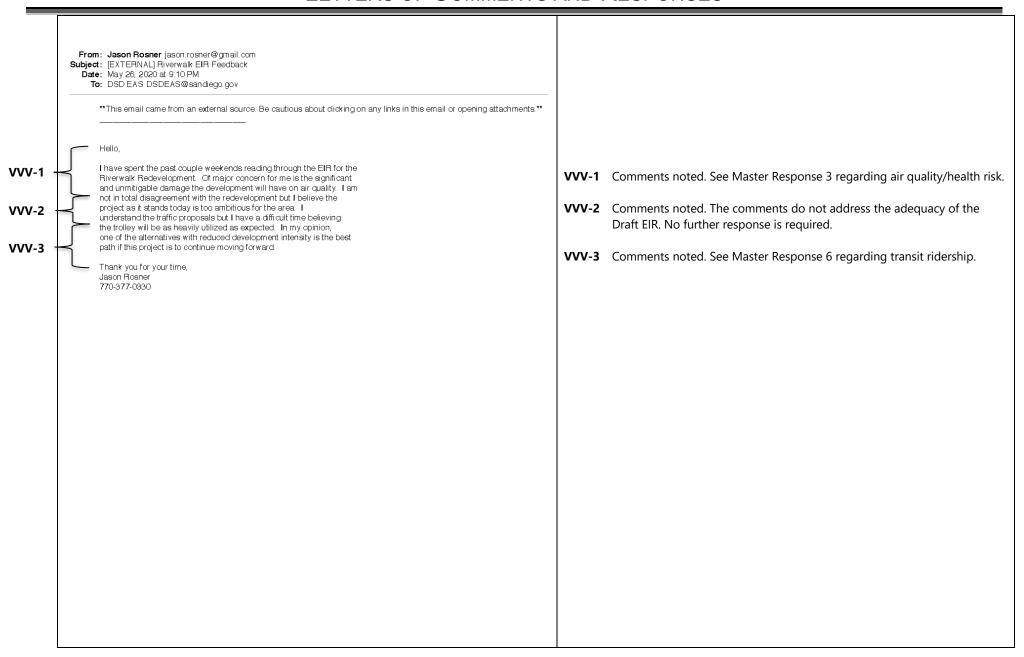
Parking

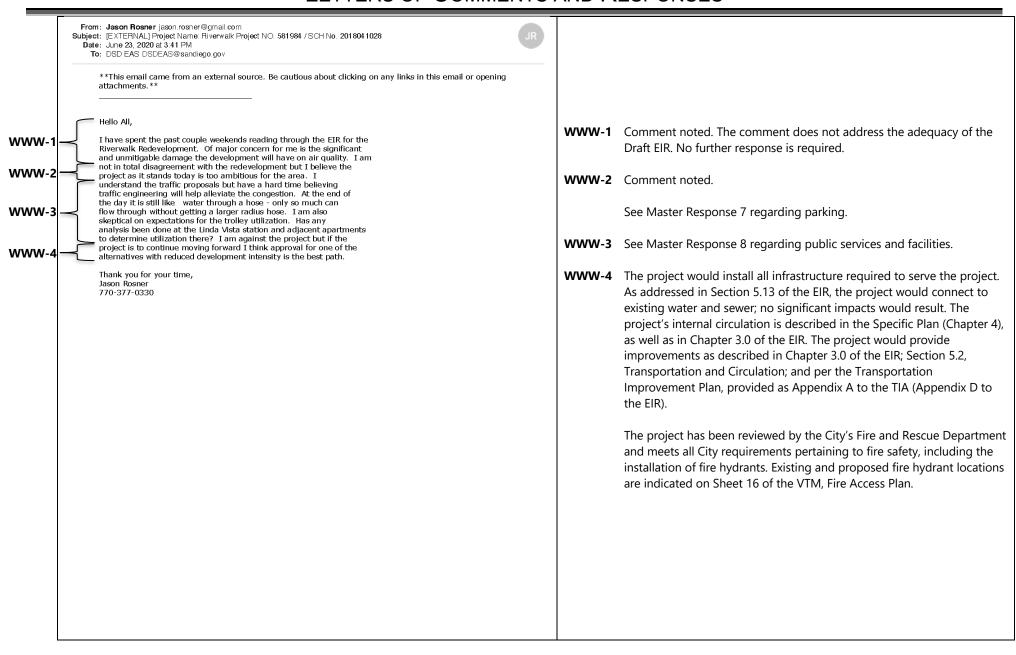
I agree with the trend to minimize cars longterm. How quickly this happens, realistically speaking, is going to take several years. Unbundling parking spots from units, not building enough parking for even one car per residential unit and charging for parking in the retail areas will only force the Riverwalk residents /visitors to park in surrounding neighborhoods. This will definitely put a negative strain on the adjacent neighborhoods. The developer needs to provide adequate parking on the Riverwalk site to accommodate the cars of their residents and visitors. Please do not ignore this subject.

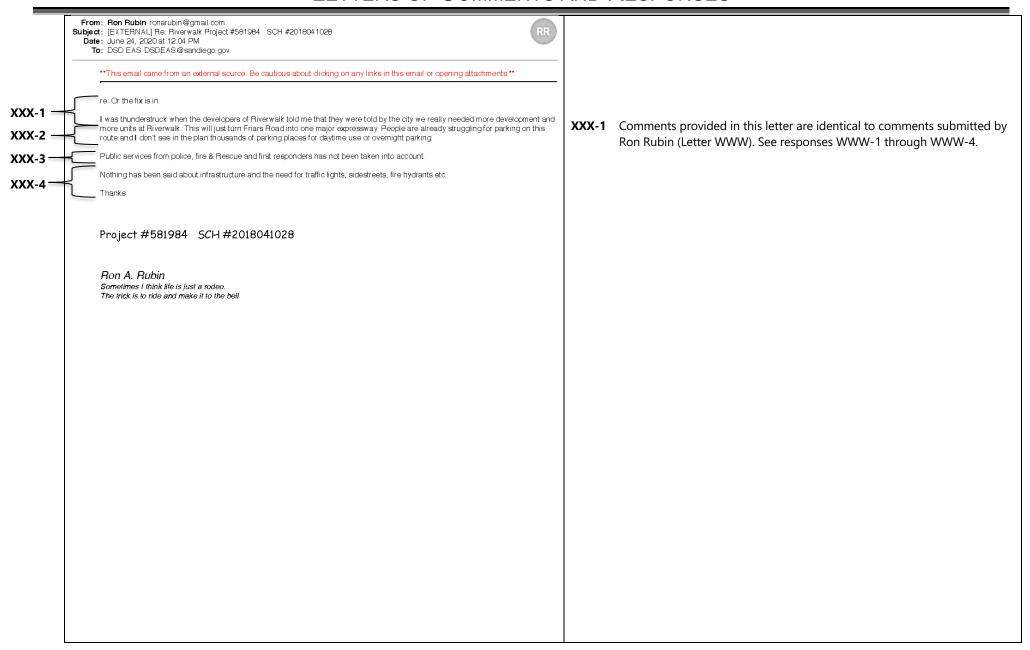
These are my questions and concerns. Please feel free to email me.

Thank you for your time,

Margie Roehm







E.Shearer-Nguyen Environmental planner City of San Diego development services Center 1222 1st Ave. MS 501, San Diego, CA 92101 RECEIVED

JUL 0 2 2020

Re: Riverwalk. Project No. 581984/SCH No. 2018041028

Development Services

re: Or the fix is in.

I was thunderstruck when the developers of Riverwalk told me that they were told by the city we really needed more development and more units at Riverwalk. This will just turn Friars Road into one major expressway. People are already struggling for parking on this route and I don't see in the plan thousands of parking places for daytime use or overnight parking.

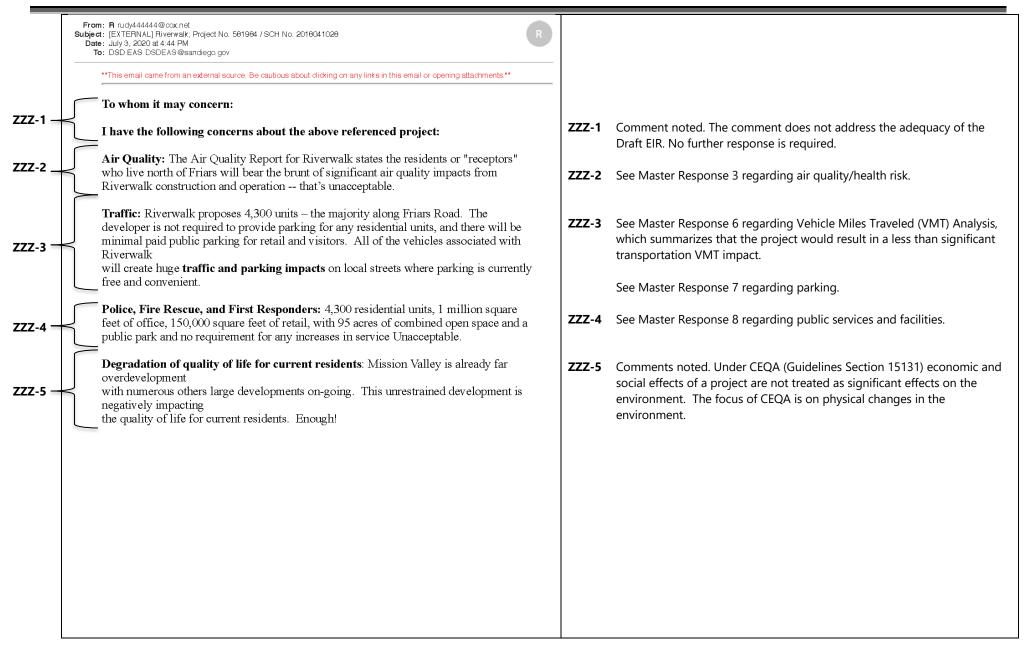
Public services from police, fire & Rescue and first responders has not been taken into account

Nothing has been said about infrastructure and the need for traffic lights, side-streets, fire hydrants etc.

Thanks

Project #581984 SCH #2018041028

R Rubin Mission Valley **YYY-1** Comments provided in this letter are identical to comments submitted by Ron Rubin (Letter WWW). See responses WWW-1 through WWW-4.



From: Raul Salazar <rqsalazar@gmail.com>

Sent: Monday, July 6, 2020 9:43 PM

To: WILLIE GOODNESS <w_goodness@hotmail.com>

Cc: DSD EAS < DSDEAS@sandiego.gov>

Subject: [EXTERNAL] Re: Public Comments for Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District 7

*This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.**

AAAA-1 -

Hi Willie! Yes I received your request. Today was my first day back to work. It's been a long day. Thank you for the follow up!

On Jul 6, 2020, at 2:11 PM, WILLIE GOODNESS <w_goodness@hotmail.com> wrote

Hello Ms Shearer-Nguyen;

Attached are my comments to the Riverwalk Draft Environmental Impact Report. Hopefully my comments and those of other concerned citizens will make a positive change on how very large projects, like the Riverwalk development, will be assessed for their cumulative impact and density in Mission Valley and on its surrounding neighborhoods.

Sincerely, Wilma Goodness Mission Valley Resident



Virus-free. www.avast.com

<WYSG COMMENTS to RWD D-EIR_07-04-2020.pdf>

AAAA-1 Comment noted. This email is in response to a letter received by the City from Wilma Goodness. See responses PP-1 through PP-10.

	Dear Sir:		
BBBB-1	I am writing as one of the owners and resident in the Park Place Estates community of 144 Townhouse units located at the northwest corner of Friars road and Via Las Cumbres. Although not gated or private, our community has been able to sustain a degree of seclusion from traffic, crime and trespassers by virtue of our location and surrounding landscape. We have an excellent HOA Association, Board and Management Company that along with our residents takes a tremendous amount of pride in our small community. I am writing to express my deep concern that our hard work over the past years may all be in jeopardy given what we know, or don't know, regarding the proposed Riverwalk Project.	BBBB-1	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
	I have attended several of the past Riverwalk Project presentations hosted by the city and/or the developer. I have watched plans become increasingly vague. Specifically, the anticipated traffic increase, the parking spaces available to Riverwalk residents and visitors, the additional police, fire rescue and first responders on-site facilities. I look forward to having additional restaurants and convenience stores within walking distance of my community, but I am not comfortable with the lack of parking accommodations, security, and safety Riverwalk is addressing. I anticipate that these issues will eventually overflow to my Park Place Estates community as well as other developments surrounding Riverwalk, but especially those to the north, east and west of Riverwalk directly adjacent to Friars road.	BBBB-2	See Master Response 6 regarding the expected trip generation and VMT analysis.
BBBB-2→	Although I am saddened to see our Riverwalk Golf Course disappear I am not opposed to commercial and residential development.		See Master Response 7 regarding parking.
	It's inevitable, but we must do so responsibly and learn from our mistakes. Over the years I've watched developers and city planners consistently under estimate the anticipated traffic of a produced development and its impact to the surrounding area. With the city's endorsement that developers do not need to build parking facilities adjacent to our light rail, the surrounding communities will bear the traffic and weight. How inconsiderate of both the city and the developers!		See Master Response 8 regarding public services and facilities.
	There must be a better way for all of us to work together to accept responsibility and accountability for our actions.		
BBBB-3→	Respectfully,	BBBB-3	Comment noted. The comment does not address the adequacy of the
	Michael Shakowski 6024 Cirrus St.		Draft EIR. No further response is required.
	San Diego, CA 92110		

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028

Community Plan Area: Mission Valley - Council District: 7

July 2, 2020 (Via email to: DSDEAS@sandiego.gov)

E. Shearer-Nguyen, Environmental Planner City of San Diego Development Services Department 1222 First Avenue, MS-501 San Diego, CA 92101

Re: Comments on Riverwalk Draft Environmental Impact Report

Dear Ms. Shearer-Nguyen:

CCCC-1

CCCC-2 -

I have put much time, thought and effort into this thirty-nine (39) page comments document. Given that the Riverwalk project's Draft Environmental Impact Report (DEIR) document set which includes the Riverwalk Specific Plan Draft (RSPD) - tallied to 6,745 pages, I could have written many more comments than I did, but I opted instead to exercise restraint.

As a resident of the western end of Mission Valley I have followed closely the progress of the Riverwalk project since the latter part of 2014, and became a member of the Mission Valley Planning Group's (MVPG) Riverwalk Ad Hoc Subcommittee at its inception. I have attended many MVPG-related meetings, more than a few City Council meetings focused on local real estate development, other communities' large-density development-focused meetings and gatherings (such as the Linda Vista Planning Group, which also created its own subcommittee to monitor the progress of the Riverwalk Project), and nearly every planning group and community presentation made by the Developer of the Riverwalk project.

While I believe the Riverwalk Developer has constructed an extensive plan for the Riverwalk project, I also believe that some areas of this plan are either inadequate and/or faulty, as I will discuss throughout this document. Furthermore, while not the fault of the Developer - who as far as I can determine has crafted this project generally within the bounds of what current San Diego and California real estate development rules, regulations, and laws require and allow - the project suffers issues and deficiencies due to counts, levels, and other types of allowances that recent and rapid changes to San Diego's (as well as California's) real estate development laws now permit.

These rules allow projects to be built - especially "in-fill" and high-density "transit oriented design" (TOD) type projects - that I believe are simply too dense, when assessed relative to public health and safety factors, needed infrastructure considerations (especially in light of the lessons we should be learning from the current COVID-19 pandemic), and within the geographic context of where they are to be located. Projects such as these can impose too radical a change on the composition and nature of the existing community in which a project is to be located, and cumulatively, upon proximate communities as well. These projects also benefit from the advantages of plan, program, land use, and zoning changes that too often have been pushed through to approval in spite of significant community opposition to them, or, in some cases with very little interaction with the community(ies) that will be affected by them.

Everyone affected by massive development projects needs to have a direct voice in approving project density and density-related changes to zoning and land use codes. When an agency simply changes an algorithm or a zoning code for the purpose of resulting in a government-desired higher

Comments re: Project Riverwalk Draft Environmental Impact Report

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CCCC-1 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

CCCC-2 Comments noted. See also Master Response regarding COVID and pandemics.

Riverwalk Project

	Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7		
CCCC-2 _ (cont.)	density value for an area is duplicitous, at best. Such a process is analogous to finding that an acceptable parts-per-million level of a toxin in a fresh water supply has been exceeded, and then, instead of reducing the level of that toxin until it attains the acceptable level, simply raising the allowable level — with no new scientific evidence to support so doing — until it exceeds the previous unacceptable level of toxicity. The negative effects of such a process, however, are neither wanted by, nor healthy for, the users of that fresh water supply.		
CCCC-3 -	Changes in land use and zoning codes that result in radical, neighborhood character-changing hikes in density are likewise neither wanted by, nor healthy for, the proximate communities these changes will affect. In the area in which the Riverwalk project is to be built – a narrow valley with limited capacity for ingress and egress, limitations on an assortment of infrastructure, utilities, and resource needs, as well as City budgetary issues related to its ability to address such limitations – a range of two thousand (2,000) to two thousand three hundred (2,300) residential units would be more appropriate for the project than is the four thousand three hundred (4,300) units as this project is proposed. And, according to the Developer, with the newest changes to zoning and land use codes, the property could be allowed to host as many as ten thousand (10,000) units.	сссс-3	The project is consistent with the Mission Valley Community Plan. Per the Community Plan, the land use designations for the site are Residential (HD) (high density), Office and Visitor Commercial, and Potential Park/Open Space. City-wide zoning adopted with the Community Plan supports these uses: RM-4-10, CC-3-9, OP-1-1, and OC-1-1. The project and the land uses and zoning proposed align with the Community Plan. The project includes a Community Plan
	Furthermore, the development area is divided into approximately 50 "lots", some of which (or perhaps most – there does not seem to a limitation set by the Developer within the EIR) the Developer has stated may be sold to other developers for their development purposes. Such sold-off lots can be removed from the constraints of the RSPD and developed at the recently enacted underlying, and much higher, land use and zoning allowances than the proposed limits set by the project's proposed Specific Plan. For this reason, I believe that the (final) Environmental Impact		Amendment to align the Mission Valley Community Plan with the Specific Plan. The project would rezone portions of the project site to align the existing zoning boundaries; however, no new base zones would be introduced.
CCCC-4 =	Report (EIR) for this project should have to be based on, and the cumulative effects on the area of its location should have to be assessed on, not only the "targeted" number of 4,300 units that the Developer says it will build, but rather on the total number of allowable units that could be built		See also Master Response 1 regarding project intensity/density.
	(i.e., as many as 10,000, depending on how many of the development "lots" the Riverwalk Developer chooses to sell) by <u>other developers</u> within the project location boundaries. Such an assessment would yield, within the bounded area of the Riverwalk development, much more significant impacts in many, if not most, of the sixteen issue areas addressed by the DEIR.	CCCC-4	Comments noted. Any development within the premises of project is regulated by the Specific Plan. See Master Response 1 regarding project intensity/density.
CCCC-5 -	The Riverwalk project documentation says it plans to incorporate ten percent (10%), of approximately four hundred thirty (430) of its 4,300 units, as on-site affordable-level housing While this is commendable by the current San Diego standards, what is not stated are the pricing points anticipated for the remaining ninety percent (90%) of the residential units. While it's not the fault of the Riverwalk Developer that a higher percentage of affordable housing is not required by the City to be built, it is likely that the remaining units will be deemed "luxury" units, to be marketed (for rent or sale, the ratio and percentages of which are not stated at this point) to person within the economic strata/class that facilitates the purchase of a "luxury"-level unit and that is no associated to the general profile of a consistent transit-rider.	CCCC-5	Pursuant to CEQA Guidelines §15064(e) and 15131, an EIR need not address economic or social changes unless the change would result in a significant physical environmental impact. Consistent with General Plan Policy LU-H.1, the project is a mixed-use development that is consistent with the intent to provide a balanced community. The project is consistent with the Land Development Code § 142.1301, Inclusionary
CCCC-6 —	Therefore, this TOD project's ability to meet the goal of significantly increasing transit ridership — especially consistent ridership — from the resident-base of this new community would appear to be limited, which significantly devalues at least one of the main reasons San Diego is so heavily pushing high-density TOD projects. Additionally, these same persons who aren't likely to become		Affordable Housing Ordinance, by providing 10 percent of the proposed residential units as affordable.
		CCCC-6	Comments noted. See Master Response 6 regarding transit ridership.
	Comments re: Project Riverwalk Draft Environmental Impact Report Page 2 of 39		

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7 consistent transit riders are able to afford one or more personal vehicles for use by the resident(s) CCCC-6 of their unit. This situation is more likely to impact negatively than positively, the City's attainment of the goals of the Climate Action Plan (CAP), thereby significantly devaluing a (cont.) second of the main reasons for San Diego's push for these overly-dense TOD projects. I am not a NIMBY, but I don't believe we must have unwanted, health-endangering, and Comments noted. The comments do not address the adequacy of the radically dense development in order to bring housing to San Diegans who need it, or to lessen greenhouse gas (GHG) emissions. Gentrification and its associated displacement of current Draft EIR. No further response is required. residents is not a housing solution that should be levied upon existing communities. Building moderate-density projects that are focused on affordability, not luxury, can go a long way to solving both the housing and the GHG issues, as well as increasing the potential number of new, consistent transit riders. I believe that communities would be more receptive to new moderate density projects being built "in their backyards" if it was felt that the projects did more to alleviate the affordable housing needs of San Diego, and if the voices and wishes of the community CCCC-7members to be impacted by these projects were having any real bearing on the development project decisions being made by City officials. However, when it comes to development projects, the reality here in San Diego is made quite apparent by comments like this: (from https://www.voiceofsandiego.org/topics/politics/politicsreport-a-new-day-for-council-land-use-politics/) (My italics) "The [City] Council expressed a clear preference for developers to push for their projects to be more dense, not less, even if that means getting on the wrong side of the community." So while I address herein a number of specific issues I have with the project itself – based on my CCCC-8 Comments noted. The comments do not address the adequacy of the review of the DEIR's document set - some of the issues I note in passing will be outside of the Draft EIR. No further response is required. Riverwalk Developer's control, and thus should not reflect negatively on the Developer. One of the most important of these issues is the need to end the false meme of "San Diego has a housing crisis" - what San Diego actually has is an affordable housing crisis. According to a Feb. 21, 2020 blog posting at a Pacific Southwest Association of Realtors site (at: https://blog.psar.org/200222411): "In San Diego County, 29 percent of local households could afford to purchase the \$655,000 existing, median-priced home in the 2019 fourth quarter, up from 24 percent in the 2018 fourth quarter, but unchanged from the 2019 third quarter." CCCC-8 ...And... "In San Diego County, to qualify to purchase an existing, median-priced, single-family home of \$655,000 in the 2019 fourth quarter, a minimum annual household income of \$128,800 would be needed to make monthly payments of \$3,220." And according to an ABC 10News San Diego article, dated May 9, 2019 (at: https://www.10news.com/news/making-it-in-san-diego/san-diegos-median-rent-more-thanstarting-salaries-for-class-of-2019): Comments re: Project Riverwalk Draft Environmental Impact Report Page 3 of 39

Riverwalk Project

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028

Community Plan Area: Mission Valley - Council District: 7

"In San Diego, the median rent is more than the entire income for new graduates with degrees including biology and business management, at \$26,000 per year, and nearly the entire income for those with degrees in psychology, at roughly \$33,000 per year..."

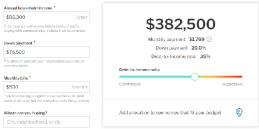
The 2019 Annual Median Income (AMI) for "all families" (i.e., family size from 1 person to 8 persons) in the County of San Diego is \$86,300 (see the Voice of San Diego chart at: https://www.voiceofsandiego.org/wp-content/uploads/2020/02/AMI-and-Housing-Afforability-Chart.pdf), which is 67% of the \$128,800 that is needed to qualify to purchase a San Diego County median-priced, single family home (per the above-referenced Pacific Southwest Association of Realtors blog).

Let's get a rough estimate of the home price that a San Diego County "family" earning this median income can afford to purchase (i.e., compare median *income* to median *home price*). For our estimate, let's assume a 30-Year Fixed rate mortgage at (an historically low rate of) 3.7%, a 20% down payment, a 36% debt-to-income ratio, a .5% homeowner's insurance rate, and a *modest estimate* of \$500.00 per month in recurring by payments. Using the calculator at the noted real estate site, Redfin.com, at: https://www.redfin.com/how-much-house-can-i-afford shows:

CCCC-8

How much house can I afford?

See what you can afford and find homes within your budget.



** Note that a higher debt-to-income ratio could require additional costs for private mortgage insurance (PMI), and that this calculation set does not include HOA fees, if any, or property taxes.

It should be apparent that our City officials might need to focus more on creating the conditions by which we can build affordable homes for existing San Diego residents, instead of more tracts of luxury-oriented dwellings that a great many of our existing San Diego residents are unable to purchase. Even given that the Riverwalk project's 430 affordable homes would help some families in San Diego to acquire housing, dropping a massively dense project – almost a "minicity" – into a constricted land area with a known history of flooding and marginal infrastructure support would, in my estimation, do much more harm than good for other San Diego families. The set of significant issues related to traffic congestion, greenhouse gas emissions, air quality, and public health and safety, at a minimum, is a heavy price to be paid for the limited positive impact this project might make on the real issue San Diego faces – its affordable housing crisis.

Comments re: Project Riverwalk Draft Environmental Impact Report

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CCCC-9 As discussed in Section 5.12 of the EIR, the project would result in less than significant impacts. See also Master Response 9 regarding flooding.

Infrastructure to serve the project, including water, sewer, and storm drains, is analyzed in Section 5.15 of the Draft EIR, which concludes that impacts to public services and facilities would be less than significant.

As addressed in Section 5.2 of the Draft EIR, the project would not result in a significant transportation VMT impact. See also Master Response 6 regarding transportation/circulation/transit.

The EIR analyzed the project's GHG emissions in Section 5.9 and impacts were found to be less than significant.

Relative to air quality and public health, the Draft EIR determined that the project would result in cumulatively significant operational air quality impacts. Air emissions would not result in cumulatively significant health risks. See also Master Response 3 regarding air quality/health risk.

Health and safety were analyzed in Section 5.16 of the Draft EIR and determined to result in a less than significant impact.

See response CCCC-5 regarding affordable housing.

CCCC-9-

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028

Community Plan Area: Mission Valley - Council District: 7

The Riverwalk project DEIR minimizes and localizes the problematic impact - the price to be

paid – of this development project to only one (1) of the sixteen (16) Issue Areas addressed within the DEIR document. That one area is the Issue Area of "Air Quality". While I agree that the Issue Area of "Air Quality" will be impacted above a "level of significance", I disagree with the assessment that only one Issue Area exceeds that impact significance boundary. In fact, I believe that the transportation analysis alone for this project is faulty enough that were its number of omissions, unsupportable suppositions, assumptions and conclusions to be corrected (regardless of whether or not they align to the dictates of the recent conjecture-ridden update to the Mission Valley Community Plan), its then heightened "level of significance" also would drive the impact

CCCC-11

Additionally, the important issue of determining if there are further mitigations needed, relative to contagious disease epidemic and pandemic effects, is missing entirely from this DEIR, and should be required to be included in this project's final EIR, possibly as part of that EIR's Issue Area of "Health and Safety". I discuss this in greater detail later in this document.

levels of more than a few of the other DEIR Issue Areas to levels above that of "insignificance".

CCCC-12 =

For now, however, to paraphrase from a California Supreme Court case, Laurel Heights Improvement Assoc. v. University of California (1988) – as the "heart of CEQA", an EIR's purpose is to inform the public and its responsible officials of the environmental consequences of a project before the decisions that bring about those consequences are made. I believe this DIER, in its present state of not fully addressing key safety elements – of traffic, emergency response capabilities, air quality, epidemic and pandemic protections, and evacuation needs, at a minimum – does not fulfill its purpose.

CCCC-13

For these reasons, and for the many more reasons contained in the remainder of this document, I believe it makes much more sense to implement one of the DEIR's "alternative projects", Project Alternative 2 – Reduced Development Intensity/Operational Air Quality Impact Avoidance, or Project Alternative 3 – Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts (see: Riverwalk Development DEIR, Section 10 for detailed descriptions of both of these Alternatives). Both Project Alternatives 2 and 3 would limit the residential unit count of the Riverwalk development (to 2,275 or 2,200 units, respectively) to a degree much more appropriate to the area in which the development is to be situated, and would reduce to a great degree all of the project's related negative impacts on traffic, air quality, greenhouse gas emissions, health, safety, and infrastructure needs.

CCCC-14

While selecting either of these options would, unfortunately, reduce the number of affordable housing units by the same proportional factor as it would reduce the original residential unit count, the affordable housing component's project-stated 10% and onsite provisions could remain intact. Project Alternative 3, however, provides the additional and important benefits of providing more water runoff capabilities in times of flooding, and protects local historical and cultural considerations; it therefore appears to be the better of these two Project Alternatives

Sincerely,

Robert Shandor Mission Valley Resident

Comments re: Project Riverwalk Draft Environmental Impact Report

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CCCC-10 The Draft EIR has been prepared in accordance with the appropriate criteria, standards, and procedures of CEQA (California Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14 Section 15000 et seq.). As described in the environmental document, the Draft EIR identified the significant effects caused by the project and identification of mitigation measures, where feasible.

Relative to air quality, air quality impacts are addressed in Section 5.5 of the EIR, which concluded the project would result in cumulatively significant operational air quality impacts.

See Master Response 6 regarding the Vehicle Miles Traveled (VMT) Analysis, which summarizes why the project would not result in a significant transportation impact.

- **CCCC-11** See Master Response 10 regarding Covid pandemic.
- CCCC-12 The Draft EIR has been prepared in accordance with the appropriate criteria, standards, and procedures of CEQA (California Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14 Section 15000 et seq.). As described in the environmental document, the Draft EIR identified the significant effects caused by the project and identification of mitigation measures, where feasible. See also Master Response 8 regarding public services and facilities, Master Response 3 regarding air quality/health risk, and Master Response 10 regarding Covid pandemic. Relative to evacuation, see response PP-5.
- CCCC-13 The commenter acknowledges support of either Alternative 2, Reduced Development Intensity/Operational Air Quality Impact Avoidance, or Alternative 3, Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts. As disclosed throughout Chapter 5.0 of the EIR, impacts from transportation and circulation, greenhouse gas emissions, health and safety, and public services and utilities were determined to be less than

		significant. Operational air quality impacts were determined to be cumulatively significant and unmitigated. Therefore a range of alternatives were identified in accordance with CEQA that would either avoid or lessen the significant effects of the project. Furthermore, pursuant to CEQA Guidelines Section 15093, the decision-makers are required to balance the benefits of a project against its unavoidable impacts when determining whether to approve a project. A Statement of Overriding Considerations has been prepared for the consideration of the decision-making body and left to its discretion to determine whether to approve or deny the project or any of the alternatives, or combination thereof.
	CCCC-14	

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028

Community Plan Area: Mission Valley - Council District: 7

ADDITIONAL COMMENTS ON THE RIVERWALK DRAFT EIR

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CCCC-16

CCCC-17 +

CCCC-18

Page 4 of 267 of the Riverwalk project's "riverwalk_public_review_draft_eir_part1.pdf" DEIR document states there are no "significant and unmitigated" impacts within any of the sixteen (16) Issue Areas covered by the DEIR other than to the one Issue Area of "Air Quality". I believe my comments herein will show this not to be the case.

ITEM 1 - General Lack of Contingency Plans

The plan does not address reasonable and prudent contingency plans for the following situations:

- a) Contingency plan(s) for the situation if, during development, required traffic monitoring shows the project's traffic study underestimated daily trip volumes and or vehicle counts;
- b) Contingency plan(s) for the situation if, during development, traffic on Friars road slows and/or backs-up significantly more than the project's traffic study has predicted;
- c) Contingency plan(s) for the situation if, during development, it is found that the amount of parking that has been allocated for the project is inadequate;
- d) Contingency plan(s) for the situation if, after altering the site heights, soil composition, and riverplain dimensions (depth, width, etc.), it is found that flooding of the area and its surrounds has INCREASED rather than has stayed equal or become less than predevelopment levels.

Any plan such as this, especially in light of the size of the project it defines, necessarily must make projections and use modeling techniques to determine the project's feasibility. However, this should not be construed to mean that all such projections and modeling will later actually prove to be correct. While it's good that the Developer has said it has taken a "conservative approach" in its project modeling, history has shown that it is not uncommon for even well-crafted models to prove faulty when they are actually implemented. A mistaken assumption in a project of this magnitude could easily lead to severe future problems for its community members, and additionally for those others in the region of the project's location. When there is a reasonable possibility that some project assumptions might not bear out as intended, especially when that number of assumptions is very large, as it is for this project, requiring good contingency plans to be ready and available could help to mitigate bad situations quickly, if and when they occur.

ITEM 2 - Relative to DEIR Issue Area "Transportation/Circulation"

How is the increase in traffic that will be generated by this project to be handled by existing roads (primarily Friars Rd) when:

- No additional through traffic lanes are to be added to Friars Rd between Napa Street (on the west) and Fashion Hills Road (on the east), a distance that spans the entire breadth of the Riverwalk area:
- Intelligent traffic signals that are planned for Friars Rd may not be installed for years to come:

Comments re: Project Riverwalk Draft Environmental Impact Report

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CCCC-15 Comments noted. See also response CCCC-13.

CCCC-16 CEQA does not permit contingency plans as it is CEQA's mandate that significant environmental impacts and feasible mitigation measures be meaningfully analyzed prior to project approval. As outlined in Chapter 1.0, the purpose of an EIR is to identify the significant effects on the environment of a project, identify feasible alternatives to the project, and identify feasible mitigation measures which would avoid or substantially lessen such effects. If economic, social, or other conditions make project alternatives infeasible, or to mitigate one or more significant effects on the environment of a project infeasible, the project may nonetheless be carried out or approved at the discretion of a public agency. Pursuant to CEQA Guidelines Section 15093, the decisionmakers are required to balance the benefits of a project against its unavoidable impacts when determining whether to approve a project. A Statement of Overriding Considerations has been prepared for the consideration of the decision-making body and left to its discretion to determine whether to approve or deny the project or any of the alternatives, or combination thereof.

As addressed in Section 5.2 of the Draft EIR, the project would not result in a significant transportation VMT impact. See also Master Response 6 regarding transportation/circulation/transit. As discussed in Section 5.12 of the EIR, no significant impacts to flooding would result from the project. See also Master Response 9 regarding flooding. The project would be required to provide parking in accordance with City regulations. See also Master Response 7 regarding parking.

- **CCCC-17** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- CCCC-18 Per the Mission Valley Community Plan (2019), the ultimate classification of Friars Road between Interstate 5 and Fashion Valley Road is a 4-Lane Major Arterial with a Class IV two-way cycle track adjacent to the eastbound lanes and Class II bicycle lanes adjacent to both the westbound and eastbound lanes. The project proposes vehicular and multimodal improvements to Friars Road, detailed in the Transportation

Riverwalk Project

Implementation Plan, provided as Appendix A to the TIA (Appendix D to the EIR), that are consistent with its ultimate classification. The construction of additional through-lanes would be inconsistent with Friars Road's classification per the Community Plan. The installation of Intelligent Transportation System (ITS) improvements at multiple intersections along Friars Road between Sea World Drive and Avenida De Las Tiendas is required to occur at the first Equivalent Dwelling Unit (EDU), which would occur in Phase I. The installation of ITS improvements with Transit Signal Priority at intersections, including Friars Road / Fashion Valley Road, Riverwalk Drive / Fashion Valley Road, and Hotel Circle North / Fashion Valley road is required at 1,500 th EDU. Finally, the Riverwalk Trolley Station would be constructed and operational prior to occupancy of the 3,386 th EDU at the end of Phase I. This information is provided in Transportation Improvement Plan, Appendix A to the Transportation Impact Analysis (Appendix D to the EIR).

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7

CCCC-18 (cont.)

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 In public presentations it has been stated the envisioned transit hub most likely will not be completed until 2,000 or so of the residential units are rented (or possibly sold), and occupied.

The California Environmental Quality Act (CEQA) has recently been modified to replace considerations of LOS (Level of Service) and ADT (Average Daily Trips) with VMT (Vehicle Miles Traveled) as the primary measurement used to determine whether changes in traffic due to development will or will not have "significant" impacts on the community in which a new largescale development is to be built. The shift to VMT analysis in project traffic impact studies, however, focuses most of its attention on whether a project will generate a higher-thanacceptable level of greenhouse gas emissions, while spending little of its attention towards addressing the congestion and related problems that will be caused at the initiation and termination points (i.e., from and to housing units at the Riverwalk project) of residents' daily vehicle round-trips. The previous use of LOS and ADT as prime determinants of traffic impact did address congestion as a significant factor contributing to "impact". If one of the prime areas of responsibility of CEOA is to address *cumulative impacts* from a new project, then downplaying or eliminating the importance of ADTs and LOS results only in "watering down" the requirements that are meant to ensure pre-development levels of impact within a community (in this case within a very small and tight geographic area of less than 2 miles of western Mission Valley) are not significantly increased by that project.

While community-level bicycling and walking for pleasure and/or exercise will undoubtedly increase, as promulgated by the Developer (given both the close proximity of the new biking and walking trails within the project area, as well as the huge addition of new resident population), the suppositions regarding the growth in bicycle travel and transit ridership for work, shopping, and other non-pleasure purposes – on a percentage basis of the total community population – cannot be adequately anticipated or calculated. How can anyone determine the temperament, desires, and proclivities of the future unit owners or renters, when it is not even known (i.e., at least has not been stated) by the project Developer the numbers, sizing/types, or the purchase price/monthly rental price mix of the project's residential units. Without knowing these considerations, such usage measurements can be little more than guesswork or hopeful thinking.

It would appear, then, that the rapid and large increases of online product, grocery, and prepared meal purchasing – and hence the associated delivery of these types of purchases – also cannot in any real fashion be factored into the traffic projections. What is a more believable assumption is that these trends will only continue to increase over the life of the project, as further consolidation of "brick and mortar" retail establishments occurs and as the demand for delivery of items purchased online continues to trend upward. Even as I write this, such iconic stores as J.C. Penney's and Macy's are filing for bankruptcy, as the combined effects of both the sales and acquisitions growth of giant online retailers – Amazon, Walmart, Target, etc. – and of the Covid-19 pandemic drive them out of business.

The area most affected by the Riverwalk project currently lacks many of the things that make a "community" thrive, and many of them are likely to cause an <u>increase</u> in traffic. Currently, this area of proposed project location has:

Comments re: Project Riverwalk Draft Environmental Impact Report

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CCCC-19 Comment Noted. See also Master Response 6 regarding Vehicle Miles Traveled (VMT) Analysis.

A Mobility Assessment, utilizing automobile delay and LOS metric to evaluate operations within the project's study area in the Mission Valley Community Plan Area, was conducted to identify the project traffic's effect in the project study area. Based on this analysis, project improvements are recommended to ensure the Riverwalk project is overall consistent with the Mission Valley Community Plan transportation improvements, and that improvements will be implemented consistent with the Transportation Improvement Plan (TIP), Appendix A to the Transportation Impact Analysis (TIA) (Appendix D to the EIR).

- **CCCC-20** Comments noted. See Master Response 6 regarding the expected use of transit
- **CCCC-21** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- **CCCC-22** Relative to transportation, comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

See Master Response 8 regarding public services and facilities.

Relative to schools, as discussed in Section 5.15 of the EIR, the San Diego Unified School District has reviewed the project and determined that it does not warrant construction of a new school. Churches are an allowable use (limited) in many of the City's zones, including the RM-4-10 and CC-3-9 zones of the project.

Future bus routes and stops are the responsibility of the regional planning agency for the San Diego Region, SANDAG, and are not the responsibility of this project to provide. However, locations along the project frontage on Friars Road and the Riverwalk Trolley Station would be designed in coordination with SANDAG and the Metropolitan Transit System (MTS) to accommodate future bus service, should it be

ELITERS OF COMMENTS AND INCIDEN				
	Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7		recommended along Friars Road, west of Fashion Valley Road, and/or provided to the Riverwalk Trolley Station in the future.	
CCCC-22 _ (cont.)	 No fire station; A moderate contingent of police personnel (that very likely will need to be enlarged, along with additional vehicles for their use); No readily-available land as sites for the building of new churches; No plans to build local/in-area schools (other than an elementary school at the Civita development); No bus service in Mission Valley to the west of Fashion Valley Mall (and apparently no currently-stated plans for providing any new service); and No shuttle service for the western Mission Valley, Linda Vista, or Mission Hills areas to bring residents to the new transit station. 			
CCCC-23	These are some of the things – that if they were within the community – would help to limit the driving needs of the community residents. The traffic impact study for this project states the existing community will not suffer any "significant impact" when the project adds approximately six thousand four hundred fifty (6,450) new residents' vehicles (~ avg. 1.5 vehicles/residence) to be used to take the residents to-and-from their workplaces five days per week. It bases its impact conclusions on (a) changes to CEQA to no longer require ADTs and LOS in favor of VMT as the significant measure of traffic effects on a community, and on (b) irrelevant comparisons.	CCCC-23	Comments noted. See Master Response 6 regarding VMT Analysis.	
	** What are some issues with VMT?**			
	(From "ADC10_Summer_2018_20180910.pdf" at http://trb-adc10.weebly.com)			
	"On the other hand, land use projects in suburban or rural areas are more likely to have significant VMT impacts. These projects typically did not cause LOS impacts or were able to mitigate them because the local roadway system had sufficient reserve capacity or modifying local intersections was feasible due to sufficient right-of-way." (My note: the limitations of the existing roadway system within west Mission Valley will cause LOS impacts which, however, will now be disregarded within the CEQA context).	CCCC-24	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.	
	And			
CCCC-24 →	"With CEQA also requiring the analysis of cumulative conditions, forecasting project effects on future 2040 or 2050 VMT conditions becomes even more challenging. Within this time horizon, the introduction of autonomous vehicles (AVs) is likely, along with other changes in mobility. Research we have completed on the potential AV effects on VMT demonstrated the potential for substantial increases as the cost of vehicle travel (in terms of both time and money) is reduced." (My note: 2040 is an outside end date for completion of project development, with a 10, 15, or 20 year development span, i.e., the various timeframes for full-development build-out, as stated by the Developer at different times in various venues).			
	(From appendix_d - transportation_impact_analysis_1)			
CCCC-25	In Section 6.4 on Page 39 (i.e., 41/169) it is stated: "Based on the suggested project-specific VMT significance thresholds, there is no significant project traffic impact			
	Comments re: Project Riverwalk Draft Environmental Impact Report Page 8 of 39	CCCC-25	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.	

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028

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CCCC-25 (cont.)

demonstrated under CEQA. There are two grounds for this conclusion either one of which is sufficient to support this conclusion. First, the project does not have a significant traffic impact because it will be located within ½ mile of a major transit stop and high-quality transit corridors. Secondly, the project does not result in a transportation significant impact because the project residential average VMT per capita and average VMT per employee would not exceed the 15% threshold below the regional average baseline VMT for residents and employees respectively. Therefore, no mitigation measures are required or proposed."

CCCC-26

The first "ground" for an assertion of "no mitigation needed" assumes that, just because transit will be *available* it will be *utilized* in such a large amount of increase as to "self-mitigate" the effects of much more than 6,450 new vehicles being used within the project area on a daily basis. *Availability* of and actual *utilization* of the transit service are two entirely different things, and *the first neither proves nor guarantees the second*.

CCCC-27

CCCC-28

The second "ground" for an assertion of "no mitigation needed" generally ignores the actual congestion (which is not addressed in any depth in a VMT-only evaluation of traffic effects), as well as the health-issues that are presented herein as part of ITEM 4 — Relative to DEIR Issue Area "Greenhouse Gas Emissions", and to ITEM 6 — Relative to DEIR Issue Area "Health and Safety", that will be caused by the vehicle engines as they idle every day on the project site.

** What is one example of an "irrelevant comparison"? **

In riverwalk_public_review_draft_eir_part_3.pdf on Page 10-7 it is stated: "The Levi-Cushman Specific Plan would result in the generation of greater traffic volumes than the project due to its greater development density."

This statement refers to a comparison of 2 traffic models. The first is an earlier traffic model used with the original Levi-Cushman project plan and produced under a modeling methodology that is pre-SANDAG Series 13. This project traffic model was never put into practice, so the model's validity has never been verified. So what it may or may not have done is irrelevant to the project now seeking approval. The second model, a newer, less understood traffic model was produced for the currently proposed Riverwalk project using, at least partially, a SANDAG Series 13 modeling methodology (see the DEIR's appendix d_transportation_impact_analysis_1.pdf). This second model, like the first, also incorporates postulated results that have yet to be implemented or proven correct. And to my understanding, Series 13 modeling has not yet received universal acceptance. In any event, to say the earlier project would have produced more traffic impacts than will the current project cannot be considered factual, since neither of the models has ever been implemented and put o "real-world use" test. Trying to determine the increase or decrease in traffic impacts by comparing a new unproven model to an older unproven model is basically meaningless.

It would seem that instead of trying to determine changes in traffic by comparing two neverproven models that were produced decades apart and based on different methodologies, a comparison of pre-development and post-development impacts on traffic that is based on an apples-to-apples factor comparison of ADTs would still yield information – whether <u>required</u> by CEQA or not – that is <u>viable and certainly important enough to be given serious consideration</u>

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- **CCCC-26** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
- CCCC-27 A Mobility Assessment, utilizing automobile delay and LOS metric to evaluate operations within the project's study area in the Mission Valley Community Plan Area, was conducted to identify the project traffic's effect in the project study area. Based on this analysis, project improvements are recommended to ensure the project is overall consistent with the Mission Valley Community Plan transportation improvements, and that improvements would be implemented consistent with the Transportation Improvement Plan (TIP), Appendix A to the TIA (Appendix D to the EIR).

The Draft EIR analyzed the project's GHG emissions in Section 5.9 and impacts were found to be less than significant. See also response M-15.

Section 5.5 of the Draft EIR addresses health risks and concludes that health risks associated with the project would be less than significant.

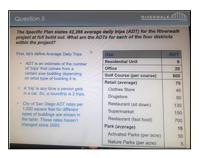
approved Levi-Cushman Specific Plan. The comment incorrectly asserts that incompatible traffic modeling methodologies were utilized. The comparison between the two Specific Plans is based on each plan's expected trip generation, and not between transportation models. Trips generated by a project are a well-known and documented method of comparison. As a trip generation limitation was established for the Levi-Cushman Specific Plan based on established trip generation assumptions, rates and methodologies, a similar trip generation comparison of the proposed project was conducted using the City of San Diego Trip Generation Manual. This analysis, predicated on similar trip generation calculation methodologies, establishes the fact that the Levi-Cushman Specific Plan would be expected to result in higher vehicular trip generation than the project as quoted in this comment.

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CCCC-28 (cont.)

and due weight as part of any real attempt to determine whether or not traffic impacts on the area will reach or exceed what is considered to be a "level of significance". This would seem to be a fairer and much more realistic approach.

The City of San Diego's own stated ADT metrics for different property uses (see image, below, of a slide from a Developer presentation made to the Linda Vista Planning Group's Riverwalk Subcommittee on 4/27/2020) shows that a golf course, on average, is considered to generate 600 ADTs per day, while an individual residence unit, on average, is considered to generate 6 ADTs per day. Multiplying 6 ADTs by 4,300 units yields 25,800 residential ADTs per day. If we divide those post-development residential ADTs by the 600 ADTs per day for the pre-development golf course, we find that post-development, we'll have at least 43 times the daily trip traffic volume than is currently generated by the Riverwalk property – in its actual use today – as a golf course.



CCCC-29 -

And, while the relatively small number of 600 pre-development golf course ADTs is spread randomly throughout all the daylight hours of a day – as individual golfers and small groups of golfers come into and exit from the golf course – a significant component of the post-development ADTs will be generated in two heavy clusters: in the morning "go-to-work or school" cluster, and in the late afternoon-evening "come-back-from-work or school" cluster, thus generating VERY significant congestion during these segments of the day. Combined, these two clusters, alone, will result in extremely heavy impacts for about 5 hours of each day.

I find this highly "significant".

The Riverwalk DEIR calculates the new resident count of the completed project as the average new residents-per-unit value of 1.86 multiplied by the 4,300 units value for a total of 7,998 new residents. Now, think of all the additional ADTs that will be generated to fulfill the needs of 7.998 new residents:

CCCC-30

by the owners of, and workers within, the new (proposed) boutique shops, restaurants, grocery store, bars, and offices who, mostly, will drive to their place of employment in the Riverwalk project (especially since it is unlikely that the typically lesser-paid workers who will hold these positions will earn enough to pay for the mortgage or rent for the residential units in Riverwalk that are not part of the affordable housing units);

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CCCC-29 Comment noted. See Tables 7-4 through 7-6 in the Mobility Assessment (Appendix L to the Draft EIR) that estimate the average daily trips (ADT) and peak hour trips generated by the existing golf course and expected to be generated by the project. See Master Response 6 regarding Vehicle Miles Traveled (VMT) Analysis, which summarizes that the project would not result in a significant transportation impact.

CCCC-30 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

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- by the new residents to make trips to take and retrieve children from the pre-schools and schools their children will have to attend in outlying areas;
- by the new residents to make round-trips to and from the churches their families will have to attend in outlying areas;
- by the new residents to make round-trips to and from other grocery stores, retail stores, entertainment facilities, etc., that will as is a normal occurrence in any residential area be located in outlying areas;
- to support the sure-to-become-more-numerous-over-time deliveries of groceries and prepared meals;
- to facilitate mail and ever-increasing online-purchased package delivery;
- to facilitate numerous new waste and recyclables removal vehicles;
- to address the increase in needed services from police, fire fighters, and emergency service workers.
- to address the increase in "as-needed" trades workers (i.e., painters, plumbers, locksmiths, etc.) independent-contractor type workers (i.e., home-care, maid-service, baby-sitter or nanny, etc.) and other similar workers;
- to facilitate needed and on-going road, landscape, pathway, and park land maintenance in a 195 acre development;
- · to facilitate post-flooding cleanup needs; and,
- to facilitate a completely indeterminate number of vehicles that will be used by those
 persons from "near and far" to drive to and from the large new "regional" park (while
 generating a similar indeterminate, but likely significant, amount of VMT) that is part of this
 project.

The project's RSPD estimates total ADTs at full project build-out to be 42,266, so we could say that if we deduct the calculated (on previous page) 25,800 residential ADTs from the 42,266 total project ADTs estimated in the RSPD, we would be left with a count of 16,466 non-residential ADTs – potentially a realistic number. But whether this estimated number of non-residential ADTs is sufficient or not, if we couple a 43-fold increase in daily residential vehicle trips with whatever number of additional ADTs are generated by all of the above-mentioned non-residential ancillary vehicles, and then factor-in the combined, associated congestion, noise and negative impacts on the levels of greenhouse gas emissions and general air quality, it can not reasonably be stated that the increased impacts will be "less than significant".

ADT and LOS have not been invalidated as realistic and valid impact measurement tools simply because CEQA no longer demands that they be used in a project's traffic impact study. And, simply because CEQA no longer requires their usage, that lack of requirement does not mean that a non-biased investigative traffic impact analysis should omit or totally ignore the effects that reasonably can be ascertained by using these well-known and respected tools. Those effects can lead to a very different conclusion about the relative "significance" of the impact that project-related traffic increases will levy upon the surrounding area of the proposed project – in this case, to me, a much higher "significance" level than posited within this project's DEIR.

And for a pinch of irony, let's remember that in the "irrelevant comparison" discussion a couple of pages back, in the riverwalk_public_review_draft_eir_part_3.pdf on Page 10-7 it is stated:

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CCCC-31 Comment noted. This comment states that the magnitude of increase in ADT cannot reasonably lead to a conclusion of less than significant impact. See response to Master Response 6 regarding Vehicle Miles Traveled (VMT) Analysis, which summarizes that the project would not result in a significant transportation impact under the new VMT metric.

CCCC-32 See response to Master Response 6 regarding VMT as the new metric, and not LOS, to evaluate transportation impacts under CEQA.A Mobility Assessment, utilizing automobile delay and LOS to evaluate operations within the project's study area in the Mission Valley Community Plan Area, was conducted to identify the project traffic's effect in the project study area. Based on this analysis, project improvements are recommended to ensure the project is overall consistent with the Mission Valley Community Plan transportation improvements, and that improvements would be implemented consistent with the Transportation Improvement Plan (TIP), Appendix A to the Transportation Impact Analysis (TIA) (Appendix D to the EIR).

CCCC-33 Comment noted. The comparison of the Levi Cushman Specific Plan to project was conducted to compare their expected trip generation for informational purpose only. This comparison of ADT's was not used to determine significant impacts under CEQA for the project given that

(cont.)

CCCC-31

CCCC-32

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 LOS has been replaced by VMT as the metric to evaluate significant Community Plan Area: Mission Valley - Council District: 7 transportation impacts. "The Levi-Cushman Specific Plan would result in the generation of greater traffic volumes than the project due to its greater development density." The comparison there invokes use of traffic CCCC-33 volumes, more a product of ADT measurement than of VMT measurement, but ADTs - under the new CEQA rules - are no longer to be used as tools for traffic impact measurement! It doesn't (cont.) seem this knife should be able to cut both ways, does it? Another potential congestion issue is the fact that the new transit stop to be built as part of this **CCCC-34** Comments noted. The trolley stop would be constructed and project is not anticipated to be functional until 2,000 residential units are occupied. So how would operational at the end of Phase I prior to occupancy of the 3,386th the postulated increase of transit ridership (if such increase ever comes to fruition) lessen the congestion impacts on the existing and new western Mission Valley residents for all of that period equivalent dwelling unit (EDU). CCCC-34 = of time it will take to upgrade to "intelligent" traffic signals along Friars Rd, to build 2,000 residential units and get them occupied, and to complete the installation of the new transit stop (which, at the time of the DEIR release, the agreement to build this transit stop has not been As referenced in responses to comment letter E, MTS staff is supportive completed with MTS)? of the new transit stop at the project site. Per the applicant, formal agreement between MTS and the applicant will be completed following Even if/when the transit stop is completed, without community-wide (i.e., not just within the confines of the Riverwalk project area, itself) shuttle service, there are many types of community CEQA approval for the project. residents who most likely will not use mass-transit, or who will use it minimally, or who will use it only for non-work purposes, or who will use it only on a "I have no choice" basis. Such types include, but are not limited to: **CCCC-35** Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required. • Elderly persons – An up-to-one-half-mile walk to reach a transit station in San Diego's hotter seasons will prohibit many elderly persons from being able to, or desiring to, use mass-transit (they may apply to use MTS Access, in the rider class of "I have no choice"); • Infirm persons - Those with various conditions of infirmity will likewise not be able to make that up-to-one-half-mile trek, and therefore will not be able to use mass-transit (they also may apply to use MTS Access, in the rider class of "I have no choice"); Persons hauling larger articles (e.g., furniture, rugs, waste materials, etc.); CCCC-35 Persons who need to use their own vehicles to perform their jobs (e.g., contractors, haulers, independent-contractor delivery persons, real estate salespersons, route-type salespersons, Persons shopping who are purchasing frozen food items (especially in San Diego's hotter seasons) will not want to have their food items thaw while walking a half-mile+ to reach a transit station, waiting for transit to arrive, riding, and then having to walk half a mile or more to get home: · A single parent traveling with a very young child; • A single parent traveling with multiple younger children; · Single women or younger persons, any time after dark; · Automobile aficionados who won't choose to give up their prized vehicles; and, More affluent persons who will not choose to forego the comforts of their luxury vehicles. Furthermore with only 10% of the 4,300 residential units to be deemed "affordable", it is more **CCCC-36** Comments noted. The comments do not address the adequacy of the than likely that the remaining units will be - like the majority of San Diego's development Draft EIR. No further response is required. CCCC-36 projects being approved these days - "luxury units" (according to the "for sale", "for rent", or "leasing available" signs we see placed on such properties by their developers). Comments re: Project Riverwalk Draft Environmental Impact Report Page 12 of 39

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The owners or renters who can afford to live in such units generally are not those who opt to use "alternative" modes of transportation on a regular basis. See:

https://www.sandiegouniontribune.com/news/environment/sd-me-transit-gentrification-20180517-story.html. Below is an excerpt from the article at the provided link:

"Will affluent residents ever embrace public transit?

The overwhelming majority of transit riders are people of limited means.

In San Diego, for example, 84 percent of transit riders come from households that make less than \$60,000 a year, according to data from the San Diego Association of Governments. And roughly 80 percent of riders are dependent on transit as their primary means of transportation."

In light of all of the above, for the DEIR to assert that there will be "less than significant impact" from this development project-created huge increase in necessitated vehicular traffic – and its related congestion, pollutants, emissions and noise – on existing streets that are often already impacted, simply does not seem believable to me. Instead of the "guesstimates" in this project's RSPD and DEIR (as well as the City's own Mission Valley Community Plan, which was updated in 2019) of how such a large contingent of residents in Mission Valley is going to abandon private vehicles in favor of regular use of mass-transit, bicycles, scooters, skateboards, roller-skates, walking, and Uber and Lyft (which significant numbers of San Diegans reasonably can't afford to use on a regular basis), the plans should be looking less at fairly-unprovable suppositions and more at recognizable and factual trends.

What are these trends? National and California growth trends of hybrid and electric personal vehicle purchases and similar growth trends of electric vehicle charging station installations, both of which are positive, and trending upwards. Additionally, testing of Autonomous Vehicles (AV) has been, and/or currently is, underway in San Diego (by SANDAG), as well as in many other major U.S. cities and areas, (including Arlington,TX, Boston, MA, Pittsburgh, PA, Portland, OR, San Jose, CA, Chandler, AZ, Central Florida, North Carolina, and more).

Future AV technology will significantly drive down the cost of vehicle usage (i.e., fully propelled by electricity; only 10 to 15% of a combustion-engine vehicle's drive train and engine moving parts; much longer required maintenance intervals; much longer vehicle life; and, no need for a driver – think the new Lyft or the new Uber). Historically, when technology produces a radical cost reduction in a product or in a service, both the adoption rate and the amount of usage of that product or service dramatically and swiftly increase.

From: https://www.marketwatch.com/press-release/autonomous-cars-market-future-prospects-revenue-growth-and-outlook-2026-fortune-business-insights-2020-05-28:

"Better safety, lesser fuel and insurance costs, and multitasking capabilities while traveling are expected to fuel the adoption of automotive cars".

...And...

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CCCC-37 Comments noted.

As addressed in Section 5.2 of the Draft EIR, the project would not result in a significant transportation VMT impact. See Master Response 6 regarding transportation/circulation/transit.

Air quality is addressed in Section 5.3 of the Draft EIR. As discussed and analyzed in that section, the Draft EIR determined that the project would result in cumulatively significant operational air quality impacts. See Master Response 3 regarding air quality.

Noise impacts are addressed in Section 5.8 of the Draft EIR. The Draft EIR concludes that the project would result in less than significant construction and operational noise impacts. Relative to HVAC systems associated with operation of the project, the Draft EIR concluded that there would be the potential for significant noise impacts associated with ground-level units, because it is unknown what type of HVAC units would be installed and where exterior units would be located. Thus, mitigation measure 5.8-1 requires a site specific acoustical evaluation of HVAC noise be performed prior to issuance of building permits to ensure exterior stationary noise sources would not exceed applicable exterior or interior standards.

CCCC-38 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

Riverwalk Project

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(cont.)

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7 "Top Players in Autonomous Cars Market are Daimler AG, General Motors, Ford Motor Company, BMW AG, Robert Bosch GMBH, Denso Corporation, Volvo-AutolivEricsson-Zenuity Alliance, Renault-Nissan-Mitsubishi Alliance, AB Volvo, Groupe SA, Toyota Motor Corporation, Tesla Inc" ...And... "The global Autonomous Cars market Growth is anticipated to rise at a considerable rate during the forecast period, between 2020 and 2023. In 2020, the market was growing at a steady rate and with the rising adoption of strategies by key players, the market is expected to rise over the projected horizon." CCCC-38 And from: https://www.techrepublic.com/article/self-driving-stories-how-6-us-cities-successfully-(cont.) integrated-autonomous-vehicles/ "Autonomous vehicle technology is an emerging issue for many cities, and more than 50% are already planning for self-driving cars, according to a new report. ...And... "Many people are wondering when we will truly see robots rolling down our streets, but in many cities this is already a reality. By piloting autonomous vehicle technology now, cities are able to ensure that any new policies and processes are city-centered and can be molded to the needs of people first and foremost." **CCCC-39** Comments noted. The comments do not address the adequacy of the Instead of assisting local government to re-engineer social behavior by force through the mechanisms of limiting and/or removing parking for personal vehicles, cramming more people Draft EIR. No further response is required. into smaller and tighter environments (even at potentials for risk to their health), and pushing them onto transit systems that can readily help to incubate and/or spread disease, real estate developers should stand with the communities within which they plan to locate their projects and help solicit from local government and other agencies items such as, but not limited to: • New incentive(s) for individuals to buy hybrid or, preferably, fully-electric vehicles; • A more concerted and rapid distribution of electric vehicle charging stations; CCCC-39 A positive incentive (i.e., lower registration fees) for vehicles with horsepower classified as less than "high performance"; • A positive incentive (i.e., lower registration fees) for high miles-per-gallon ratings vehicles; • A positive incentive (i.e., lower registration fees) for lighter-weight vehicles; and Transit pricing options and "packages" that better reflect a fair price for value delivered (e.g., why should a rider pay the same price to ride from Mission Valley to Old Town as to ride from Mission Valley to downtown center?). For "short-trip" riders, this type of pricing (basically, "one size fits all") is a dis-incentive to ride transit. **CCCC-40** Comments noted. The comments do not address the adequacy of the Implementing such things similar to those listed above, and others, would help to facilitate a more Draft EIR. No further response is required. CCCC-40 rapid attainment of the goals established by programs such as the Climate Action Plan (CAP) Page 14 of 39 Comments re: Project Riverwalk Draft Environmental Impact Report

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7 without having to push unwanted and potentially unhealthy over-densification within new communities to be built, or onto proximate communities already in existence. Additionally, the continuation and/or expansion of SANDAG's Autonomous Vehicle Regional Proving Ground (AV testing) project here in San Diego (see: https://www.sandag.org/index.asp?classid=13&subclassid=10&projectid=542&fuseaction=projectid=542 ts.detail) may yield significant information that could bring about major changes in how new communities can and should be planned. An excerpt from the site at the link above: (My italics) "Since the National Highway Transportation Safety Administration has linked 94 percent CCCC-40 of vehicle crashes to human error, automated vehicles have immense potential to save (cont.) lives, SANDAG understands these safety benefits and was the first planning agency in California to incorporate automated vehicle assumptions and resources into the region's long range transportation plan. San Diego Forward: The Regional Plan. The 2015 Regional Plan envisions that fully automated vehicles could begin to replace conventional cars by 2025. The 2021 Regional Plan is in development. The San Diego Regional Proving Ground (RPG) is designated for testing automated and connected vehicles; supporting technology; and innovative modes, methods, and models that will transform the movement of people and goods." Other than a brief reference in DEIR Part 1, Page 5.1-104, to the potential for use of an AV **CCCC-41** Comments noted. The comments do not address the adequacy of the shuttle within the Riverwalk project area only (this passage is generally repeated on Page 380 / Draft EIR. No further response is required. 1453 of the DEIR appendix 1 mobility assessment), and a small "nod", in DEIR Part 2, Page 5.3-33 (this passage is generally repeated as "Parking Design Policy-32" on Page 6-27 of appendix_cc_-_draft_riverwalk_specific_plan_part_5), to the fact that the technology may grow over time and could lead to some parking lot "re-purposing" within the project, this entire area of AV technology growth - in spite of the highly significant impact it is projected to have on future communities - is given little mention in this project's DEIR or its associated RSPD. CCCC-41 The SANDAG Regional Proving Ground project may help to bring about a much more rapid AV adoption rate in San Diego than the already rising national AV adoption rate. Could it be that this DEIR and its associated RSPD – by virtue of giving less than minimal credence to such a swiftly evolving "game changer" as the effects of AV technology on future communities, while giving perhaps more credence than it should to inconvenient and at times health-risky transit usage – could cause this project to end up becoming a "city of the past" by the time it eventually gets completed ... in 10, 15, or 20 years (the various potential project completion endpoints, as stated by the Developer). See Master Response 11 regarding the Alvarado 2nd Pipeline Expansion CCCC-42 Another item to consider that has high potential to produce prolonged and potentially severe project. traffic impacts in Mission Valley (and thus relative to the Riverwalk area) is the Alvarado 2nd Pipeline Extension Project which was not mentioned, let alone addressed in any detail, in this project's RSPD, DEIR or its associated traffic impact study. CCCC-42 This Alvarado 2nd Pipeline Extension project will necessitate tearing-up Friars Rd from Sea World Drive on the west to River Run Drive (near 805) on the east, in order to install new fresh Comments re: Project Riverwalk Draft Environmental Impact Report Page 15 of 39

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7 water trunk and transmission piping. It is anticipated that this project will begin in mid-2021 (see: https://www.sandiego.gov/sites/default/files/city of san diego alvarado 2nd pipeline extension		
https://www.sandiego.gov/sites/default/files/city of san diego alvarado 2nd pipeline extension		
project fact sheet - june 2020.pdf), within a couple of months of the anticipated start-time of the Riverwalk development build-out, and will span most of the first three (3) years of Riverwalk build-out, until mid-2014. This will mean two massive projects – the Alvarado 2 nd Pipeline Extension and Riverwalk – will overlap one another for as much as three (3) years, and likely will cause major impacts to traffic on the single, most-used thoroughfare (Friars Rd) within this area. Can we make west Mission Valley any more impassable than it's already become? The DEIR does not address the cumulative impacts of these two concurrent projects on the proximate communities of the development area. I find this VERY highly "significant".		
To my knowledge, this Riverwalk project is the first, and the largest, San Diego development project whose critically important traffic impact analysis has been undertaken, at least in significant part, using a Series 13 methodology that apparently few persons truly understand. It has also made significant unproven assumptions, and been undertaken in parallel with a vast slew of changes in: land use and zoning designations; development policies, rules, and programs; and CEOA requirements – all of these effected (or finally implemented) within the past year.	CCCC-43	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
In the California Supreme Court case Laurel Heights Improvement Assoc. v. University of California (1988) writeup at: https://law.justia.com/cases/california/supreme-court/3d/47/376.html , the court stated:	CCCC-44	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.
"An EIR is an "environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." "(My italics)		
It would seem that a smaller project – something akin either to Project Alternative 2, or Project Alternative 3, in Section 10 of the project DEIR, or even a different smaller project in a geographic area that would suffer less significant harm and that offered more and better options for recovery should its traffic impact analysis prove faulty – should be used as the test bed for determining the actual impacts that are going to result from a traffic impact analysis done under the circumstances as was the one associated to this DEIR. Riding closely on the tail of so many quick changes as discussed above, such results are extremely difficult to foresee and will be even more difficult to correct, should they prove to be negative. In the end, by reducing the size of this project by approximately half (i.e., by adopting DEIR Alternative 2 or Alternative 3), the impacts of the mistakes that can be made in using this exceptionally large project as the test bed of a rapidly implemented stew of changes, may be made more easily recoverable – before reaching, as the Court called them, "points of no return". That just might be the best project mitigation of all.	CCCC-45	Comments noted. These comments state support for Alternative 2 and 3 and do not address the adequacy of the EIR. No further response is required.
From an article at: https://www.meyersnave.com/ca-supreme-court-establishes-ceqa-rules-eirs-discussion-health-effects/ which discusses another California Supreme Court case:	CCCC-46	Comment noted. The comment does not address the adequacy of the Draft EIR. No further response is required.
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	build-out, until mid-2014. This will mean two massive projects — the Alvarado 2 nd Pipeline Extension and Riverwalk — will overlap one another for as much as three (3) years, and likely will cause major impacts to traffic on the single, most-used thoroughfare (Friars Rd) within this area. Can we make west Mission Valley any more impassable than it's already become? The DEIR does not address the cumulative impacts of these two concurrent projects on the proximate communities of the development area. Ifind this VERY highly "significant". To my knowledge, this Riverwalk project is the first, and the largest, San Diego development project whose critically important traffic impact analysis has been undertaken, at least in significant part, using a Series 13 methodology that apparently few persons truly understand. It has also made significant unproven assumptions, and been undertaken in parallel with a vast slew of changes in: land use and zoning designations; development policies, rules, and programs; and CEQA requirements—all of these effected (or finally implemented) within the past year. In the California Supreme Court case Laurel Heights Improvement Assoc. v. University of California (1988) writeup at: https://law.justia.com/cases/california/supreme-court/3d/47/376.html, the court stated: "An EIR is an "environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." "(My italics) It would seem that a smaller project — something akin either to Project Alternative 2, or Project Alternative 3, in Section 10 of the project DEIR, or even a different smaller project in a geographic area that would suffer less significant harm and that offered more and better options for recovery should its traffic impact analysis prove faulty — should be used as the test bed for determining the actual impacts that are going to result from a traffic impact analysis done under the circumstances as was the one assoc	the Riverwalk development build-out, and will span most of the first three (3) years of Riverwalk build-out, until mid-2014. This will mean two massive projects — the Alvarado 2 nd Pipeline Extension and Riverwalk — will overlap one another for as much as three (3) years, and likely will cause major impacts to traffic on the single, most-used thoroughfare (Friars Rd) within this area. Can we make west Mission Valley any more impassable than it's already become? The DEIR does not address the cumulative impacts of these two concurrent projects on the proximate communities of the development area. I find this VERY highly "significant". To my knowledge, this Riverwalk project is the first, and the largest, San Diego development project whose critically important traffic impact analysis has been undertaken, at least in significant part, using a Series 13 methodology that apparently few persons truly understand. It has also made significant unproven assumptions, and been undertaken in parallel with a vast slew of changes in: land use and zoning designations; development policies, rules, and programs, and CEQA requirements — all of these effected (or finally implemented) within the past year. In the California Supreme Court case Laurel Heights Improvement Assoc. v. University of California (1988) writeup at: https://law.justia.com/cases/california/supreme-court/34/47/56 html, the court stated: "An EIR is an "environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." "(My italics) It would seem that a smaller project – something akin either to Project Alternative 2, or Project Alternative 3, in Section 10 of the project DEIR, or even a different smaller project in a geographic area that would suffer less significant harm and that offered more and better options for recovery should its traffic impact analysis prove faulty – should be used as the test bed for determining the actual impacts that

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"In an important CEQA case, the California Supreme Court ruled that courts reviewing claims that an Environmental Impact Report (EIR) inadequately discusses environmental impacts must determine whether the EIR 'includes sufficient detail' to support informed decisionmaking and public participation." (My italics)

CCCC-46 (cont.)

CCCC-47

...And...

"The Court found the EIR's discussion *omitted material* necessary for *informed* decision-making and to enable the public to understand and meaningfully consider the impacts of the project." (My italics)

Note that the second article excerpt above did NOT state: omitted CEQA-required material.

If this project's EIR (i.e., the final version of this DEIR currently under review) is also allowed to fail to provide – as is the case with this draft version EIR, especially relating to its analyis of the project's traffic impacts that are readily determinable by accepted measurement factors other than VMT – to local government agency decision-makers all of the valid and necessary information (i.e., not just what CEQA requires) in "sufficient detail" about that project and its effects such that those agencies are able to "understand and meaningfully consider the impacts of the project" (and thus are also able to make "informed" decisions relative to that project), then that EIR could be construed to have the same failing as the above-referenced case reviewed by the California Supreme Court.

For the multitude of reasons and rationales I have presented in this section, I firmly believe that this project's traffic impact study is flawed to the extent that it has painted an overly lenient, if not incorrectly rosy, picture of the traffic conditions that will prevail by the time of this project's completion, if not sooner. By extension, I believe this DEIR's Issue Area of "Transportation/Circulation" should NOT be considered "less than significant" in its impact to the project's surrounding communities.

Furthermore, if we realistically assess the impacts to circulation and the congestion thereof due to this project, we must, by reasonable extrapolation, question the claim of "no significant impact" to some of the other fifteen (15) Issue Areas of this DEIR. A classification higher than "less than significant" for this Issue Area of "Transportation/Circulation" has a likelihood of naturally and materially affecting, at a minimum, those other DEIR Issue Areas of Green House Gas Emissions, Air Quality (i.e, more exacerbation and a higher level of "significance" than has already been stated), Noise, and Health and Safety, very possibly to the extent of moving each of their own levels of impact to a level ABOVE that of "less than significant". If this is the case, revisions to the project's EIR should be required.

ITEM 3 - Relative to DEIR Issue Area "Visual Effects/Neighborhood Character"

- 1) Current project documents do not provide any information regarding the following:
 - a) The DEIR seems to err by omission when it doesn't provide definitive drawings or pictures of what the residence buildings the single largest component of the project or

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CCCC-47 Comments noted. See also response CCCC-32 regarding the Mobility Assessment prepared for this project, provided as Appendix L to the EIR. Based on the Vehicle Miles Traveled (VMT) Analysis in Section 5.2 of the EIR, the project would not result in a transportation significant impact.

- CCCC-48 See Master Response 6 regarding VMT Analysis. The transportation analyses prepared for the project are consistent with Senate Bill 743 and CEQA Section 15064.3, and the City's draft TSM. Based on the TIA, Mobility Assessment, and Section 5.2 of the EIR, the project would result in a less than significant transportation VMT impact.
- **CCCC-49** As addressed in Section 5.2 of the Draft EIR, the project would not result in significant transportation VMT impact. See also Master Response 6 regarding transportation/circulation/transit.

The EIR analyzed the project's GHG emissions in Section 5.9 and impacts were found to be less than significant. Relative to air quality and public health, the Draft EIR determined that the project would result in cumulatively significant operational air quality impacts.

Air emissions would not result in cumulatively significant health risks. See also Master Response 3 regarding air quality/health risk.

Noise impacts are addressed in Section 5.8 of the Draft EIR. The Draft EIR concludes that the project would result in less than significant construction and operational noise impacts. Relative to HVAC systems associated with operation of the project, the Draft EIR concluded that there would be the potential for significant noise impacts associated with ground-level units, because it is unknown what type of HVAC units would be installed and where exterior units would be located. Thus, mitigation measure 5.8-1 requires a site specific acoustical evaluation of HVAC noise be performed prior to issuance of building permits to ensure exterior stationary noise sources would not exceed applicable exterior or interior standards.

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CCCC-50

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the project *building massing*, in general, will actually look like. In the many presentations the Developer has made to the community and to the MVPG Riverwalk Subcommittee, nothing beyond "illustrative only" renderings of the project have been issued for review.

How can impacts to "neighborhood character" be evaluated and fully understood, when definitive visual examples of what actually is to be built are not provided for review?

b) We also don't know the breakdown – either by number or by percentages – of the composition and sizing of the residential units. How many will be studio apartments, how many 1, 2, or 3 bedroom units, how many for elder-care, or student housing? Will there be micro-unit type buildings, or hotel / hostel type buildings. How will these be clustered or mixed by type?

Without knowing such things, can it truly be said there will be "no significant impact" relative to the DEIR's Issue Area of "Visual Effects and Neighborhood Character"?

- c) Ratios/percentages have not been provided regarding:
 - o Distribution of "for-sale" vs. "for-rent" units;
 - Anticipated price range of for-sale units (if any);
 - o Anticipated rent range of for-rent units; and
 - Anticipated lease-rent range for long-term-lease (if any) units.

How can anyone or any agency reasonably determine if the project will actually address the real areas and price points that are essential to helping solve the <u>affordable</u> housing crisis we have, or that will increase transit ridership, in San Diego – a core goal of TOD development projects – when such information is not available for review?

2) The photo below shows a current west Mission Valley view looking eastward – open skies, peaceful environment, and beautiful mountains at the horizon – soon to be replaced by walls of concrete (well, maybe concrete, but, as is stated above, the community hasn't yet seen what the actual residence buildings will look like).



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The Draft EIR analyzes the Specific Plan project and associated actions and whether that project would result in significant impacts on the environment. The Specific Plan provides the regulations and policies, including design guidelines and development standards, that all future development would need to follow. Chapter 6 and Appendix E of the Specific Plan include the policies and regulations that guide development, including architectural style and articulation, and representative imagining has been included throughout the Specific Plan, which form the basis of the analysis in the EIR.

CCCC-51 Comment noted. Future development must adhere to the underlying zoning regulations and specific Tailored Development Standards included in the Specific Plan, in addition to the land uses outlined in the Specific Plan. The analysis in the Draft EIR uses this information to assess neighborhood character impacts in Section 5.3 and concludes that the project's impact on neighborhood character would be less than significant. See Master Response 1 regarding development intensity/density and Master Response 5 regarding visual quality/views.

CCCC-52 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

Pursuant to CEQA Guidelines §15064(e) and 15131, an EIR need not address economic or social changes unless the change would result in a significant physical environmental impact. Consistent with General Plan Policy LU-H.1, the project is a mixed-use development that is consistent with the intent to provide a balanced community. Additionally, the project is consistent with the Land Development Code § 142.1301, Inclusionary Affordable Housing Ordinance, by providing 10 percent of the residential units as affordable. As further identified in Section 5.1 of the Draft EIR, land use impacts were determined to be less than significant.

CCCC-53 Comments noted. See also Master Response 5 regarding visual quality/views.

CCCC-50

CCCC-51

CCCC-52

CCCC-53

(cont.)

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CCCC-54 =

"Less than significant"? "Neighborhood character"? Poll those persons who bought, rented, or leased properties that offer them a beautiful, natural, and peaceful environment – ask them if they think the change to their "neighborhood character" will be "less than significant" when a new "small city" (along with up to 20 years' worth of construction) is dropped into their midst. This is not just a change in quality <u>of</u> life, but to many older community residents will be a change to the quality of <u>the rest of</u> their lives".

ITEM 4 - Relative to DEIR Issue Area "Greenhouse Gas Emissions"

In riverwalk public review draft eir part 2.pdf, Section 6.2.9.3 on Page 6-17 it is stated:

"...the project's contribution of GHG emissions to cumulative *Statewide* emissions would be less than cumulatively considerable." (My italics)

And that seems to be about all that is needed to be able to give the "level of insignificance" stamp to this DEIR's Issue Area of "Greenhouse Gases".

CCCC-55 ≺

CCCC-56

So, short of building an actual major metropolis, it would seem unlikely that <u>any</u> single development project would ever be capable of pushing the GHG significance level of the entire STATE of California to a level high enough to consider it "significant" for the project. <u>But, what about the significance level at the place where this large project will actually be built?</u> Adding more than 6,450 residential automobiles and all the ancillary delivery and support vehicles that have been enumerated in detail in this document's ITEM 2 – Relative to DEIR Issue Area of "Transportation/Circulation" will produce GHG increases and impacts on the project's neighboring communities that are certainly beyond "considerable" in their significance to the health and welfare of the residents of all these communities.

NO2 (nitrogen dioxide) is a tropospheric gas primarily produced by traffic and factories that has a role in the creation of greenhouses gases. From https://norwegianscitechnews.com/2016/05/hvaer-det-egentlig-med-denne-nox-en/:

"Although the most important component of vehicles exhausts is NO, this is rapidly oxidised to NO2, which is not a greenhouse gas itself. That is to say, if we fill a bottle with NO2 and leave it out in the sun, the temperature of the gas will not rise. However, NO2 is responsible for the formation of ozone, which is a greenhouse gas..."

Since the start of 2020 (due to stay-at-home policies connected to the COVID-19 pandemic), satellite imagery shows a dramatic and significant *reduction* in air pollution and NO2 (and a reasonable-to-associate reduction in Greenhouse Gas Emissions) due to a reduced usage of gasoline powered vehicles.

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CCCC-54 Comments noted. See also Master Response 4 regarding neighborhood character/building heights/height limits.

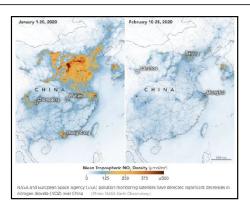
Under CEQA (Guidelines Section 15131), economic and social effects of a project are not treated as significant effects on the environment. The focus of CEQA is on physical changes in the environment.

CCCC-55 Comments noted. The EIR analyzed the project's GHG emissions in Section 5.9 and impacts were found to be less than significant.

CCCC-56 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

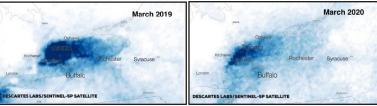
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Relative to the photos of China, above, it is a reasonable conclusion that adding the much more than 10,000 (resident, visitor, and business-related) vehicles to the limited geographical area of the Riverwalk project, would show, in a similar but reverse, fashion, a dramatic and significant increase in air pollution (and the reasonable-to-associate increase in Greenhouse Gas emissions). (See: https://earthobservatory.nasa.gov/images/146362/airborne-nitrogen-dioxide-plummets-over-china?utm=carousel)

CCCC-57 —



Similar effects can be seen in the Northeast regions of the U.S. and Canada

(See: https://www.thestar.com/news/gta/2020/04/05/satellite-images-provide-perspective-on-life-during-the-covid-19-pandemic.html)

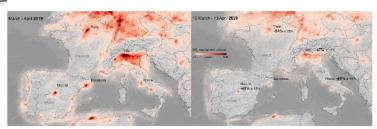
The photos above show the combined effects of pandemic-related "stay-at-home" policies and their associated massive reduction in vehicular traffic in Northeast regions of the U.S. and Canada. Similar to the situation in China, it is reasonable to assume that the addition of massive amounts of *new* vehicular traffic (See: ITEM 2 – Relative to DEIR Issue Area "Transportation/Circulation") will have a similar effect in reverse, and cause a significant increase in NO2 levels in the Riverwalk area. (See: https://www.inverse.com/science/data-reveal-air-pollution-levels-plummet-as-world-goes-on-lockdown)

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CCCC-57 Comments noted. As addressed in Section 5.2 of the Draft EIR, the project would not result in a significant transportation VMT impact. The EIR analyzed the project's GHG emissions in Section 5.9 and impacts were found to be less than significant.

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CCCC-57 (cont.)

The images show a comparison between nitrogen dioxide levels from 13 March to 13 April 2020, compared to the March-April averaged concentrations from 2019. ESA

The photos above show the same type of effects of lessened-traffic in parts of Europe, due to the COVID-19 "stay-at-home" policies that significantly reduced traffic and thus reduced correspondingly the air pollution and NO2 tropospheric gas levels there.

The three (3) following quoted passages are from: https://www.accuweather.com/en/health-wellness/satellite-images-show-how-air-pollution-has-changed-during-the-pandemic/711767 (My comments are in italics.)

"Cars only account for 9 percent of emissions for nitrogen dioxide in the Los Angeles area." Lacombe said. "Trucks account for about half of them."

The Riverwalk project will introduce a new and large, indeterminate number of truck trips into the area (see ITEM 2 – Relative to DEIR Issue Area of "Transportation/Circulation"), and minimally twelve, fifteen or more thousand automobile trips per day into the project area. This is a recipe for a dramatic increase in Greenhouse Gas Emissions and related particulate matter.

...And...

CCCC-58

"Narrow city infrastructure in western Europe tends to shield emissions from the wind compared to the sprawling roads and cities of America, which adds to the contrasts in observed air pollution levels. ... "The streets are much more narrow, so emissions from traffic would stay there,..."

...And...

"...Plume Labs still saw spikes in other pollutants, such as particulate matter and ground ozone.

Particulate matter is a type of small, fine dust in the air that's practically invisible, but it works its way into the lungs. These particles alone can cause serious health impacts such as cardiovascular disease and respiratory illnesses, which can then lead to heart attacks, aggravated asthma and decreasing lung function, Robbie Parks, a post-doctoral research

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CCCC-58 Particulate matter (both PM_{10} and $PM_{2.5}$) is analyzed in Section 5.5 of the EIR. No significant impacts would result from the project relative to particulate matter.

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7 fellow at the Earth Institute of Columbia University told AccuWeather in a Skype interview. People with these health issues are also listed as being at-risk for contracting COVID-19." CCCC-58 We have yet to see examples of the proposed building massing for the project, so in that (cont.) absence, it is assumed herein that the closeness of the numerous project buildings will exacerbate the collection of, and cause an increased retention period for, pollutant particles within the project area. This could be construed as more "omitted" but relevant information that should be made available to the public, and to local officials to enable their "informed" decision-making. With the huge increase in traffic congestion will come an attendant increase in exhaust emissions from all the types of vehicles being used to make the large number of additional vehicle trips listed herein. It is important to note that every ten (10) minutes of idling in crawling or stalled traffic CCCC-59 wastes (depending on vehicle particulars and vehicle maintenance conditions) between one-tenth **CCCC-59** As addressed in Section 5.5 of the EIR, air quality is intrinsically linked to (.1) and four-tenths (.4) of a liter of fuel. (See: http://greenactioncentre.ca/healthy-travel/myth-2its-better-to-idle-vour-car-than-shut-it-off/). vehicle emissions and, thus traffic generated by a project. As such, project traffic was taken into account with the project's air quality Given the amount of new vehicle trips engendered by such a massive development as Riverwalk is proposed to be, this wasted gasoline further equates to a huge amount of new air pollution for analysis. No significant impacts would result. Mission Valley - a situation certainly antithetical to CAP goals. Furthermore, even in the later stages of development, when the intelligent traffic signals are installed and functional, there will **CCCC-60** GHG emissions were analyzed in Section 5.9 of the Draft EIR and still be extremely significant additional amounts of exhaust emissions released into the CCCC-60 community - at some or all seven (7) proposed exits from the development - from backed-up impacts were found to be less than significant. Relative to vehicle idling, lines of idling vehicles waiting for intelligent traffic lights to turn green (especially in the morning CO hot spots were analyzed in Section 5.5 of the Draft EIR. No impacts "go-to-work or school" cluster, and in the evening "come-back-from-work or school" cluster, that were discussed in Item 2 – Relative to DEIR Issue Area – "Transportation/Circulation"). relative to CO hot spots would occur. ITEM 5 - Relative to DEIR Issue Area "Public Utilities" a) Water rationing - Existing and Future The San Diego city government currently plans to have housing in and around the area of the western end of Mission Valley increase by a minimum of ten thousand plus (10,000+) additional multi-unit type dwelling units. It is important to note that although the current CCCC-61 Master Response 1 regarding the project's development RSPD calls for building 4,300 units, the Riverwalk project area - if processed to be intensity/density. removed from the density restrictions imposed on it by the RSPD, and based on the new CCCC-61 zoning and land use codes applicable to the project's geographical area - is allowed to host up to 10,000 residential units. Additionally, the Developer could choose to sell one or more of the project area's 50 "lots" to other developers, each of whom could then choose to process their lots for removal from the strictures of the RSPD. Doing so would pave the way for those developers to utilize and build to the underlying higher dwelling density allowances afforded to the project area by the combined effects of the new Mission Valley Community Plan and recently enacted land use and zoning changes. Page 22 of 39 Comments re: Project Riverwalk Draft Environmental Impact Report

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However, even with a limiting to 4,300 units for the Riverwalk project, the total effect on the immediate area equates to an approximate three-fold increase of multi-unit type dwelling units relative to those that currently exist within this same small area, and all of these new units' residents will need *fresh water!*

Upwards of eighty percent (80%) of San Diego's fresh water is brought into the area from non-local sources. With low water resources, inadequate infrastructure and aging dam issues already present, San Diego residents should not have to choose between facilitating massive new developments and having the ability to service the potable water needs of existing residents. Neither should these residents be saddled with tax hikes nor assessments that in all likelihood will be necessary to fund the additional resources and infrastructure which will be required to support 10,000+ new units in west Mission Valley – at least 4,300 of which are proposed for the Riverwalk project – plus the multitude of new TOD units the City is pushing for across many different sites, county-wide. The Times of San Diego article at this link https://timesofsandiego.com/politics/2017/09/20/san-diego-can-add-220k-new-housing-units-by-2028-council-pair-say/ states:

"The report said San Diego will need as many as 220,000 new housing units by 2028, but if all the suggestions are carried out, that number could be met or exceeded."

How can the fresh water needs of so many new residents and retail workers and office workers be supported by a water department that <u>already</u> periodically establishes water rationing on the residents of the area within which this new, huge, development is to be built?

b) Electrical brown-outs - Existing and Future

Very much like the situation of water rationing, described above in ITEM 5a, electricity brown-outs may occur more often as heavy dwelling density is thrust upon Mission Valley. In the DEIR's appendix <u>j</u>_lettersresponses to service_providers, the following response from San Diego Gas and Electric (SDG&E)...

"Our ability to serve future projects in our service territory will depend on the supply of fuel and other essential materials available to us and on our obtaining government authorization to construct the facilities required."

...states neither a commitment to, nor the capability of, providing the electricity requirements of the new project. Neither should it give anyone a "warm and fuzzy" feeling of what to expect relative to the future brown-out potentials for this west Mission Valley area, and the rest of Mission Valley, as other large projects are built.

How can the electricity needs of so many new residents and retail workers and office workers be supported when the area in which this new, very large, development is to be built is <u>already</u> affected by periodic electricity "brown-outs"?

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CCCC-62 See response M-20.

CCCC-63 Energy is analyzed in Section 5.7 of the EIR. As concluded in that section, the project would not result in significant impacts relative to energy usage. Brownouts are not under the control of the project but rather by the California Independent Systems Operator, which manages the electrical grid.

CCCC-63

c) Solid Waste disposal - Limitations on/Lack of Solid Waste Disposal Sites

The chart below, from the DEIR's appendix_q_-waste_managment_plan.pdf, Page 13, states the amount of solid waste the Riverwalk project expects to create per year to be 7,280 tons (as it is shown in the chart below, the strikeout of the previous number exists in the appendix q chart).

Table 7
Estimated Solid Waste Generation from the Riverwalk Project – Occupancy Phase

Estimated Some Haste	cupulityacc		
Use	Intensity	Waste Generation Rate	Estimated Waste Generated (tons/year)
Residential	4,300 units	1.2 tons/year/unit	5,160
Commercial – General Retail	140,000 150,000 sq. ft.	0.0028 tons/year/sq. ft.	392 420
Commercial - Office	1,000,000 sq. ft.	0.0017/tons/year/sq. ft.	1,700
	•	TOTAL	7,252 7,280

7,280 tons per year is 14,560,000 (fourteen million five hundred sixty thousand) pounds per year. 7,280 tons of solid waste also equates to 19.95 (rounded to 2 decimal places) tons of solid waste being generated *per day* by the Riverwalk project, at its full build-out.

The Riverwalk DEIR appendix j.-lettersresponses_to_service_providers.pdf document does not contain any letter from any San Diego landfill site management company that states it is willing to handle, and is capable of handling, an additional twenty (20) tons per day of solid waste. What company or companies has/have committed to accept this new amount of solid waste?

Related to solid waste issues, and keeping in mind that a goodly portion of the project's "solid" waste will be "wet" waste, I was unable to find within the DEIR document set any significant reference to how the potentials for odor pollution related to this component of the nearly 20 tons per day of solid waste will be mitigated between the periods of its "capture" on-site and its removal from the site by 3rd party waste management services. Being neither an environmentalist nor a gardener by trade, I am not positive, but I nonetheless believe that not all of the wet or otherwise odoriferous solid waste will be compostable.

Does such a discussion for the non-compostable component of the project's solid waste exist, and, if so, where is it within the document set of the DEIR? If such a discussion does not exist, I believe it should be added to the DEIR along with the mitigation measures that will be used to curb the potential odor pollution.

ITEM 6 - Relative to DEIR Issue Area "Health and Safety"

a) Density vs. Pandemic-related and/or Epidemic-related contagion and deaths

** Note: Much of the DEIR being reviewed herein was prepared prior to the start of 2020, and therefore was prior to the onset of the COVID-19 pandemic.

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CCCC-64 Solid waste disposal was analyzed in Section 5.13 of the Draft EIR. A Waste Management Plan was prepared for the project, included as Appendix Q, and accepted by the City's Environmental Services Department. The Waste Management Plan estimates that the project would generate approximately 27,759 tons of waste during construction. Of that, approximately 89 percent is targeted for diversion and would not be disposed of in a landfill. Additionally, future projects would be subject to the City's Recycling requirements as listed in City of San Diego Municipal Code §142.0810, §142.0820, §66.0604, §66.0606, §66.0706, §66.0709, §66.0710, and §66.0711. Impacts relative to solid waste, including disposal sites, would be less than significant.

CCCC-65 The project would adhere to the City's regulations regarding solid waste collection, transport, and disposal. Solid waste would be removed by private haulers on a regular basis such that solid waste would not accumulate and create odors. Impacts relative to odors would be less than significant.

CCCC-66 See Master Response 10 regarding Covid pandemic.

CCCC-65

CCCC-64

Riverwalk Project

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Refer to any reputable website or news source to see the rates of contraction of, and deaths from, the COVID-19 virus; it is readily apparent that areas of high density have much higher incident counts of both, than do areas of lesser density. It is yet to be known if this will also be true for the *duration of contagion* within high density – versus moderate and low density – development environments and areas. Because of this, "super-density" projects should either be down-scaled for present approvals, or held in abeyance until protections relative to such pandemic-related considerations can be determined over time, from seasoned statistical data captured and analyzed by medical and scientific professionals.

I believe this DEIR *fails in its inattention* to the now-known but yet-to-be-determined level of exacerbating effects of residence and population density on the spread of, retention of, and re-infection from, communicable disease outbreaks (i.e., in the vein of COVID-19), at a pandemic level, or otherwise. As stated in this excerpt from the Harvard University article located at: https://www.gsd.harvard.edu/2020/04/have-we-embraced-urban-density-to-our-own-peril-michael-hooper-on-hygiene-public-perception-and-the-urban-penalty-in-a-global-pandemic/

"...Historically, for example, dense settlements have been associated with increased risk of disease. Scholars have argued that virtually all human infectious diseases due to microorganisms arose out of the emergence of urbanism.

As a result of the association between dense urban settlements and disease transmission—a phenomenon referred to in public health as the "urban penalty"—dispersal from cities has sometimes been viewed as an effective response to infectious disease outbreaks. ..."

So where are residents of such dense San Diego developments to run when contagious disease sweeps through such developments? The Developer has stated it didn't directly seek to build 4,300 units, and, in fact, had wanted to build less. I agree with building less. That would better suit the area conditions as well as the community's safety and desires.

As stated earlier, in ITEM 4 - Relative to DEIR Issue Area of "Greenhouse Gas Emissions":

"...the closeness of the proposed project buildings will exacerbate the collection, and cause an increased retention period for, pollutants within the project area."

Some viruses can attach to air pollutants as a "transport mechanism", so if the retention period of pollutants can increase in a dense environment, then, it follows that if a virus is able to adhere to pollutant particles, the virus's retention period could be increased as well.

Densification and the use of mass transit promote the very opposite of social distancing. The nation's densest major city, New York City, is also a major center of the COVID-19 pandemic. New York Governor, Andrew Cuomo, recently said high-rise apartment complexes and busy subways are responsible for the city's plight – he regarded dense environments as contagion "feeding grounds".

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(cont.)

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"When people experience crowding, their social interactions change. Two results are common: They withdraw from others, creating more psychological space when physical space is limited, and they become more irritable and potentially aggressive."

...And...

CCCC-70 (cont.)

CCCC-71

"Men may react more physiologically to crowding, their blood pressure and stress hormones elevating more, whereas women (at least initially) try to get along with those around them when it's crowded. However, over time, if these attempts are unsuccessful, women may actually react more negatively because their attempts at affiliation prove futile."

Also, according to the World Health Organization article at: http://www.who.int/water_sanitation_health/emergencies/qa/emergencies_qa9/en/,

"For communities, inadequate shelter and overcrowding are major factors in the transmission of diseases with epidemic potential such as acute respiratory infections, meningitis, typhus, cholera, scabies, etc. Outbreaks of disease are more frequent and more severe when the population density is high."

f) Insufficient Police Contingent within the area

From DEIR appendix j - lettersresponses to service providers:

The letter from the San Diego police department, dated May 8, 2020 states:

"The Project is currently located in the City of San Diego; within the boundaries of police beat 623. The 2016 average response times for Beat 623 are 6.6 minutes for emergency calls, 13.4 minutes for priority one calls, 37.3 minutes for priority two calls, 108.8 minutes for priority three calls and 169.5 minutes for priority four calls.

The department's response time goals are 7 minutes for emergency calls, 14 minutes for priority one calls, 27 minutes for priority two calls, 80 minutes for priority three calls and 90 minutes for priority four calls."

The chart below shows the %age amount of time, above or below the Police Department's performance goals, for five (5) categories of calls it is responsible for responding to in the Project area (i.e., in police beat 623).

CCCC-71 See Master Response 8 regarding public services and facilities.

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CALL	TARGET	CURRENT AVG.	CURRENT RESPONSE	FASTER OR
CATEGORY	RESPONSE	RESPONSE	TIME DIFFERENTIAL %-	SLOWER
	TIME GOAL	TIME	AGE ROUNDED UP/DOWN	THAN AVG
			ON 2nd Digit at .5	
Emergency	7 minutes	6.6 minutes	.4 minute /or/	Faster
			5.7 %	
Priority One	14 minutes	13.4 minutes	.6 minutes /or/	Faster
			4.3 %	
Priority Two	27 minutes	37.3 minutes	10.3 minutes /or/	Slower
			38.1 %	
Priority Three	80 minutes	108.8 minutes	28.8 minutes /or/	Slower
•			36.0 %	
Priority Four	90 minutes	169.5 minutes	79.6 minutes /or/	Slower
-			88.3 %	

We can see that Beat 623, for the two (2) higher (i.e., more urgent/severe) categories, has response times from 4.3% to 5.7% slightly FASTER than the San Diego Police Department's goals, but for the remaining three (3) lower (i.e., less urgent/severe) categories, has response times from 36.0% to 88.3% SLOWER than the Department's goals. This chart shows that with its current contingent of police officers Beat 623 already has issues responding "to goal" in three (3) out of five (5) of the categories it uses to rate its own response times, while the other two (2) categories very slightly exceed the stated goals.

The same Police Department letter goes on to state, for the project area covered by Police Beat 623:

"There are no current plans for additional police sub-stations in the immediate area. Police response times in this community will continue to increase with the build-out of community plans and the increase of traffic generated by new growth. A Crime Prevention through Environmental Design Review (CPTED) is recommended by the police department to address general security concerns." (My italics)

The net effect here is that before any build-out even begins, three (3) categories of issues needing police assistance are already behind goal in response times, while it is extremely likely that the slight betterment-to-goal currently seen in two (2) of the five (5) categories will soon disappear, almost as soon as project development begins (i.e., due to the negative effects that will show up almost from development "day one", due to accidents, theft of materials, vandalism, increased homeless person issues, and other similar types of issues that will require additional law enforcement interventions).

Since the cited letter is dated May 8, 2020, it is unlikely that a CPTED Review has even been scheduled, let alone performed, but, if it has been performed what are its results, and are there any related plans and commitments to augment Beat 623 to be able to keep up with the new level of policing demands that will be generated, ever increasingly, across the project timeline?

Additionally, on page 5.2 – 21 of the riverwalk public review draft eir part 1, it states:

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CCCC-71 (cont.)

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"Emergency response times to all portions of the site are adequate under existing conditions."

CCCC-71 (cont.)

What part of the current response times for three (3) of the five (5) categories of law enforcement needs for this area being 38% to 88% lower than goal (see chart, above) should signify that this condition is "adequate" now, let alone for those greater service levels that will be required by the 7,998 new residents and by other business operations that are currently being proposed for this project?

g) Evacuation Issues

The County of San Diego's Operational Area "Annex Q \mid Evacuation" can be found at: https://www.sandiegocounty.gov/content/dam/sdc/oes/emergency_management/plans/oparea-plan/2018/2018-Annex-Q-Evacuation.pdf . It contains the following 5 excerpts (My comments in italics):

"Law enforcement agencies are the primary lead for evacuation activities with other agencies playing supporting roles." (Are these those same good officers who are already under-staffed and over-worked? – See the discussion and chart, above, in my Item 6f.)

"The primary mode of transportation that will be used during jurisdictional evacuation efforts will be privately owned automobiles." (Are these the same "privately owned vehicles" the City wants us to give up in favor of transit use?).

"Major ground transportation corridors in the OA will be used as primary evacuation routes during an evacuation effort." (Are these the same roads in this tight valley that are already often inadequate for normal travel needs and will be further used by 6,450 additional resident vehicles plus an unknown, but unquestionably large number of new community support-related vehicles?).

"Major ground transportation infrastructure within the OA will remain largely intact following most incidents." (When they show up, maybe we can inform the earthquake, the flood, and the tsunami that this has been assumed for our evacuation needs, so they must leave our exit roadways "largely intact" – that should help).

"The following assumptions were established in development of this Annex: The following principles should be considered when making evacuation decisions:

Reduce the number of people who must evacuate..."

(So, of course, the best way to protect those thousands of persons in time of needed emergency evacuation is just to make Mission Valley's vision for the future based on a non-funded and highly speculative Community Plan that wants to increase the total population of the valley at least five-fold).

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CCCC-72 See response PP-5.

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The following excerpt from Table 5 (TABLE 5: ESTIMATED NUMBER OF PEOPLE THAT WILL REQUIRE TRANSPORTATION ASSISTANCE) on SD County's Annex Q's page 28, shows that, for ALL OF San Diego (not Mission Valley, alone) that only 1,240 persons will require assistance when a flood hits.

San Diego	Dam Failure	Earthquake	Flood (100 Year)	Tsunami	Wildfire/Structure Fire (High Risk Probability)
Exposed Population	75,686	1,354,013	36,042	10,294	1,244.722
Shelter Estimates	3,784	67,701	1,240	515	62,236

* Based on the assumption that 5.8% of the exposed population will require evacuation transportation assistance.

Does anyone remember how many persons were affected the last time Mission Valley was evacuated due to flooding?

A look at http://www.communitywalk.com/map/list/181443 shows only one emergency shelter site (Qualcomm Stadium) in all of Mission Valley, and the County of San Diego's Emergency Site at: https://www.sdcountyemergency.com/content/oesemergency/en-us/shelters.html doesn't show any shelters for Mission Valley – in fact, when attempting to search for shelters using Mission Valley and Linda Vista zip codes, the site only presents a message saying: "This page can't load Google Maps correctly."

These are all things that are impacted by introducing nearly 8,000 new residents (and these, from only ONE of the multiple, large developments planned for Mission Valley) into a tight valley with limited roadways, police resources, and catastrophe-related emergency services.

The DEIR's Section 5.16 Health and Safety relies heavily on the above-cited Appendix Q for how the safety of the new Riverwalk residents, as well as all proximate, existing valley residents, is to be affected. Appendix Q, to me, seems very weak as a public protection document, and seems to rely upon some shaky-at-best levels of resources that are to facilitate the response, services and goals it describes as necessary in event of catastrophic emergencies. If the foundation (i.e., Appendix Q) is weak, so too is the house upon it -I believe this DEIR needs to do much more to show how such a large new contingent of residents as this project proposes, in such a constrained area, can adequately be protected in such a variety of emergency situations.

h) Runoff

In riverwalk_public_review_draft_EIR_part_1.pdf , Section 1.5.2, Page 1-4, it is stated:

"Pursuant to Section 401 of the Clean Water Act (CWA), the local Regional Water Quality Control Board (RWQCB (Region 9) would be responsible for issuing a waiver or certification for any project actions resulting in the discharge of runoff from the site." (My italics)

Given the hundreds of millions of pounds of soil movement and/or import which are a proposed part of this project, it is likely that runoff may be discharged. Therefore, it would

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CCCC-73 See response PP-5.

CCCC-74 Section 5.12 and Section 5.14 address hydrology and water quality, respectively, and found impacts to be less than significant. The project would meet all storm water run-off and water quality requirements. LIDs and BMPs would be implemented, as regulated, which ensure that water quality impacts do not occur. The project would be required to obtain an NPDES Construction Grading Permit, as well as implement the City's erosion control measures.

CCCC-73

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CCCC-74 _ (cont.)	seem likely that these movement and importation activities would be classifiable as types that require "a waiver or certification for any project actions resulting in the discharge of runoff from the site." The DEIR's appendix j – lettersresponses to service providers.pdf shows no letter to the RWQCB requesting a waver or certification related to potentials for soil runoff. Is such a		
	waiver from the Regional Water Quality Control Board (RWQCB (Region 9)) included as part of this project's DEIR? If not, has such a waiver been requested for this project?		
	It really doesn't seem that the DEIR's Issue Area of "Health and Safety" took all of the above-listed significant issues into account when stating that there are no problems or concerns here that should elevate this Issue Area's assessment to a "level of significance". In CEQA Guidelines Section 15126.6(f) it is stated: "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	CCCC-75	The EIR analyzed the project's health risks impacts as part of the analysis of air quality in Section 5.5. As concluded in that section, health risk impacts were found to be less than significant. CEQA Guidelines
CCCC-75 =	choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project." (My italics)		require that project alternatives be evaluated to reduce or avoid significant effects of a project. Because health risk impacts were
	Taken collectively, the public health and safety considerations discussed here in ITEM 6 would seem to invoke the CEQA "rule of reason" for a project alternative that screams loudly for the need to lessen the density of the Riverwalk project, from the proposed 4,300 units to somewhere more in the range of 2,000 to 2,300 units. The residential unit counts that are discussed in both Project Alternative 2 and Project Alternative 3 in Section 10 of the DEIR fit within such a range.		determined to be less than significant, there is no requirement to address whether any of the project alternatives would reduce health risk.
	ITEM 7 – Relative to DEIR Issue Area "Air Quality" ** This DEIR Issue Area has already been recognized as having attained a "level of significance" **		
	Refer to ITEM 2 – Relative to DEIR Issue Area "Transportation/Circulation", ITEM 4 – Relative to DEIR Issue Area "Greenhouse Gas Emissions", and ITEM 6 (sub-item b) – Relative to DEIR Issue Area "Health and Safety". Each of these three referenced discussions also contains information relevant to this Issue Area of "Air Quality".		
CCCC-76 =	As earlier stated in ITEM 6 – Relative to DEIR Issue Area "Health and Safety", due to the 10, 15, or 20 years of development-related construction, and to the movement of tens of millions, if not hundreds of millions, of pounds of "fill dirt", there will be a considerable threat to the respiratory systems of all reasonably proximate community members, most especially for older persons and for any persons already afflicted with any type of respiratory issue, such as, but not limited to, asthma, emphysema, and certain allergies.	CCCC-76	Comments noted. See response CCCC-18 through CCCC-49, CCCC-55 through CCCC-60, CCCC-67, and Master Response 3 regarding air quality/health risk.
CCCC-77 =	Besides the health hazards posed across this long development period, the continual and excessive amounts of construction-related dirt and dust released into the air are going to generate incalculable direct costs to existing proximate residents, related to the continual need to have their porches, patios, balconies, windows, rugs, and furnishings cleaned – often by professional	CCCC-77	Comments noted. The comments do not address the adequacy of the
	cleaning service providers – as a necessary part of mitigating the effects of this health hazard.		Draft EIR. No further response is required.
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		1	

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Other direct costs to be borne by an unknown percentage of community members for the medical treatments (mostly respiratory-related) they will require, due to the effects of this health hazard.

CCCC-78

Were this project to be limited to between 2,000 and 2,300 units, its development timeframe – and thus the related duration of threats to public health as well as their associated costs to community members – could be significantly lessened, possibly by as much as fifty percent (50%).

ITEM 8 - Relative to a non-stated issue area of "Quality of Life"

Although not contained within the list of 16 Issues Areas covered by the DEIR, the following list contains some, but not all, of the issues that, regardless of their (non-required) lack of inclusion in the DEIR, have real and substantial impacts on the "quality of life" of the residents of existing, proximate communities, and potentially will require facilities and/or services to be created or expanded:

- a) Other than one elementary school to be built in the Civita development, no new schools are
 to be built to service the new project. This means many children won't attend school in
 their own community, which is not conducive to community integrity and harmony;
- No new or expanded emergency services are anticipated. This can pose a dangerous public safety situation for all existing and new residents;
- No new fire station is anticipated. This can pose a dangerous public safety situation for all
 existing and new residents;
- d) No expansion of the community's police station is anticipated. This can pose a dangerous public safety situation for all existing and new residents;
- e) Potential for additional water shortages/rationing; and
- f) Potential for additional electricity "brown-outs".

CCCC-79

Simply not to lessen the existing quality of life for area residents, this project, due to its size, requires the City further to address and facilitate the needs of so many new residents, residences, retail stores and shops, offices, and workers. All of these needs will generate City budgetary cost increases, many of which the City does not appear to be addressing as part of its review of this project, such as, but not limited to the areas of:

- a) Need for upgraded area bus/shuttle services, along with additional buses and/or shuttles;
- b) Need for upgraded fresh-water (and possibly dam(s)) infrastructure;
- c) Need for upgraded sewage infrastructure;
- d) Need for upgraded electricity supply:
- e) Need for additional (possibly new) waste-landfill site(s);
- f) Need for additional police persons, vehicles, equipment, and perhaps, facilities;
- g) Need for addition fire fighters, vehicles, equipment, and perhaps, facilities;
- h) Need for additional emergency personnel, vehicles, equipment, and perhaps, facilities;
- (Possibly costs to be shared with San Diego County) Update(s) to Mission Valley evacuation strategy(ies), plan(s), and resources;
- j) Increased costs/budget for pest and infestation management;
- k) Increased costs/budget for homeless persons control and management; and
- Costs of maintaining (and for post-flood cleanup of) a "regional" public park.

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CCCC-78 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

CCCC-79 Comments noted. Public services, including schools, police, and fire-rescue are addressed in Section 5.15. As concluded in that section, the project would result in less than significant impacts. See also Master Response 8 regarding public services and facilities.

Relative to water supply, see response M-20.

Relative to brownouts, see response CCCC-63.

ITEM 9 - Relative to FEMA Map and Area Flooding

On page 2-13 of the riverwalk_public_review_draft_eir_part_1.pdf document is a FEMA 100-Year Floodway and Floodplain map. Note that this map is not dated. When searching FEMA flood maps on the FEMA website for Zip Code 92110, the map displayed for the Riverwalk project area is dated: 2012. I've assumed herein that the FEMA 100-Year Floodway / Floodplain map from the DEIR, shown below, is also from the last update year of 2012.

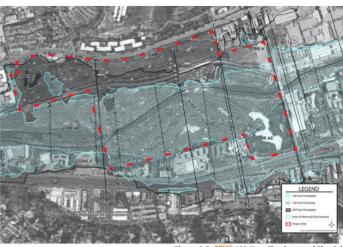


Figure 2-5. FEMA 100-Year Floodway and Floodplain Map

Below is SANDAG's most recent SanGIS Floodplain map at https://sdgis.sandag.org/. Note that the red-outlined area within the map is a very close approximation of the location of the Riverwalk project, which is shown as the dashed red-outlined area in the FEMA map, above. This SanGIS map is just a bit easier for non-hydrologists to evaluate, than is FEMA's.

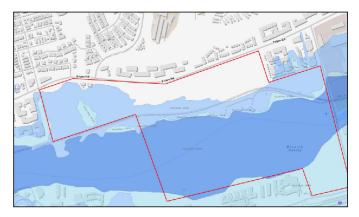
CCCC-80 Comment noted. The comment does not address the adequacy of the Draft EIR. No further response is required.

CCCC-80

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CCCC-80 (cont.)

CCCC-81

An interesting article dated in October 2005, before the 2012 FEMA map was made (see: https://www.sandiegoreader.com/news/2005/oct/06/katrina-haunts-mission-valley/), tells a tale about FEMA that is similar to my earlier analogy regarding fresh water and toxin levels. This article states: (My italics and underlining)

"But Randy Berkman of the River Valley Preservation Project tells me the combined effects of the trolley line, a Fashion Valley parking-structure expansion, and reconstruction of the Stardust Golf Course, which required 200,000 cubic yards of fill, have raised the floodway baseline by a foot in central Mission Valley.... Neither the city nor FEMA required developers to mitigate the effects of these projects, he says.

Instead, in 2002, FEMA issued a *Preliminary Letter of Map <u>Revision</u>* for the floodway in west Mission Valley. *The effect of the letter, according to Berkman, is to accept the one-foot-higher level as the new floodway baseline.*"

A June 29, 2020 USA Today article at: https://www.usatoday.com/indepth/news/investigations/2020/06/29/real-estate-millions-more-homes-risk-flood-might-need-insurance/3217450001/ states: (My italics and underlining)

" "We found that there were a series of mistakes with the FEMA maps that were alarming," Fugate said.

Fugate said the agency hadn't accurately accounted for the way winds would drive waves inland during massive storms, and also used a 50-year-old model to predict the way a storm surge would begin moving over the land."

...And...

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CCCC-81 Comments noted.

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CCCC-81 (cont.)

"Eric Tate, a professor at the University of Iowa who early in his career built flood modeling tools as a FEMA contractor, agreed the agency's maps can be outdated, miss lower-priority areas and at times become subject to political influence through a revision process."

Didn't we recently read about a different occurrence of something similar to this?

The picture below from a San Diego Union Tribune article at https://www.sandiegouniontribune.com/business/growth-development/sdut-riverwalk-related-mission-valley-golf-housing-2014sep17-htmlstory.html shows what the proposed project site looked like following a 2010 flood:



CCCC-82

The Riverwalk Golf Club was inundated in 2010...

The link below is to a San Diego KGTV article dated December 8, 2018 at https://www.10news.com/news/how-san-diegos-flooding-compares-to-historical-hazards which says: (My italics)

"10News spoke to Geologist, Pat Abbott, who said the floodplain maps are out of date. In fact, he said *flood maps need to be updated as urbanization progresses*.

Unlike on mud, grass, or other natural surfaces, rainwater has time to slow down and seep into the ground. But on a manmade surface, like a roof, concrete, or asphalt, water swiftly finds its own path to the lowest point. It quickly collects and becomes flooded.

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CCCC-82 Comments noted. FEMA is in the process of updating the San Diego River mapping. The preliminary results indicate the 1-percent annual change flow rates will be reduced.

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CCCC-82 (cont.)

CCCC-83

The current FEMA map is from 2012. It does not reflect new construction in the area.

'Your flood heights are going to be probably four times higher than they were before development,' Abbott said."

Five years later than the FEMA map, after some of the attendant additional development that Mr. Abbott cites, the two pictures, below (screen-captures from a video at: https://www.youtube.com/watch?v=DE8hlzrxg48) show what the Riverwalk golf course looked like when it flooded in 2017.





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CCCC-83 Comments noted.

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In the case *Friends of Mammoth v. Board of Supervisors* discussed in the article at: https://scocal.stanford.edu/opinion/friends-mammoth-v-board-supervisors-32943 the California Supreme Court said that *[C]*EQA needs to be viewed in such a manner "as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language".

With this in mind, and in conjunction with Mr. Abbott's comments above, the first three questions here are, (1) if Mr. Abbott is correct regarding the flood-exacerbating cumulative effects of the increasing high-density development in Mission Valley, and given that we are already three years' worth of development in Mission Valley past the date of the photos/video captures shown above, what will Mission Valley's *real* potential for flooding actually be, given not just the development at Riverwalk, but at all the other sites in progress and in varying stages of planning in Mission Valley (e.g., Civita, SDSU, and more) by the time these projects are completed (i.e., in 10, 15, or 20 years from now)? (2) What level of environmental damage might such flooding do to Mission Valley, in general? And, (3) to the San Diego River, specifically?

The fourth and fifth questions are: (4) how old are the FEMA maps used for the flood study work that was done for this project? (5) If indeed the maps are from 2012, and given the amount of new development that has been done since then, could it be said that these maps might not provide a sound foundation upon which to build a flood safety argument that seeks to justify a project of this exceptionally large size?

The sixth question is: (6) given that the San Diego River's dams are not in what one would call "stellar" condition, will over-development of the valley serve to further limit water run-off capabilities and challenge local dams, leading to greater flooding for Mission Valley?

An article from May 18, 2017 at https://www.voiceofsandiego.org/topics/science-environment/big-winter-rains-could-not-fill-san-diego-reservoirs-even-halfway/

"At least one dam, the El Capitan Reservoir near Alpine, is not allowed to be filled all the way because of concerns about stability and safety."

And on May 19, 2017 at https://www.voiceofsandiego.org/topics/science-environment/citys-aging-dams-getting-costly-check/ the Voice of San Diego article states:

"Nobody knows for sure if El Capitan is a safety issue yet. Engineers plan to do several different tests to determine the condition of the 83-year-old dam and the soil and rock on which it sits."

Another article, from September 2017 at https://www.eastcountymagazine.org/nine-dams-sandiego-county-ranked-below-satisfactory-safety-newly-released-state-data-reveals has this to say on the condition of local dams: (My italics)

"A report with listings by county reveals that of 54 dams in San Diego County, *nine are listed in "fair" condition ...*

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CCCC-84 Comments noted. See response CCCC-84 and Master Response 9 regarding flooding.

CCCC-85 The FEMA study at the site was prepared in 2002. The site has not changed significantly since that time. An up-to-date existing conditions hydraulic analysis was prepared for the project and is included in Appendix N of the EIR. The project would meet the floodplain and floodway regulations. See also Master Response 9 regarding flooding.

CCCC-86 El Capitan Reservoir is over 22 miles east of and upstream of the project site. The project would not cause a failure of the El Capitan Dam and would not result in an impact to the dam. Furthermore, the project is not responsible for the conditions of the dam and would not cause any impacts that would result in dam failure.

Riverwalk Project

CCCC-84

CCCC-85

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But "fair" is not a passing grade when it comes to dams. Fair means the dams are likely to hold up under normal capacity but could have problems in an earthquake or with excessive precipitation, so improvements are needed to assure public safety.

The dams rated fair locally are at reservoirs at Lake Barrett, *El Capitan* in lakeside, Lake Hodges, Lake Morena in Campo, Mt. Woodson in Ramona, Lake Murray, Savage Dam at Otay, Sweetwater Main dam in Bonita, and Lake Wohlford in Escondido.

Of those 9 dams listed in fair condition locally, eight also have downstream hazards rated "extremely high" meaning "considerable" loss of human life and property is likely. The extremely high risk classification is given to dams that may impact highly populated areas or critical infrastructure, or that have short evacuation times. One, Mt. Woodson, has a "high" downstream hazard." (El Capitan, then, is one of the eight).

An article in 2017 in Times of San Diego at:

https://timesofsandiego.com/politics/2017/02/14/comprehensive-inspections-city-san-diegodams-underway/ stated that inspections of these dams began a year earlier, and the report on their condition would likely be <u>available sometime in 2021</u>. And, from California Supreme Court case Laurel Heights Improvement Assoc. v. University of California (1988) writeup at: https://law.justia.com/cases/california/supreme-court/3d/47/376.html

"The EIR is therefore "the heart of CEOA.""

As the "heart of CEQA", an EIR's purpose is to inform the public and its responsible officials of the environmental consequences of a project before the decisions that bring about those consequences are made. This leads to the question: (7) Knowing that area dams are in various stages of disrepair, but not being able to determine how badly they are in disrepair for another year makes it very difficult, if not impossible, to inform anyone about the "environmental consequences" that could be brought about by potential dam issues that could so severely affect the project area. Should this project, or any other Mission Valley (or other flood-prone area) development project of magnitude, be given a "go ahead" until the area dam study is completed and its results are released?

The eighth and ninth questions are arguably the most important questions we need to ask ourselves. (8) Are the existing pre-development residents of the area to be put at risk by the overly-dense development that is being forced upon them by the City – which seems quite willing to ignore the physical limitations and potential hazards attendant to a development project's proposed location – in spite of the residents' voiced opposition to such massive density increases? And, (9) will the limited roadways within Mission Valley allow the ever-increasing number of residents of these multiple, overly-dense, developments to evacuate this narrow valley (the need for which has happened in the past) and reach safety in a timely manner when the next, and possibly larger, flood hits the valley?

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CCCC-87 The Draft EIR has been prepared in accordance with the appropriate criteria, standards, and procedures of CEQA (California Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14 Section 15000 et seq.). As described in the environmental document, the Draft EIR identified the significant effects caused by the project and identification of mitigation measures, where feasible. See also response CCCC-89.

CCCC-88 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

CCCC-86 (cont.)

CCCC-87

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	Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7		
	CONCLUSION:		
	In light of everything presented within this document, it would seem that adoption of either of the "alternative projects" discussed in Section 10 of the DEIR, Project Alternative 2 – Reduced Development Intensity/Operational Air Quality Impact Avoidance, or Project Alternative 3 – Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts, would make much more sense for the area of, and the people within and proximate to, the Riverwalk project's proposed location.		
	However, unlike Project Alternative 2, Project Alternative 3 additionally leaves more open land for water drainage, which can only help during times of heavy rain or more-often-than-desired flooding of the project area, and pays respect to local historical and cultural considerations by not grading or building upon areas in the project site where historical or cultural elements may exist. Given the additional and important benefits it yields to the community, Project Alternative 3 appears to be the better of these two project alternatives.	CCCC-89	Comment noted. This comment expresses support of Alternative 3, Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts.
	End of Comments		

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028

Community Plan Area: Mission Valley - Council District: 7

July 2, 2020 (Via email to: DSDEAS@sandiego.gov)

E. Shearer-Nguyen, Environmental Planner City of San Diego Development Services Department 1222 First Avenue, MS-501 San Diego, CA 92101

Re: Comments on Riverwalk Draft Environmental Impact Report

Dear Ms. Shearer-Nguyen:

I have put much time, thought and effort into this thirty-nine (39) page comments document. Given that the Riverwalk project's Draft Environmental Impact Report (DEIR) document set — which includes the Riverwalk Specific Plan Draft (RSPD) — tallied to 6,745 pages, I could have written many more comments than I did, but I opted instead to exercise restraint.

As a resident of the western end of Mission Valley I have followed closely the progress of the Riverwalk project since the latter part of 2014, and became a member of the Mission Valley Planning Group's (MVPG) Riverwalk Ad Hoc Subcommittee at its inception. I have attended many MVPG-related meetings, more than a few City Council meetings focused on local real estate development, other communities' large-density development-focused meetings and gatherings (such as the Linda Vista Planning Group, which also created its own subcommittee to monitor the progress of the Riverwalk Project), and nearly every planning group and community presentation made by the Developer of the Riverwalk project.

While I believe the Riverwalk Developer has constructed an extensive plan for the Riverwalk project, I also believe that some areas of this plan are either inadequate and/or faulty, as I will discuss throughout this document. Furthermore, while not the fault of the Developer – who as far as I can determine has crafted this project generally within the bounds of what current San Diego and California real estate development rules, regulations, and laws require and allow – the project suffers issues and deficiencies due to counts, levels, and other types of allowances that recent and rapid changes to San Diego's (as well as California's) real estate development laws now permit.

These rules allow projects to be built – especially "in-fill" and high-density "transit oriented design" (TOD) type projects – that I believe are simply too dense, when assessed relative to public health and safety factors, needed infrastructure considerations (especially in light of the lessons we should be learning from the current COVID-19 pandemic), and within the geographic context of where they are to be located. Projects such as these can impose too radical a change on the composition and nature of the existing community in which a project is to be located, and cumulatively, upon proximate communities as well. These projects also benefit from the advantages of plan, program, land use, and zoning changes that too often have been pushed through to approval in spite of significant community opposition to them, or, in some cases with very little interaction with the community(ies) that will be affected by them.

Everyone affected by massive development projects needs to have a direct voice in approving project density and density-related changes to zoning and land use codes. When an agency simply changes an algorithm or a zoning code for the purpose of resulting in a government-desired higher

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CCCC.A-1

CCCC.A-1 Comments provided in this letter are identical to comments submitted by Robert Shandor (Letter CCCC). See responses CCCC-1 through CCCC-89.

density value for an area is duplicitous, at best. Such a process is analogous to finding that an acceptable parts-per-million level of a toxin in a fresh water supply has been exceeded, and then, instead of reducing the level of that toxin until it attains the acceptable level, simply raising the allowable level — with no new scientific evidence to support so doing — until it exceeds the previous unacceptable level of toxicity. The negative effects of such a process, however, are neither wanted by, nor healthy for, the users of that fresh water supply.

Changes in land use and zoning codes that result in radical, neighborhood character-changing hikes in density are likewise neither wanted by, nor healthy for, the proximate communities these changes will affect. In the area in which the Riverwalk project is to be built – a narrow valley with limited capacity for ingress and egress, limitations on an assortment of infrastructure, utilities, and resource needs, as well as City budgetary issues related to its ability to address such limitations – a range of two thousand (2,000) to two thousand three hundred (2,300) residential units would be more appropriate for the project than is the four thousand three hundred (4,300) units as this project is proposed. And, according to the Developer, with the newest changes to zoning and land use codes, the property could be allowed to host as many as ten thousand (10,000) units.

Furthermore, the development area is divided into approximately 50 "lots", some of which (or perhaps most — there does not seem to a limitation set by the Developer within the EIR) the Developer has stated may be sold to other developers for their development purposes. Such sold-off lots can be removed from the constraints of the RSPD and developed at the recently enacted underlying, and much higher, land use and zoning allowances than the proposed limits set by the project's proposed Specific Plan. For this reason, I believe that the (final) Environmental Impact Report (EIR) for this project should have to be based on, and the cumulative effects on the area of its location should have to be assessed on, not only the "targeted" number of 4,300 units that the Developer says it will build, but rather on the total number of allowable units that could be built (i.e., as many as 10,000, depending on how many of the development "lots" the Riverwalk Developer chooses to sell) by other developers within the project location boundaries. Such an assessment would yield, within the bounded area of the Riverwalk development, much more significant impacts in many, if not most, of the sixteen issue areas addressed by the DEIR.

The Riverwalk project documentation says it plans to incorporate ten percent (10%), or approximately four hundred thirty (430) of its 4,300 units, as on-site affordable-level housing. While this is commendable by the current San Diego standards, what is not stated are the pricing points anticipated for the remaining ninety percent (90%) of the residential units. While it's not the fault of the Riverwalk Developer that a higher percentage of affordable housing is not required by the City to be built, it is likely that the remaining units will be deemed "luxury" units, to be marketed (for rent or sale, the ratio and percentages of which are not stated at this point) to persons within the economic strata/class that facilitates the purchase of a "luxury"-level unit and that is not associated to the general profile of a consistent transit-rider.

Therefore, this TOD project's ability to meet the goal of significantly increasing transit ridership – especially consistent ridership – from the resident-base of this new community would appear to be limited, which significantly devalues at least one of the main reasons San Diego is so heavily pushing high-density TOD projects. Additionally, these same persons who aren't likely to become

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CCCC.A-17 (cont.)

consistent transit riders are able to afford one or more personal vehicles for use by the resident(s) of their unit. This situation is more likely to impact negatively than positively, the City's attainment of the goals of the Climate Action Plan (CAP), thereby significantly devaluing a second of the main reasons for San Diego's push for these overly-dense TOD projects.

I am not a NIMBY, but I don't believe we must have unwanted, health-endangering, and radically dense development in order to bring housing to San Diegans who need it, or to lessen greenhouse gas (GHG) emissions. Gentrification and its associated displacement of current residents is not a housing solution that should be levied upon existing communities. Building moderate-density projects that are focused on affordability, not luxury, can go a long way to solving both the housing and the GHG issues, as well as increasing the potential number of new, consistent transit riders. I believe that communities would be more receptive to new moderate density projects being built "in their backyards" if it was felt that the projects did more to alleviate the affordable housing needs of San Diego, and if the voices and wishes of the community members to be impacted by these projects were having any real bearing on the development project decisions being made by City officials.

However, when it comes to development projects, the reality here in San Diego is made quite apparent by comments like this: (from https://www.voiceofsandiego.org/topics/politics/politics-report-a-new-day-for-council-land-use-politics/) (My italics)

"The [City] Council expressed a clear preference for developers to push for their projects to be more dense, not less, even if that means getting on the wrong side of the community."

So while I address herein a number of specific issues I have with the project itself – based on my review of the DEIR's document set – some of the issues I note in passing will be outside of the Riverwalk Developer's control, and thus should not reflect negatively on the Developer. One of the most important of these issues is the need to end the false meme of "San Diego has a housing crisis" – what San Diego actually has is an affordable housing crisis. According to a Feb. 21, 2020 blog posting at a Pacific Southwest Association of Realtors site (at: https://blog.psar.org/200222411):

"In San Diego County, 29 percent of local households could afford to purchase the \$655,000 existing, median-priced home in the 2019 fourth quarter, up from 24 percent in the 2018 fourth quarter, but unchanged from the 2019 third quarter."

...And...

"In San Diego County, to qualify to purchase an existing, median-priced, single-family home of \$655,000 in the 2019 fourth quarter, a minimum annual household income of \$128,800 would be needed to make monthly payments of \$3,220."

And according to an ABC 10News San Diego article, dated May 9, 2019 (at: https://www.10news.com/news/making-it-in-san-diego/san-diegos-median-rent-more-than-starting-salaries-for-class-of-2019):

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CCCC.A-1 (cont.)

"In San Diego, the median rent is more than the entire income for new graduates with degrees including biology and business management, at \$26,000 per year, and nearly the entire income for those with degrees in psychology, at roughly \$33,000 per year..."

The 2019 Annual Median Income (AMI) for "all families" (i.e., family size from 1 person to 8 persons) in the County of San Diego is \$86,300 (see the Voice of San Diego chart at: https://www.voiceofsandiego.org/wp-content/uploads/2020/02/AMI-and-Housing-Afforability-Chart.pdf), which is 67% of the \$128,800 that is needed to qualify to purchase a San Diego County median-priced, single family home (per the above-referenced Pacific Southwest Association of Realtors blog).

Let's get a rough estimate of the home price that a San Diego County "family" earning this median income can afford to purchase (i.e., compare median *income* to median *home price*). For our estimate, let's assume a 30-Year Fixed rate mortgage at (an historically low rate of) 3.7%, a 20% down payment, a 36% debt-to-income ratio, a .5% homeowner's insurance rate, and a *modest estimate* of \$500.00 per month in recurring bill payments. Using the calculator at the noted real estate site, Redfin.com, at: https://www.redfin.com/how-much-house-can-i-afford shows:

How much house can I afford?

See what you can afford and find homes within your budget.

Annual household incom	•					
\$86,300	/year	¢202 E20				
Enter your annual income be buying with someone else, in		\$382,500				
Down payment *		Monthly payment \$1,769 (i)				
\$76,500		Down payment 20.0% Debt-to-Income ratio 35%				
he amount you can pay in cour new home.	ish when you close on	Debt-to-Income ratio				
Monthly bills *						
\$500	/month	Comfortable Aggressive				
nclude recurring obligations cons or alimony, but not eve						
Where are you buying?		Add a location to see homes that fit your budget				
City, neighborhood,	or zip	·				

** Note that a higher debt-to-income ratio could require additional costs for private mortgage insurance (PMI), and that this calculation set does not include HOA fees, if any, or property taxes.

It should be apparent that our City officials might need to focus more on creating the conditions by which we can *build affordable homes for existing San Diego residents*, instead of more tracts of luxury-oriented dwellings that a great many of our existing San Diego residents are unable to purchase. Even given that the Riverwalk project's 430 affordable homes would help some families in San Diego to acquire housing, dropping a massively dense project – almost a "minicity" – into a constricted land area with a known history of flooding and marginal infrastructure support would, in my estimation, do much more harm than good for other San Diego families. The set of significant issues related to traffic congestion, greenhouse gas emissions, air quality, and public health and safety, at a minimum, is a heavy *price to be paid* for the limited positive impact this project might make on the real issue San Diego faces – its *affordable* housing crisis.

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CCCC.A-1 (cont.)

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The Riverwalk project DEIR minimizes and localizes the problematic impact – the *price to be* paid – of this development project to only one (1) of the sixteen (16) Issue Areas addressed within the DEIR document. That one area is the Issue Area of "Air Quality". While I agree that the Issue Area of "Air Quality" will be impacted above a "level of significance", I disagree with the assessment that only one Issue Area exceeds that impact significance boundary. In fact, I believe that the transportation analysis alone for this project is faulty enough that were its number of omissions, unsupportable suppositions, assumptions and conclusions to be corrected (regardless of whether or not they align to the dictates of the recent conjecture-ridden update to the Mission Valley Community Plan), its then heightened "level of significance" also would drive the impact levels of more than a few of the other DEIR Issue Areas to levels above that of "insignificance".

Additionally, the important issue of determining if there are further mitigations needed, relative to contagious disease epidemic and pandemic effects, *is missing entirely from this DEIR*, and should be required to be included in this project's final EIR, possibly as part of that EIR's Issue Area of "Health and Safety". I discuss this in greater detail later in this document.

For now, however, to paraphrase from a California Supreme Court case, Laurel Heights Improvement Assoc. v. University of California (1988) — as the "heart of CEQA", an EIR's purpose is to inform the public and its responsible officials of the environmental consequences of a project before the decisions that bring about those consequences are made. I believe this DIER, in its present state of not fully addressing key safety elements — of traffic, emergency response capabilities, air quality, epidemic and pandemic protections, and evacuation needs, at a minimum — does not fulfill its purpose.

For these reasons, and for the many more reasons contained in the remainder of this document, I believe it makes much more sense to implement one of the DEIR's "alternative projects", Project Alternative 2 – Reduced Development Intensity/Operational Air Quality Impact Avoidance, or Project Alternative 3 – Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts (see: Riverwalk Development DEIR, Section 10 for detailed descriptions of both of these Alternatives). Both Project Alternatives 2 and 3 would limit the residential unit count of the Riverwalk development (to 2,275 or 2,200 units, respectively) to a degree much more appropriate to the area in which the development is to be situated, and would reduce to a great degree all of the project's related negative impacts on traffic, air quality, greenhouse gas emissions, health, safety, and infrastructure needs.

While selecting either of these options would, unfortunately, reduce the number of affordable housing units by the same proportional factor as it would reduce the original residential unit count, the affordable housing component's project-stated 10% and onsite provisions could remain intact. Project Alternative 3, however, provides the additional and important benefits of providing more water runoff capabilities in times of flooding, and protects local historical and cultural considerations; it therefore appears to be the better of these two Project Alternatives

Sincerely,

Robert Shandor Mission Valley Resident

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CCCC.A-1 (cont.)

Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028

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ADDITIONAL COMMENTS ON THE RIVERWALK DRAFT EIR

Page 4 of 267 of the Riverwalk project's "riverwalk_public_review_draft_eir_part1.pdf" DEIR document states there are no "significant and unmitigated" impacts within any of the sixteen (16) Issue Areas covered by the DEIR other than to the one Issue Area of "Air Quality". I believe my comments herein will show this not to be the case.

ITEM 1 - General Lack of Contingency Plans

The plan does not address reasonable and prudent contingency plans for the following situations:

- a) Contingency plan(s) for the situation if, during development, required traffic monitoring shows the project's traffic study underestimated daily trip volumes and or vehicle counts;
- b) Contingency plan(s) for the situation if, during development, traffic on Friars road slows and/or backs-up significantly more than the project's traffic study has predicted;
- c) Contingency plan(s) for the situation if, during development, it is found that the amount of parking that has been allocated for the project is inadequate;
- d) Contingency plan(s) for the situation if, after altering the site heights, soil composition, and riverplain dimensions (depth, width, etc.), it is found that flooding of the area and its surrounds has INCREASED rather than has stayed equal or become less than predevelopment levels.

Any plan such as this, especially in light of the size of the project it defines, necessarily must make projections and use modeling techniques to determine the project's feasibility. However, this should not be construed to mean that all such projections and modeling will later actually prove to be correct. While it's good that the Developer has said it has taken a "conservative approach" in its project modeling, history has shown that it is not uncommon for even well-crafted models to prove faulty when they are actually implemented. A mistaken assumption in a project of this magnitude could easily lead to severe future problems for its community members, and additionally for those others in the region of the project's location. When there is a reasonable possibility that some project assumptions might not bear out as intended, especially when that number of assumptions is very large, as it is for this project, requiring good contingency plans to be ready and available could help to mitigate bad situations quickly, if and when they occur.

ITEM 2 - Relative to DEIR Issue Area "Transportation/Circulation"

How is the increase in traffic that will be generated by this project to be handled by existing roads (primarily Friars Rd) when:

- No additional through traffic lanes are to be added to Friars Rd between Napa Street (on the west) and Fashion Hills Road (on the east), a distance that spans the entire breadth of the Riverwalk area;
- Intelligent traffic signals that are planned for Friars Rd may not be installed for years to come;

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 In public presentations it has been stated the envisioned transit hub most likely will not be completed until 2,000 or so of the residential units are rented (or *possibly* sold), and occupied.

The California Environmental Quality Act (CEQA) has recently been modified to replace considerations of LOS (Level of Service) and ADT (Average Daily Trips) with VMT (Vehicle Miles Traveled) as the primary measurement used to determine whether changes in traffic due to development will or will not have "significant" impacts on the community in which a new largescale development is to be built. The shift to VMT analysis in project traffic impact studies, however, focuses most of its attention on whether a project will generate a higher-thanacceptable level of greenhouse gas emissions, while spending little of its attention towards addressing the congestion and related problems that will be caused at the initiation and termination points (i.e., from and to housing units at the Riverwalk project) of residents' daily vehicle round-trips. The previous use of LOS and ADT as prime determinants of traffic impact did address congestion as a significant factor contributing to "impact". If one of the prime areas of responsibility of CEQA is to address *cumulative impacts* from a new project, then downplaying or eliminating the importance of ADTs and LOS results only in "watering down" the requirements that are meant to ensure pre-development levels of impact within a community (in this case within a very small and tight geographic area of less than 2 miles of western Mission Valley) are not significantly increased by that project.

While community-level bicycling and walking *for pleasure and/or exercise* will undoubtedly increase, as promulgated by the Developer (given both the close proximity of the new biking and walking trails within the project area, as well as the huge addition of new resident population), the suppositions regarding the growth in bicycle travel and transit ridership for work, shopping, and other non-pleasure purposes – on a percentage basis of the total community population – cannot be adequately anticipated or calculated. How can anyone determine the temperament, desires, and proclivities of the future unit owners or renters, when it is not even known (i.e., at least has not been stated) by the project Developer the numbers, sizing/types, or the purchase price/monthly rental price mix of the project's residential units. Without knowing these considerations, such usage measurements can be little more than guesswork or hopeful thinking.

It would appear, then, that the rapid and large increases of online product, grocery, and prepared meal purchasing – and hence the associated delivery of these types of purchases – also cannot in any real fashion be factored into the traffic projections. What is a more believable assumption is that these trends will only continue to increase over the life of the project, as further consolidation of "brick and mortar" retail establishments occurs and as the demand for delivery of items purchased online continues to trend upward. Even as I write this, such iconic stores as J.C. Penney's and Macy's are filing for bankruptcy, as the combined effects of both the sales and acquisitions growth of giant online retailers – Amazon, Walmart, Target, etc. – and of the Covid-19 pandemic drive them out of business.

The area most affected by the Riverwalk project currently lacks many of the things that make a "community" thrive, and many of them are likely to cause an <u>increase</u> in traffic. Currently, this area of proposed project location has:

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Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7

- No fire station;
- A moderate contingent of police personnel (that very likely will need to be enlarged, along with additional vehicles for their use);
- No readily-available land as sites for the building of new churches;
- No plans to build local/in-area schools (other than an elementary school at the Civita development);
- No bus service in Mission Valley to the west of Fashion Valley Mall (and apparently no currently-stated plans for providing any new service); and
- No shuttle service for the western Mission Valley, Linda Vista, or Mission Hills areas to bring residents to the new transit station.

These are some of the things – that if they were *within* the community – *would help to limit* the driving needs of the community residents. The traffic impact study for this project states the existing community will not suffer any "significant impact" when the project adds approximately six thousand four hundred fifty (6,450) new residents' vehicles (~ avg. 1.5 vehicles/residence) to be used to take the residents to-and-from their workplaces five days per week. It bases its impact conclusions on (a) changes to CEQA to no longer require ADTs and LOS in favor of VMT as the significant measure of traffic effects on a community, and on (b) irrelevant comparisons.

** What are some issues with VMT?**

(From "ADC10 Summer 2018 20180910.pdf" at http://trb-adc10.weebly.com)

CCCC.A-1 (cont.)

"On the other hand, land use projects in suburban or rural areas are more likely to have significant VMT impacts. These projects typically did not cause LOS impacts or were able to mitigate them because the local roadway system had sufficient reserve capacity or modifying local intersections was feasible due to sufficient right-of-way." (My note: the limitations of the existing roadway system within west Mission Valley will cause LOS impacts which, however, will now be disregarded within the CEQA context).

...And...

"With CEQA also requiring the analysis of cumulative conditions, forecasting project effects on future 2040 or 2050 VMT conditions becomes even more challenging. Within this time horizon, the introduction of autonomous vehicles (AVs) is likely, along with other changes in mobility. Research we have completed on the potential AV effects on VMT demonstrated the potential for substantial increases as the cost of vehicle travel (in terms of both time and money) is reduced." (My note: 2040 is an outside end date for completion of project development, with a 10, 15, or 20 year development span, i.e., the various timeframes for full-development build-out, as stated by the Developer at different times in various venues).

(From appendix d - transportation impact analysis 1)

In Section 6.4 on Page 39 (i.e., 41/169) it is stated: "Based on the suggested project-specific VMT significance thresholds, there is no significant project traffic impact

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demonstrated under CEQA. There are two grounds for this conclusion either one of which is sufficient to support this conclusion. First, the project does not have a significant traffic impact because it will be located within ½ mile of a major transit stop and high-quality transit corridors. Secondly, the project does not result in a transportation significant impact because the project residential average VMT per capita and average VMT per employee would not exceed the 15% threshold below the regional average baseline VMT for residents and employees respectively. Therefore, no mitigation measures are required or proposed."

The first "ground" for an assertion of "no mitigation needed" assumes that, just because transit will be *available* it will be *utilized* in such a large amount of increase as to "self-mitigate" the effects of much more than 6,450 new vehicles being used within the project area on a daily basis. *Availability* of and actual *utilization* of the transit service are two entirely different things, and *the first neither proves nor guarantees the second*.

The second "ground" for an assertion of "no mitigation needed" generally ignores the actual *congestion* (which is not addressed in any depth in a VMT-only evaluation of traffic effects), as well as the *health-issues* that are presented herein as part of ITEM 4 – Relative to DEIR Issue Area "Greenhouse Gas Emissions", and to ITEM 6 – Relative to DEIR Issue Area "Health and Safety", that will be caused by the vehicle engines as they idle every day on the project site.

** What is one example of an "irrelevant comparison"? **

In riverwalk_public_review_draft_eir_part_3.pdf on Page 10-7 it is stated: "The Levi-Cushman Specific Plan would result in the generation of greater traffic volumes than the project due to its greater development density."

This statement refers to a comparison of 2 traffic models. The first is an earlier traffic model used with the original Levi-Cushman project plan and produced under a modeling methodology that is pre-SANDAG Series 13. This project traffic model was never put into practice, so the model's validity has never been verified. So what it may or may not have done is irrelevant to the project now seeking approval. The second model, a newer, less understood traffic model was produced for the currently proposed Riverwalk project using, at least partially, a SANDAG Series 13 modeling methodology (see the DEIR's appendix_d_transportation_impact_analysis_1.pdf). This second model, like the first, also incorporates postulated results that have yet to be implemented or proven correct. And to my understanding, Series 13 modeling has not yet received universal acceptance. In any event, to say the earlier project would have produced more traffic impacts than will the current project cannot be considered factual, since neither of the models has ever been implemented and put of "real-world use" test. Trying to determine the increase or decrease in traffic impacts by comparing a new unproven model to an older unproven model is basically meaningless.

It would seem that instead of trying to determine changes in traffic by comparing two neverproven models that were produced decades apart and based on different methodologies, a comparison of pre-development and post-development impacts on traffic that is based on an apples-to-apples factor comparison of ADTs would still yield information – whether <u>required</u> by CEOA or not – that is viable and certainly important enough to be given serious consideration

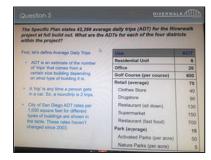
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(cont.)

<u>and due weight</u> as part of any real attempt to determine whether or not traffic impacts on the area will reach or exceed what is considered to be a "level of significance". This would seem to be a fairer and much more realistic approach.

The City of San Diego's own stated ADT metrics for different property uses (see image, below, of a slide from a Developer presentation made to the Linda Vista Planning Group's Riverwalk Subcommittee on 4/27/2020) shows that a golf course, on average, is considered to generate 600 ADTs per day, while an individual residence unit, on average, is considered to generate 6 ADTs per day. Multiplying 6 ADTs by 4,300 units yields 25,800 residential ADTs per day. If we divide those post-development residential ADTs by the 600 ADTs per day for the pre-development golf course, we find that post-development, we'll have at least 43 times the daily trip traffic volume than is currently generated by the Riverwalk property – in its actual use today – as a golf course.



CCCC.A-1 (cont.)

And, while the relatively small number of 600 pre-development golf course ADTs is spread randomly throughout all the daylight hours of a day – as individual golfers and small groups of golfers come into and exit from the golf course – a significant component of the post-development ADTs will be generated in two heavy clusters: in the morning "go-to-work or school" cluster, and in the late afternoon-evening "come-back-from-work or school" cluster, thus generating VERY significant congestion during these segments of the day. Combined, these two clusters, alone, will result in extremely heavy impacts for about 5 hours of each day.

I find this highly "significant".

The Riverwalk DEIR calculates the new resident count of the completed project as the average new residents-per-unit value of 1.86 multiplied by the 4,300 units value for *a total of 7,998 new residents*. Now, think of all the *additional* ADTs that will be generated to fulfill the needs of 7,998 new residents:

by the owners of, and workers within, the new (proposed) boutique shops, restaurants, grocery store, bars, and offices who, mostly, will drive to their place of employment in the Riverwalk project (especially since it is unlikely that the typically lesser-paid workers who will hold these positions will earn enough to pay for the mortgage or rent for the residential units in Riverwalk that are not part of the affordable housing units);

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- by the new residents to make trips to take and retrieve children from the pre-schools and schools their children will have to attend in outlying areas;
- by the new residents to make round-trips to and from the churches their families will have to attend in outlying areas:
- by the new residents to make round-trips to and from other grocery stores, retail stores, entertainment facilities, etc., that will – as is a normal occurrence in any residential area – be located in outlying areas;
- to support the sure-to-become-more-numerous-over-time deliveries of groceries and prepared meals;
- to facilitate mail and ever-increasing online-purchased package delivery;
- to facilitate numerous new waste and recyclables removal vehicles;
- to address the increase in needed services from police, fire fighters, and emergency service workers:
- to address the increase in "as-needed" trades workers (i.e., painters, plumbers, locksmiths, etc.) independent-contractor type workers (i.e., home-care, maid-service, baby-sitter or nanny, etc.) and other similar workers;
- to facilitate needed and on-going road, landscape, pathway, and park land maintenance in a 195 acre development;
- to facilitate post-flooding cleanup needs; and,
- to facilitate a completely indeterminate number of vehicles that will be used by those
 persons from "near and far" to drive to and from the large new "regional" park (while
 generating a similar indeterminate, but likely significant, amount of VMT) that is part of this
 project.

The project's RSPD estimates total ADTs at full project build-out to be 42,266, so we could say that if we deduct the calculated (on previous page) 25,800 residential ADTs from the 42,266 total project ADTs estimated in the RSPD, we would be left with a count of 16,466 non-residential ADTs – potentially a realistic number. But whether this estimated number of non-residential ADTs is sufficient or not, if we couple a 43-fold increase in daily residential vehicle trips with whatever number of additional ADTs are generated by all of the above-mentioned non-residential ancillary vehicles, and then factor-in the combined, associated congestion, noise and negative impacts on the levels of greenhouse gas emissions and general air quality, it can not reasonably be stated that the increased impacts will be "less than significant".

ADT and LOS have not been invalidated as realistic and valid impact measurement tools simply because CEQA no longer demands that they be used in a project's traffic impact study. And, simply because CEQA no longer requires their usage, that lack of requirement does not mean that a non-biased investigative traffic impact analysis should omit or totally ignore the effects that reasonably can be ascertained by using these well-known and respected tools. Those effects can lead to a very different conclusion about the relative "significance" of the impact that project-related traffic increases will levy upon the surrounding area of the proposed project – in this case, to me, a much higher "significance" level than posited within this project's DEIR.

And for a pinch of irony, let's remember that in the "irrelevant comparison" discussion a couple of pages back, in the riverwalk public review draft eir part 3.pdf on Page 10-7 it is stated:

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"The Levi-Cushman Specific Plan would result in the generation of greater traffic volumes than the project due to its greater development density." The comparison there invokes use of <u>traffic volumes</u>, more a product of ADT measurement than of VMT measurement, but ADTs – under the new CEQA rules – are no longer to be used as tools for traffic impact measurement! It doesn't seem this knife should be able to cut both ways, does it?

Another potential congestion issue is the fact that the new transit stop to be built as part of this project is not anticipated to be functional until 2,000 residential units are occupied. So how would the postulated increase of transit ridership (*if* such increase ever comes to fruition) lessen the congestion impacts on the existing and new western Mission Valley residents for all of that period of time it will take to upgrade to "intelligent" traffic signals along Friars Rd, to build 2,000 residential units and get them occupied, and to complete the installation of the new transit stop (which, at the time of the DEIR release, the agreement to build this transit stop has not been completed with MTS)?

Even if/when the transit stop is completed, without community-wide (i.e., not just within the confines of the Riverwalk project area, itself) shuttle service, there are many types of community residents who most likely will not use mass-transit, or who will use it minimally, or who will use it only for non-work purposes, or who will use it only on a "I have no choice" basis. Such types include, but are not limited to:

- Elderly persons An up-to-one-half-mile walk to reach a transit station in San Diego's hotter seasons will prohibit many elderly persons from being able to, or desiring to, use mass-transit (they may apply to use MTS Access, in the rider class of "I have no choice");
- Infirm persons Those with various conditions of infirmity will likewise not be able to
 make that up-to-one-half-mile trek, and therefore will not be able to use mass-transit (they
 also may apply to use MTS Access, in the rider class of "I have no choice");
- Persons hauling larger articles (e.g., furniture, rugs, waste materials, etc.);
- Persons who need to use their own vehicles to perform their jobs (e.g., contractors, haulers, independent-contractor delivery persons, real estate salespersons, route-type salespersons, etc.)
- Persons shopping who are purchasing frozen food items (especially in San Diego's hotter seasons) will not want to have their food items thaw while walking a half-mile+ to reach a transit station, waiting for transit to arrive, riding, and then having to walk half a mile or more to get home;
- A single parent traveling with a very young child;
- A single parent traveling with multiple younger children;
- Single women or younger persons, any time after dark;
- Automobile aficionados who won't choose to give up their prized vehicles; and,
- More affluent persons who will not choose to forego the comforts of their luxury vehicles.

Furthermore with only 10% of the 4,300 residential units to be deemed "affordable", it is more than likely that the remaining units will be - like the majority of San Diego's development projects being approved these days - "luxury units" (according to the "for sale", "for rent", or "leasing available" signs we see placed on such properties by their developers).

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The owners or renters who can afford to live in such units generally are not those who opt to use "alternative" modes of transportation on a regular basis. See:

https://www.sandiegouniontribune.com/news/environment/sd-me-transit-gentrification-20180517-story.html. Below is an excerpt from the article at the provided link:

"Will affluent residents ever embrace public transit?

The overwhelming majority of transit riders are people of limited means.

In San Diego, for example, 84 percent of transit riders come from households that make less than \$60,000 a year, according to data from the San Diego Association of Governments. And roughly 80 percent of riders are dependent on transit as their primary means of transportation."

In light of all of the above, for the DEIR to assert that there will be "less than significant impact" from this development project-created huge increase in necessitated vehicular traffic – and its related congestion, pollutants, emissions and noise – on existing streets that are often already impacted, simply does not seem believable to me. Instead of the "guesstimates" in this project's RSPD and DEIR (as well as the City's own Mission Valley Community Plan, which was updated in 2019) of how such a large contingent of residents in Mission Valley is going to abandon private vehicles in favor of regular use of mass-transit, bicycles, scooters, skateboards, roller-skates, walking, and Uber and Lyft (which significant numbers of San Diegans reasonably can't afford to use on a regular basis), the plans should be looking less at fairly-unprovable suppositions and more at recognizable and factual trends.

What are these trends? National and California growth trends of hybrid and electric personal vehicle purchases and similar growth trends of electric vehicle charging station installations, both of which are positive, and trending upwards. Additionally, testing of Autonomous Vehicles (AV) has been, and/or currently is, underway in San Diego (by SANDAG), as well as in many other major U.S. cities and areas, (including Arlington,TX, Boston, MA, Pittsburgh, PA, Portland, OR, San Jose, CA, Chandler, AZ, Central Florida, North Carolina, and more).

Future AV technology will significantly drive down the cost of vehicle usage (i.e., fully propelled by electricity; only 10 to 15% of a combustion-engine vehicle's drive train and engine moving parts; much longer required maintenance intervals; much longer vehicle life; and, no need for a driver – think the new Lyft or the new Uber). Historically, when technology produces a radical cost reduction in a product or in a service, both the adoption rate and the amount of usage of that product or service dramatically and swiftly increase.

From: https://www.marketwatch.com/press-release/autonomous-cars-market-future-prospects-revenue-growth-and-outlook-2026-fortune-business-insights-2020-05-28:

"Better safety, lesser fuel and insurance costs, and multitasking capabilities while traveling are expected to fuel the adoption of automotive cars".

...And...

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"Top Players in Autonomous Cars Market are Daimler AG, General Motors, Ford Motor Company, BMW AG, Robert Bosch GMBH, Denso Corporation, Volvo-AutolivEricsson-Zenuity Alliance, Renault-Nissan-Mitsubishi Alliance, AB Volvo, Groupe SA, Toyota Motor Corporation, Tesla Inc"

...And...

"The global Autonomous Cars market Growth is anticipated to rise at a considerable rate during the forecast period, between 2020 and 2023. In 2020, the market was growing at a steady rate and with the rising adoption of strategies by key players, the market is expected to rise over the projected horizon."

And from: https://www.techrepublic.com/article/self-driving-stories-how-6-us-cities-successfully-integrated-autonomous-vehicles/

"Autonomous vehicle technology is an emerging issue for many cities, and more than 50% are already planning for self-driving cars, according to a new report.

...And...

"Many people are wondering when we will truly see robots rolling down our streets, but in many cities this is already a reality. By piloting autonomous vehicle technology now, cities are able to ensure that any new policies and processes are city-centered and can be molded to the needs of people first and foremost."

Instead of assisting local government to re-engineer social behavior by force through the mechanisms of limiting and/or removing parking for personal vehicles, cramming more people into smaller and tighter environments (even at potentials for risk to their health), and pushing them onto transit systems that can readily help to incubate and/or spread disease, real estate developers should stand with the communities within which they plan to locate their projects and help solicit from local government and other agencies items such as, but not limited to:

- New incentive(s) for individuals to buy hybrid or, preferably, fully-electric vehicles;
- A more concerted and rapid distribution of electric vehicle charging stations;
- A positive incentive (i.e., lower registration fees) for vehicles with horsepower classified as less than "high performance";
- A positive incentive (i.e., *lower* registration fees) for high miles-per-gallon ratings vehicles;
- A positive incentive (i.e., lower registration fees) for lighter-weight vehicles; and
- Transit pricing options and "packages" that better reflect a fair price for value delivered (e.g., why should a rider pay the same price to ride from Mission Valley to Old Town as to ride from Mission Valley to downtown center?). For "short-trip" riders, this type of pricing (basically, "one size fits all") is a dis-incentive to ride transit.

Implementing such things similar to those listed above, and others, would help to facilitate a more rapid attainment of the goals established by programs such as the Climate Action Plan (CAP)

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without having to push unwanted and potentially unhealthy over-densification within new communities to be built, or onto proximate communities already in existence.

Additionally, the continuation and/or expansion of SANDAG's Autonomous Vehicle Regional Proving Ground (AV testing) project here in San Diego (see:

https://www.sandag.org/index.asp?elassid=13&subclassid=10&projectid=542&fuseaction=projects.detail) may yield significant information that could bring about major changes in how new communities can and should be planned. An excerpt from the site at the link above: (My italics)

"Since the National Highway Transportation Safety Administration has linked 94 percent of vehicle crashes to human error, automated vehicles have immense potential to save lives. SANDAG understands these safety benefits and was the first planning agency in California to incorporate automated vehicle assumptions and resources into the region's long range transportation plan, San Diego Forward: The Regional Plan. The 2015 Regional Plan envisions that fully automated vehicles could begin to replace conventional cars by 2025. The 2021 Regional Plan is in development.

The San Diego Regional Proving Ground (RPG) is designated for testing automated and connected vehicles; supporting technology; and innovative modes, methods, and models that will *transform the movement of people and goods.*"

Other than a brief reference in DEIR Part 1, Page 5.1-104, to the potential for use of an AV shuttle within the Riverwalk project area only (this passage is generally repeated on Page 380 / 1453 of the DEIR appendix 1 mobility_assessment), and a small "nod", in DEIR Part 2, Page 5.3-33 (this passage is generally repeated as "Parking Design Policy-32" on Page 6-27 of appendix_cc_-draft_riverwalk_specific_plan_part_5), to the fact that the technology may grow over time and could lead to some parking lot "re-purposing" within the project, this entire area of AV technology growth – in spite of the highly significant impact it is projected to have on future communities – is given little mention in this project's DEIR or its associated RSPD.

The SANDAG Regional Proving Ground project may help to bring about a much more rapid AV adoption rate in San Diego than the already rising national AV adoption rate. Could it be that this DEIR and its associated RSPD – by virtue of giving less than minimal credence to such a swiftly evolving "game changer" as the effects of AV technology on future communities, while giving perhaps more credence than it should to inconvenient and at times health-risky transit usage – could cause this project to end up becoming a "city of the past" by the time it eventually gets completed ... in 10, 15, or 20 years (the various potential project completion endpoints, as stated by the Developer).

Another item to consider that has high potential to produce prolonged and potentially severe traffic impacts in Mission Valley (and thus relative to the Riverwalk area) is the Alvarado 2nd Pipeline Extension Project which was not mentioned, let alone addressed in any detail, in this project's RSPD, DEIR or its associated traffic impact study.

This Alvarado 2nd Pipeline Extension project will necessitate tearing-up Friars Rd from Sea World Drive on the west to River Run Drive (near 805) on the east, in order to install new fresh

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water trunk and transmission piping. It is anticipated that this project will begin in mid-2021 (see: https://www.sandiego.gov/sites/default/files/city of san diego alvarado 2nd pipeline extension project fact sheet - june 2020.pdf), within a couple of months of the anticipated start-time of the Riverwalk development build-out, and will span most of the first three (3) years of Riverwalk build-out, until mid-2014. This will mean two massive projects - the Alvarado 2nd Pipeline Extension and Riverwalk - will overlap one another for as much as three (3) years, and likely will cause major impacts to traffic on the single, most-used thoroughfare (Friars Rd) within this area.

Can we make west Mission Valley any more impassable than it's already become? The DEIR does not address the <u>cumulative impacts</u> of these two concurrent projects on the proximate communities of the development area.

I find this VERY highly "significant".

To my knowledge, this Riverwalk project is the first, and the largest, San Diego development project whose critically important traffic impact analysis has been undertaken, at least in significant part, using a Series 13 methodology that apparently few persons truly understand. It has also made significant unproven assumptions, and been undertaken in parallel with a vast slew of changes in: land use and zoning designations; development policies, rules, and programs; and CEQA requirements – all of these effected (or finally implemented) within the past year.

In the California Supreme Court case *Laurel Heights Improvement Assoc. v. University of California* (1988) writeup at: https://law.justia.com/cases/california/supreme-court/3d/47/376.html, the court stated:

"An EIR is an "environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." " (My italics)

It would seem that a smaller project – something akin either to Project Alternative 2, or Project Alternative 3, in Section 10 of the project DEIR, or even a different smaller project in a geographic area that would suffer less significant harm and that offered more and better options for recovery should its traffic impact analysis prove faulty – should be used as the test bed for determining the actual impacts that are going to result from a traffic impact analysis done under the circumstances as was the one associated to this DEIR. Riding closely on the tail of so many quick changes as discussed above, such results are extremely difficult to foresee and will be even more difficult to correct, should they prove to be negative. In the end, by reducing the size of this project by approximately half (i.e., by adopting DEIR Alternative 2 or Alternative 3), the impacts of the mistakes that can be made in using this exceptionally large project as the test bed of a rapidly implemented stew of changes, may be made more easily recoverable – before reaching, as the Court called them, "points of no return". That just might be the best project mitigation of all.

From an article at: https://www.meyersnave.com/ca-supreme-court-establishes-cega-rules-eirs-discussion-health-effects/ which discusses another California Supreme Court case:

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"In an important CEQA case, the California Supreme Court ruled that courts reviewing claims that an Environmental Impact Report (EIR) inadequately discusses environmental impacts must determine whether the EIR 'includes sufficient detail' to support informed decisionmaking and public participation." (My italics)

...And...

"The Court found the EIR's discussion *omitted material* necessary for *informed* decision-making and to enable the public to understand and meaningfully consider the impacts of the project." (My italics)

Note that the second article excerpt above did NOT state: omitted CEQA-required material.

If this project's EIR (i.e., the final version of this DEIR currently under review) is also allowed to fail to provide – as is the case with this draft version EIR, especially relating to its analyis of the project's traffic impacts that are readily determinable by accepted measurement factors other than VMT – to local government agency decision-makers all of the valid and necessary information (i.e., not just what CEQA requires) in "sufficient detail" about that project and its effects such that those agencies are able to "understand and meaningfully consider the impacts of the project" (and thus are also able to make "informed" decisions relative to that project), then that EIR could be construed to have the same failing as the above-referenced case reviewed by the California Supreme Court.

CCCC.A-1 (cont.) For the multitude of reasons and rationales I have presented in this section, I firmly believe that this project's traffic impact study is flawed to the extent that it has painted an overly lenient, if not incorrectly rosy, picture of the traffic conditions that will prevail by the time of this project's completion, if not sooner. By extension, I believe this DEIR's Issue Area of "Transportation/Circulation" should NOT be considered "less than significant" in its impact to the project's surrounding communities.

Furthermore, if we *realistically* assess the impacts to circulation and the congestion thereof due to this project, we must, by reasonable extrapolation, question the claim of "no significant impact" to some of the other fifteen (15) Issue Areas of this DEIR. A classification higher than "less than significant" for this Issue Area of "Transportation/Circulation" has a likelihood of naturally and materially affecting, at a minimum, those other DEIR Issue Areas of Green House Gas Emissions, Air Quality (i.e, more exacerbation and a higher level of "significance" than has already been stated), Noise, and Health and Safety, very possibly to the extent of moving <u>each of their own levels of impact to a level ABOVE that of "less than significant"</u>. If this is the case, revisions to the project's EIR should be required.

ITEM 3 - Relative to DEIR Issue Area "Visual Effects/Neighborhood Character"

- 1) Current project documents do not provide any information regarding the following:
 - a) The DEIR seems to *err by omission* when it doesn't provide definitive drawings or pictures of what the residence buildings the *single largest component of the project* or

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the project *building massing*, in general, will actually look like. In the many presentations the Developer has made to the community and to the MVPG Riverwalk Subcommittee, nothing beyond "illustrative only" renderings of the project have been issued for review.

How can impacts to "neighborhood character" be evaluated and fully understood, when definitive visual examples of what actually is to be built are not provided for review?

b) We also don't know the breakdown – either by number or by percentages – of the composition and sizing of the residential units. How many will be studio apartments, how many 1, 2, or 3 bedroom units, how many for elder-care, or student housing? Will there be micro-unit type buildings, or hotel / hostel type buildings. How will these be clustered or mixed by type?

Without knowing such things, can it truly be said there will be "no significant impact" relative to the DEIR's Issue Area of "Visual Effects and Neighborhood Character"?

- c) Ratios/percentages have not been provided regarding:
 - o Distribution of "for-sale" vs. "for-rent" units:
 - o Anticipated price range of for-sale units (if any);
 - o Anticipated rent range of for-rent units; and
 - o Anticipated lease-rent range for long-term-lease (if any) units.

How can anyone or any agency reasonably determine if the project will actually address the real areas and price points that are essential to helping solve the <u>affordable</u> housing crisis we have, or that will increase transit ridership, in San Diego – a core goal of TOD development projects – when such information is not available for review?

2) The photo below shows a current west Mission Valley view looking eastward – open skies, peaceful environment, and beautiful mountains at the horizon – soon to be replaced by walls of concrete (well, maybe concrete, but, as is stated above, the community hasn't yet seen what the actual residence buildings will look like).



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"Less than significant"? "Neighborhood character"? Poll those persons who bought, rented, or leased properties that offer them a beautiful, natural, and peaceful environment – ask them if they think the change to their "neighborhood character" will be "less than significant" when a new "small city" (along with up to 20 years' worth of construction) is dropped into their midst. This is not just a change in quality <u>of</u> life, but to many older community residents will be a change to the quality of the rest of their lives".

ITEM 4 - Relative to DEIR Issue Area "Greenhouse Gas Emissions"

In riverwalk public review draft eir part 2.pdf, Section 6.2.9.3 on Page 6-17 it is stated:

"...the project's contribution of GHG emissions to cumulative *Statewide* emissions would be less than cumulatively considerable." (My italics)

And that seems to be about all that is needed to be able to give the "level of insignificance" stamp to this DEIR's Issue Area of "Greenhouse Gases".

So, short of building an actual major metropolis, it would seem unlikely that <u>any</u> single development project would ever be capable of pushing the GHG significance level of the entire STATE of California to a level high enough to consider it "significant" for the project. <u>But, what about the significance level at the place where this large project will actually be built?</u> Adding more than 6,450 residential automobiles and all the ancillary delivery and support vehicles that have been enumerated in detail in this document's ITEM 2 – Relative to DEIR Issue Area of "Transportation/Circulation" will produce GHG increases and impacts on the project's neighboring communities that are certainly beyond "considerable" in their significance to the health and welfare of the residents of all these communities.

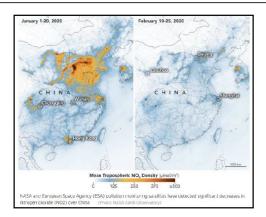
NO2 (nitrogen dioxide) is a tropospheric gas primarily produced by traffic and factories that has a role in the creation of greenhouses gases. From https://norwegianscitechnews.com/2016/05/hva-er-det-egentlig-med-denne-nox-en/:

"Although the most important component of vehicles exhausts is NO, this is rapidly oxidised to NO2, which is not a greenhouse gas itself. That is to say, if we fill a bottle with NO2 and leave it out in the sun, the temperature of the gas will not rise. However, NO2 is responsible for the formation of ozone, which is a greenhouse gas..."

Since the start of 2020 (due to stay-at-home policies connected to the COVID-19 pandemic), satellite imagery shows a dramatic and significant *reduction* in air pollution and NO2 (and a reasonable-to-associate reduction in Greenhouse Gas Emissions) due to a reduced usage of gasoline powered vehicles.

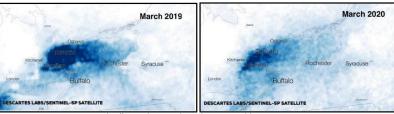
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Relative to the photos of China, above, it is a reasonable conclusion that adding the much more than 10,000 (resident, visitor, and business-related) vehicles to the limited geographical area of the Riverwalk project, would show, in a similar but reverse, fashion, a dramatic and significant *increase* in air pollution (and the reasonable-to-associate increase in Greenhouse Gas emissions). (See: https://earthobservatorv.nasa.gov/images/146362/airborne-nitrogen-dioxide-plummets-over-china?utm=carousel)

CCCC.A-1 . (cont.)



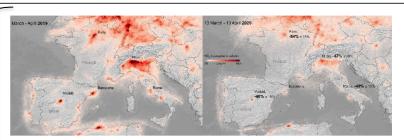
Similar effects can be seen in the Northeast regions of the U.S. and Canada

(See: https://www.thestar.com/news/gta/2020/04/05/satellite-images-provide-perspective-on-life-during-the-covid-19-pandemic.html)

The photos above show the combined effects of pandemic-related "stay-at-home" policies and their associated massive reduction in vehicular traffic in Northeast regions of the U.S. and Canada. Similar to the situation in China, it is reasonable to assume that the addition of massive amounts of *new* vehicular traffic (See: ITEM 2 – Relative to DEIR Issue Area "Transportation/Circulation") will have a similar effect in reverse, and cause a significant increase in NO2 levels in the Riverwalk area. (See: https://www.inverse.com/science/data-reveal-air-pollution-levels-plummet-as-world-goes-on-lockdown)

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The images show a comparison between nitrogen dioxide levels from 13 March to 13 April 2020, compared to the March-April averaged concentrations from 2019. ESA

The photos above show the same type of effects of lessened-traffic in parts of Europe, due to the COVID-19 "stay-at-home" policies that significantly reduced traffic and thus reduced correspondingly the air pollution and NO2 tropospheric gas levels there.

The three (3) following quoted passages are from: https://www.accuweather.com/en/health-wellness/satellite-images-show-how-air-pollution-has-changed-during-the-pandemic/711767 (My comments are in italics.)

"Cars only account for 9 percent of emissions for nitrogen dioxide in the Los Angeles area," Lacombe said. "Trucks account for about half of them."

The Riverwalk project will introduce a new and large, indeterminate number of truck trips into the area (see ITEM 2—Relative to DEIR Issue Area of "Transportation/Circulation"), and minimally twelve, fifteen or more thousand automobile trips per day into the project area. This is a recipe for a dramatic increase in Greenhouse Gas Emissions and related particulate matter.

...And...

"Narrow city infrastructure in western Europe tends to shield emissions from the wind compared to the sprawling roads and cities of America, which adds to the contrasts in observed air pollution levels. ... 'The streets are much more narrow, so emissions from traffic would stay there....'"

...And...

"...Plume Labs still saw spikes in other pollutants, such as particulate matter and ground ozone.

Particulate matter is a type of small, fine dust in the air that's practically invisible, but it works its way into the lungs. These particles alone can cause serious health impacts such as cardiovascular disease and respiratory illnesses, which can then lead to heart attacks, aggravated asthma and decreasing lung function, Robbie Parks, a post-doctoral research

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fellow at the Earth Institute of Columbia University told AccuWeather in a Skype interview. People with these health issues are also listed as being at-risk for contracting COVID-19."

We have yet to see examples of the proposed building massing for the project, so in that absence, it is assumed herein that the closeness of the numerous project buildings will exacerbate the collection of, and cause an increased retention period for, pollutant particles within the project area. This could be construed as more "omitted" but relevant information that should be made available to the public, and to local officials to enable their "informed" decision-making.

With the huge increase in traffic congestion will come an attendant increase in exhaust emissions from all the types of vehicles being used to make the large number of additional vehicle trips listed herein. It is important to note that every ten (10) minutes of idling in crawling or stalled traffic wastes (depending on vehicle particulars and vehicle maintenance conditions) between one-tenth (.1) and four-tenths (.4) of a liter of fuel. (See: http://greenactioncentre.ca/healthy-travel/myth-2-its-better-to-idle-your-car-than-shut-it-off).

Given the amount of new vehicle trips engendered by such a massive development as Riverwalk is proposed to be, this wasted gasoline further equates to a huge amount of new air pollution for Mission Valley – a situation certainly antithetical to CAP goals. Furthermore, even in the later stages of development, when the intelligent traffic signals are installed and functional, there will still be extremely significant additional amounts of exhaust emissions released into the community – at some or all seven (7) proposed exits from the development – from backed-up lines of idling vehicles waiting for intelligent traffic lights to turn green (especially in the morning "go-to-work or school" cluster, and in the evening "come-back-from-work or school" cluster, that were discussed in Item 2 – Relative to DEIR Issue Area – "Transportation/Circulation").

ITEM 5 - Relative to DEIR Issue Area "Public Utilities"

a) Water rationing - Existing and Future

The San Diego city government currently plans to have housing in and around the area of the western end of Mission Valley increase by a minimum of ten thousand plus (10,000+) additional multi-unit type dwelling units. It is important to note that although the current RSPD calls for building 4,300 units, the Riverwalk project area – if processed to be removed from the density restrictions imposed on it by the RSPD, and based on the new zoning and land use codes applicable to the project's geographical area – is allowed to host up to 10,000 residential units.

Additionally, the Developer could choose to sell one or more of the project area's 50 "lots" to other developers, each of whom could then choose to process *their* lots for removal from the strictures of the RSPD. Doing so would pave the way for those developers to utilize and build to the underlying higher dwelling density allowances afforded to the project area by the combined effects of the new Mission Valley Community Plan and recently enacted land use and zoning changes.

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However, even with a limiting to 4,300 units for the Riverwalk project, the total effect on the immediate area equates to an approximate three-fold increase of multi-unit type dwelling units relative to those that currently exist within this same small area, and all of these new units' residents will need *fresh water!*

Upwards of eighty percent (80%) of San Diego's fresh water is brought into the area from non-local sources. With low water resources, inadequate infrastructure and aging dam issues already present, San Diego residents should not have to choose between facilitating massive new developments and having the ability to service the potable water needs of existing residents. Neither should these residents be saddled with tax hikes nor assessments that in all likelihood will be necessary to fund the additional resources and infrastructure which will be required to support 10,000+ new units in west Mission Valley – at least 4,300 of which are proposed for the Riverwalk project – *plus* the multitude of new TOD units the City is pushing for across many different sites, county-wide. The Times of San Diego article at this link https://timesofsandiego.com/politics/2017/09/20/san-diego-can-add-220k-new-housing-units-by-2028-council-pair-say/ states:

"The report said San Diego will need as many as 220,000 new housing units by 2028, but if all the suggestions are carried out, that number could be met or exceeded."

How can the fresh water needs of so many new residents and retail workers and office workers be supported by a water department that <u>already</u> periodically establishes water rationing on the residents of the area within which this new, huge, development is to be built?

b) Electrical brown-outs – Existing and Future

Very much like the situation of water rationing, described above in ITEM 5a, electricity brown-outs may occur more often as heavy dwelling density is thrust upon Mission Valley. In the DEIR's appendix j-_lettersresponses to service_providers, the following response from San Diego Gas and Electric (SDG&E)...

"Our ability to serve future projects in our service territory will depend on the supply of fuel and other essential materials available to us and on our obtaining government authorization to construct the facilities required."

...states neither a commitment to, nor the capability of, providing the electricity requirements of the new project. Neither should it give anyone a "warm and fuzzy" feeling of what to expect relative to the future brown-out potentials for this west Mission Valley area, and the rest of Mission Valley, as other large projects are built.

How can the electricity needs of so many new residents and retail workers and office workers be supported when the area in which this new, very large, development is to be built is <u>already</u> affected by periodic electricity "brown-outs"?

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c) Solid Waste disposal – Limitations on/Lack of Solid Waste Disposal Sites

The chart below, from the DEIR's appendix q_-waste_managment_plan.pdf, Page 13, states the amount of solid waste the Riverwalk project expects to create per year to be 7,280 tons (as it is shown in the chart below, the strikeout of the previous number exists in the appendix q chart).

Table 7
Estimated Solid Waste Generation from the Riverwalk Project – Occupancy Phase

Use	Intensity	Waste Generation Rate	Estimated Waste Generated (tons/year)
Residential	4,300 units	1.2 tons/year/unit	5,160
Commercial – General Retail	140,000 <u>150,000</u> sq. ft.	0.0028 tons/year/sq. ft.	392 420
Commercial - Office	1,000,000 sq. ft.	0.0017/tons/year/sq. ft.	1,700
		TOTAL	7,252 <u>7,280</u>

7,280 tons per year is 14,560,000 (fourteen million five hundred sixty thousand) pounds per year. 7,280 tons of solid waste also equates to 19.95 (rounded to 2 decimal places) tons of solid waste being generated *per day* by the Riverwalk project, at its full build-out.

The Riverwalk DEIR appendix j - lettersresponses_to_service_providers.pdf document does not contain any letter from any San Diego landfill site management company that states it is willing to handle, and is capable of handling, an additional twenty (20) tons per day of solid waste. What company or companies has/have committed to accept this new amount of solid waste?

Related to solid waste issues, and keeping in mind that a goodly portion of the project's "solid" waste will be "wet" waste, I was unable to find within the DEIR document set any significant reference to how the potentials for odor pollution related to this component of the nearly 20 tons per day of solid waste will be mitigated between the periods of its "capture" on-site and its removal from the site by 3rd party waste management services. Being neither an environmentalist nor a gardener by trade, I am not positive, but I nonetheless believe that not all of the wet or otherwise odoriferous solid waste will be compostable.

Does such a discussion for the non-compostable component of the project's solid waste exist, and, if so, where is it within the document set of the DEIR? If such a discussion does not exist, I believe it should be added to the DEIR along with the mitigation measures that will be used to curb the potential odor pollution.

ITEM 6 - Relative to DEIR Issue Area "Health and Safety"

a) Density vs. Pandemic-related and/or Epidemic-related contagion and deaths

** Note: Much of the DEIR being reviewed herein was prepared prior to the start of 2020, and therefore was prior to the onset of the COVID-19 pandemic.

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Refer to any reputable website or news source to see the rates of contraction of, and deaths from, the COVID-19 virus; it is readily apparent that areas of high density have much higher incident counts of both, than do areas of lesser density. It is yet to be known if this will also be true for the *duration of contagion* within high density – versus moderate and low density – development environments and areas. Because of this, "super-density" projects should either be down-scaled for present approvals, or held in abeyance until protections relative to such pandemic-related considerations can be determined over time, from seasoned statistical data captured and analyzed by medical and scientific professionals.

I believe this DEIR *fails in its inattention* to the now-known but yet-to-be-determined level of exacerbating effects of residence and population density on the spread of, retention of, and re-infection from, communicable disease outbreaks (i.e., in the vein of COVID-19), at a pandemic level, or otherwise. As stated in this excerpt from the Harvard University article located at: https://www.gsd.harvard.edu/2020/04/have-we-embraced-urban-density-to-our-own-peril-michael-hooper-on-hygiene-public-perception-and-the-urban-penalty-in-a-global-pandemic/

"...Historically, for example, dense settlements have been associated with increased risk of disease. Scholars have argued that virtually all human infectious diseases due to microorganisms arose out of the emergence of urbanism.

As a result of the association between dense urban settlements and disease transmission—a phenomenon referred to in public health as the "urban penalty"—dispersal from cities has sometimes been viewed as an effective response to infectious disease outbreaks. ..."

So where are residents of such dense San Diego developments to run when contagious disease sweeps through such developments? The Developer has stated it didn't directly seek to build 4,300 units, and, in fact, had wanted to build less. I agree with building less. That would better suit the area conditions as well as the community's safety and desires.

As stated earlier, in ITEM 4 - Relative to DEIR Issue Area of "Greenhouse Gas Emissions":

"...the closeness of the proposed project buildings will exacerbate the collection, and cause an increased retention period for, pollutants within the project area."

Some viruses can attach to air pollutants as a "transport mechanism", so if the retention period of pollutants can increase in a dense environment, then, it follows that if a virus is able to adhere to pollutant particles, the virus's retention period could be increased as well.

Densification and the use of mass transit promote the very opposite of social distancing. The nation's densest major city, New York City, is also a major center of the COVID-19 pandemic. New York Governor, Andrew Cuomo, recently said high-rise apartment complexes and busy subways are responsible for the city's plight – he regarded dense environments as contagion "feeding grounds".

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In its failure to consider the effects of density and transit on the spread of contagion and illness, this EIR appears to me to be, at best, incomplete. COVID-19 is not a once in a hundred-year event. Neither is it the only pandemic-capable disease that can be exacerbated in highly dense human living environments – think, Ebola, SARS, H1N1, and MERS, which are all epidemics that have occurred within the last 20 years.

Given the now-known-to-be-exacerbating effects of high-density dwelling environments on an epidemic outbreak or on a pandemic outbreak, and given that pandemic-related conditions were not addressed in the DEIR, the project's building massing, building ventilation and/or filtering systems, and air corridors, at a minimum, need to be further evaluated as part of the project's Issue Area of "Health and Safety".

b) Respiratory Problems

During the 10, 15, or 20 years of development-related construction, relocation and/or importation of (potentially) hundreds of millions of pounds of fill-dirt will be used (mainly in the project's North District) to raise the land area underneath the to-be-constructed residential units, retail area(s), and transit hub. A by-product of this land movement will be a huge amount of dirt and construction-related dust being released into the surrounding air environs. This will be a very lengthy and considerable threat to the respiratory systems of all reasonably proximate Mission Valley residents, most especially those older persons and any persons already afflicted with any type of respiratory issue, such as, but not limited to, asthma, emphysema, and certain allergies.

c) Density vs. Increased Potential for Vehicular and Pedestrian Accidents/Injuries/Deaths

Mathematical probability upholds and validates the assumption that a huge increase in vehicle use within any defined area will necessarily result in a higher level of all types of vehicular-related accidents, injuries, deaths, and property damage, in that same defined area, than would occur without that huge increase of vehicular traffic.

d) Refer to ITEM 2 – Relative to DEIR Issue Area "Transportation/Circulation" and to ITEM 4 – Relative to DEIR Issue Area "Greenhouse Gas Emissions"

Much of each referenced discussion, above, is also relevant to this Issue Area of "Health and Safety".

e) Stress-related Issues due to Increased Density

"Density" and "crowding" are not the same things. Density *does not always* lead to crowding; however, density *can* lead to crowding and its effects. Such conditions of "crowding" can manifest themselves in increased levels of stress, anxiety, illness, and violent and/or abusive behavior.

The next two (2) quoted passages are from: http://psychology.iresearchnet.com/social-psychology/group/crowding/).

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"When people experience crowding, their social interactions change. Two results are common: They withdraw from others, creating more psychological space when physical space is limited, and they become more irritable and potentially aggressive."

...And...

"Men may react more physiologically to crowding, their blood pressure and stress hormones elevating more, whereas women (at least initially) try to get along with those around them when it's crowded. However, over time, if these attempts are unsuccessful, women may actually react more negatively because their attempts at affiliation prove futile."

Also, according to the World Health Organization article at: http://www.who.int/water-sanitation-health/emergencies/qa/emergencies-qa9/en/,

"For communities, inadequate shelter and overcrowding are major factors in the transmission of diseases with epidemic potential such as acute respiratory infections, meningitis, typhus, cholera, scabies, etc. Outbreaks of disease are more frequent and more severe when the population density is high."

f) Insufficient Police Contingent within the area

From DEIR appendix j - lettersresponses to service providers:

The letter from the San Diego police department, dated May 8, 2020 states:

"The Project is currently located in the City of San Diego, within the boundaries of police beat 623. The 2016 average response times for Beat 623 are 6.6 minutes for emergency calls, 13.4 minutes for priority one calls, 37.3 minutes for priority two calls, 108.8 minutes for priority three calls and 169.5 minutes for priority four calls.

The department's response time goals are 7 minutes for emergency calls, 14 minutes for priority one calls, 27 minutes for priority two calls, 80 minutes for priority three calls and 90 minutes for priority four calls."

The chart below shows the %age amount of time, above or below the Police Department's performance goals, for five (5) categories of calls it is responsible for responding to in the Project area (i.e., in police beat 623).

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CALL	TARGET	CURRENT AVG.	CURRENT RESPONSE	FASTER OR
CATEGORY	RESPONSE	RESPONSE	TIME DIFFERENTIAL %-	SLOWER
	TIME GOAL	TIME	AGE ROUNDED UP/DOWN	THAN AVG
			ON 2nd Digit at .5	
Emergency	7 minutes	6.6 minutes	.4 minute /or/	Faster
			5.7 %	
Priority One	14 minutes	13.4 minutes	.6 minutes /or/	Faster
			4.3 %	
Priority Two	27 minutes	37.3 minutes	10.3 minutes /or/	Slower
			38.1 %	
Priority Three	80 minutes	108.8 minutes	28.8 minutes /or/	Slower
			36.0 %	
Priority Four	90 minutes	169.5 minutes	79.6 minutes /or/	Slower
•			88.3 %	

We can see that Beat 623, for the two (2) higher (i.e., more urgent/severe) categories, has response times from 4.3% to 5.7% slightly FASTER than the San Diego Police Department's goals, but for the remaining three (3) lower (i.e., less urgent/severe) categories, has response times from 36.0% to 88.3% SLOWER than the Department's goals. This chart shows that with its current contingent of police officers Beat 623 already has issues responding "to goal" in three (3) out of five (5) of the categories it uses to rate its own response times, while the other two (2) categories very slightly exceed the stated goals.

The same Police Department letter goes on to state, for the project area covered by Police Beat 623:

"There are no current plans for additional police sub-stations in the immediate area. Police response times in this community will continue to increase with the build-out of community plans and the increase of traffic generated by new growth. A Crime Prevention through Environmental Design Review (CPTED) is recommended by the police department to address general security concerns." (My italics)

The net effect here is that before any build-out even begins, three (3) categories of issues needing police assistance are already behind goal in response times, while it is extremely likely that the slight betterment-to-goal currently seen in two (2) of the five (5) categories will soon disappear, almost as soon as project development begins (i.e., due to the negative effects that will show up almost from development "day one", due to accidents, theft of materials, vandalism, increased homeless person issues, and other similar types of issues that will require additional law enforcement interventions).

Since the cited letter is dated May 8, 2020, it is unlikely that a CPTED Review has even been scheduled, let alone performed, but, if it has been performed what are its results, and are there any related plans and commitments to augment Beat 623 to be able to keep up with the new level of policing demands that will be generated, ever increasingly, across the project timeline?

Additionally, on page 5.2 – 21 of the riverwalk_public_review_draft_eir_part_1, it states:

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"Emergency response times to all portions of the site are adequate under existing conditions."

What part of the current response times for three (3) of the five (5) categories of law enforcement needs for this area being 38% to 88% lower than goal (see chart, above) should signify that this condition is "adequate" now, let alone for those greater service levels that will be required by the 7,998 new residents and by other business operations that are currently being proposed for this project?

g) Evacuation Issues

"Law enforcement agencies are the primary lead for evacuation activities with other agencies playing supporting roles." (Are these those same good officers who are already under-staffed and over-worked? – See the discussion and chart, above, in my Item 6f.)

"The primary mode of transportation that will be used during jurisdictional evacuation efforts will be privately owned automobiles." (Are these the same "privately owned vehicles" the City wants us to give up in favor of transit use?).

"Major ground transportation corridors in the OA will be used as primary evacuation routes during an evacuation effort." (Are these the same roads in this tight valley that are already often inadequate for normal travel needs and will be further used by 6,450 additional resident vehicles plus an unknown, but unquestionably large number of new community support-related vehicles?).

"Major ground transportation infrastructure within the OA will remain largely intact following most incidents." (When they show up, maybe we can inform the earthquake, the flood, and the tsunami that this has been assumed for our evacuation needs, so they must leave our exit roadways "largely intact" – that should help).

"The following assumptions were established in development of this Annex: The following principles should be considered when making evacuation decisions:

• Reduce the number of people who must evacuate..."

(So, of course, the best way to protect those thousands of persons in time of needed emergency evacuation is just to make Mission Valley's vision for the future based on a non-funded and highly speculative Community Plan that wants to increase the total population of the valley at least five-fold).

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The following excerpt from Table 5 (TABLE 5: ESTIMATED NUMBER OF PEOPLE THAT WILL REQUIRE TRANSPORTATION ASSISTANCE) on SD County's Annex Q's page 28, shows that, for ALL OF San Diego (not Mission Valley, alone) that only 1,240 persons will require assistance when a flood hits.

San Diego	Dam Failure	Earthquake	Flood (100 Year)	Tsunami	Wildfire/Structure Fire (High Risk Probability)
Exposed Population	75,686	1,354,013	36,042	10,294	1,244.722
Shelter Estimates	3,784	67,701	1,240	515	62,236

^{*} Based on the assumption that 5.8% of the exposed population will require evacuation transportation assistance.

Does anyone remember how many persons were affected the last time Mission Valley was evacuated due to flooding?

A look at http://www.communitvwalk.com/map/list/181443 shows only one emergency shelter site (Qualcomm Stadium) in all of Mission Valley, and the County of San Diego's Emergency Site at: https://www.sdcountvemergencv.com/content/oesemergency/enus/shelters.html doesn't show any shelters for Mission Valley – in fact, when attempting to search for shelters using Mission Valley and Linda Vista zip codes, the site only presents a message saying: "This page can't load Google Maps correctly.".

These are all things that are impacted by introducing nearly 8,000 new residents (and these, from only ONE of the multiple, large developments planned for Mission Valley) into a tight valley with limited roadways, police resources, and catastrophe-related emergency services.

The DEIR's Section 5.16 Health and Safety relies heavily on the above-cited Appendix Q for how the safety of the new Riverwalk residents, as well as all proximate, existing valley residents, is to be affected. Appendix Q, to me, seems very weak as a public protection document, and seems to rely upon some shaky-at-best levels of resources that are to facilitate the response, services and goals it describes as necessary in event of catastrophic emergencies. If the foundation (i.e., Appendix Q) is weak, so too is the house upon it -I believe this DEIR needs to do much more to show how such a large new contingent of residents as this project proposes, in such a constrained area, can adequately be protected in such a variety of emergency situations.

h) Runoff

In riverwalk public review draft EIR part 1.pdf, Section 1.5.2, Page 1-4, it is stated:

"Pursuant to Section 401 of the Clean Water Act (CWA), the local Regional Water Quality Control Board (RWQCB (Region 9) would be responsible for issuing a waiver or certification for any project actions resulting in the discharge of runoff from the site." (My italics)

Given the hundreds of millions of pounds of soil movement and/or import which are a proposed part of this project, it is likely that runoff may be discharged. Therefore, it would

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seem likely that these movement and importation activities would be classifiable as types that require "a waiver or certification for any project actions resulting in the discharge of

The DEIR's appendix j – lettersresponses_to_service_providers.pdf shows no letter to the RWQCB requesting a waver or certification related to potentials for soil runoff. Is such a waiver from the Regional Water Quality Control Board (RWQCB (Region 9)) included as part of this project's DEIR? If not, has such a waiver been requested for this project?

It really doesn't seem that the DEIR's Issue Area of "Health and Safety" took *all of the above-listed significant issues* into account when stating that there are no problems or concerns here that should elevate this Issue Area's assessment to a "level of significance". In CEQA Guidelines Section 15126.6(f) it is stated:

"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. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project." (My italics)

Taken collectively, the public health and safety considerations discussed here in ITEM 6 would seem to invoke the CEQA "rule of reason" for a project alternative that screams loudly for the need to lessen the density of the Riverwalk project, from the proposed 4,300 units to somewhere more in the range of 2,000 to 2,300 units. The residential unit counts that are discussed in both Project Alternative 2 and Project Alternative 3 in Section 10 of the DEIR fit within such a range.

CCCC.A-1 (cont.)

ITEM 7 - Relative to DEIR Issue Area "Air Quality"

runoff from the site."

** This DEIR Issue Area has already been recognized as having attained a "level of significance" **

Refer to ITEM 2—Relative to DEIR Issue Area "Transportation/Circulation", ITEM 4—Relative to DEIR Issue Area "Greenhouse Gas Emissions", and ITEM 6 (sub-item b)—Relative to DEIR Issue Area "Health and Safety". Each of these three referenced discussions also contains information relevant to this Issue Area of "Air Quality".

As earlier stated in ITEM 6 – Relative to DEIR Issue Area "Health and Safety", due to the 10, 15, or 20 years of development-related construction, and to the movement of tens of millions, if not hundreds of millions, of pounds of "fill dirt", there will be a considerable threat to the respiratory systems of all reasonably proximate community members, most especially for older persons and for any persons already afflicted with any type of respiratory issue, such as, but not limited to, asthma, emphysema, and certain allergies.

Besides the health hazards posed across this long development period, the continual and excessive amounts of construction-related dirt and dust released into the air are going to generate incalculable direct costs to existing proximate residents, related to the continual need to have their porches, patios, balconies, windows, rugs, and furnishings cleaned – often by professional cleaning service providers – as a necessary part of mitigating the effects of this health hazard.

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Other direct costs to be borne by an unknown percentage of community members for the medical treatments (mostly respiratory-related) they will require, due to the effects of this health hazard.

Were this project to be limited to between 2,000 and 2,300 units, its development timeframe – and thus the related duration of threats to public health as well as their associated costs to community members – could be significantly lessened, possibly by as much as fifty percent (50%).

ITEM 8 - Relative to a non-stated issue area of "Quality of Life"

Although not contained within the list of 16 Issues Areas covered by the DEIR, the following list contains some, but not all, of the issues that, regardless of their (non-required) lack of inclusion in the DEIR, have real and substantial impacts on the "quality of life" of the residents of existing, proximate communities, and potentially will require facilities and/or services to be created or expanded:

- a) Other than one elementary school to be built in the Civita development, no new schools are
 to be built to service the new project. This means many children won't attend school in
 their own community, which is not conducive to community integrity and harmony;
- b) No new or expanded emergency services are anticipated. This can pose a dangerous public safety situation for all existing and new residents;
- No new fire station is anticipated. This can pose a dangerous public safety situation for all
 existing and new residents;
- d) No expansion of the community's police station is anticipated. This can pose a dangerous public safety situation for all existing and new residents;
- e) Potential for additional water shortages/rationing; and
- f) Potential for additional electricity "brown-outs".

Simply not to lessen the existing quality of life for area residents, this project, due to its size, requires the City further to address and facilitate the needs of so many new residents, residences, retail stores and shops, offices, and workers. All of these needs will generate City budgetary cost increases, many of which the City does not appear to be addressing as part of its review of this project, such as, but not limited to the areas of:

- a) Need for upgraded area bus/shuttle services, along with additional buses and/or shuttles;
- b) Need for upgraded fresh-water (and possibly dam(s)) infrastructure;
- c) Need for upgraded sewage infrastructure;
- d) Need for upgraded electricity supply;
- e) Need for additional (possibly new) waste-landfill site(s);
- f) Need for additional police persons, vehicles, equipment, and perhaps, facilities;
- g) Need for addition fire fighters, vehicles, equipment, and perhaps, facilities;
- h) Need for additional emergency personnel, vehicles, equipment, and perhaps, facilities;
- i) (Possibly costs to be shared with San Diego County) Update(s) to Mission Valley evacuation strategy(ies), plan(s), and resources;
- j) Increased costs/budget for pest and infestation management;
- k) Increased costs/budget for homeless persons control and management, and
- 1) Costs of maintaining (and for post-flood cleanup of) a "regional" public park.

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ITEM 9 - Relative to FEMA Map and Area Flooding

On page 2-13 of the riverwalk_public_review_draft_eir_part_1.pdf document is a FEMA 100-Year Floodway and Floodplain map. Note that this map is not dated. When searching FEMA flood maps on the FEMA website for Zip Code 92110, the map displayed for the Riverwalk project area is dated: 2012. I've assumed herein that the FEMA 100-Year Floodway / Floodplain map from the DEIR, shown below, is also from the last update year of 2012.

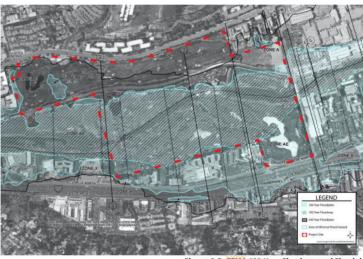


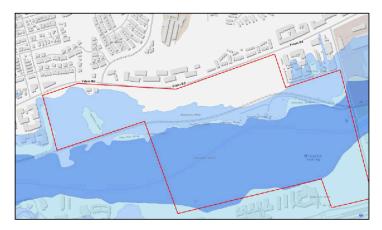
Figure 2-5. FEMA 100-Year Floodway and Floodplain Map

Below is SANDAG's most recent SanGIS Floodplain map at https://sdgis.sandag.org/. Note that the red-outlined area within the map is a very close approximation of the location of the Riverwalk project, which is shown as the dashed red-outlined area in the FEMA map, above. This SanGIS map is just a bit easier for non-hydrologists to evaluate, than is FEMA's.

CCCC.A-1 (cont.)

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An interesting article dated in October 2005, before the 2012 FEMA map was made (see: https://www.sandiegoreader.com/news/2005/oct/06/katrina-haunts-mission-valley/, tells a tale about FEMA that is similar to my earlier analogy regarding fresh water and toxin levels. This article states: (My italics and underlining)

"But Randy Berkman of the River Valley Preservation Project tells me the combined effects of the trolley line, a Fashion Valley parking-structure expansion, and reconstruction of the Stardust Golf Course, which required 200,000 cubic yards of fill, have raised the floodway baseline by a foot in central Mission Valley.... Neither the city nor FEMA required developers to mitigate the effects of these projects, he says.

Instead, in 2002, FEMA issued a *Preliminary Letter of Map <u>Revision</u>* for the floodway in west Mission Valley. The effect of the letter, according to Berkman, is to accept the one-foot-higher level as the new floodway baseline."

A June 29, 2020 USA Today article at: https://www.usatoday.com/indepth/news/investigations/2020/06/29/real-estate-millions-more-homes-risk-flood-might-need-insurance/3217450001/ states: (My italics and underlining)

" "We found that there were a series of mistakes with the FEMA maps that were alarming," Fugate said.

Fugate said the agency hadn't accurately accounted for the way winds would drive waves inland during massive storms, and also used a 50-year-old model to predict the way a storm surge would begin moving over the land."

...And...

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"Eric Tate, a professor at the University of Iowa who early in his career built flood modeling tools as a FEMA contractor, agreed the agency's maps can be outdated, miss lower-priority areas and at times become subject to political influence through a revision process."

Didn't we recently read about a different occurrence of something similar to this?

The picture below from a San Diego Union Tribune article at https://www.sandiegouniontribune.com/business/growth-development/sdut-riverwalk-related-mission-valley-golf-housing-2014sep17-htmlstory.html shows what the proposed project site looked like following a 2010 flood:



CCCC.A-1 (cont.)

The Riverwalk Golf Club was inundated in 2010...

The link below is to a San Diego KGTV article dated December 8, 2018 at https://www.10news.com/news/how-san-diegos-flooding-compares-to-historical-hazards which says: (My italics)

"10News spoke to Geologist, Pat Abbott, who said the floodplain maps are out of date. In fact, he said flood maps need to be updated as urbanization progresses.

Unlike on mud, grass, or other natural surfaces, rainwater has time to slow down and seep into the ground. But on a manmade surface, like a roof, concrete, or asphalt, water swiftly finds its own path to the lowest point. It quickly collects and becomes flooded.

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The current FEMA map is from 2012. It does not reflect new construction in the area.

'Your flood heights are going to be probably four times higher than they were before development,' Abbott said."

Five years later than the FEMA map, after some of the attendant additional development that Mr. Abbott cites, the two pictures, below (screen-captures from a video at: https://www.youtube.com/watch?v=DE8hlzrxg48) show what the Riverwalk golf course looked like when it flooded in 2017.



CCCC.A-1 (cont.)



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In the case *Friends of Mammoth v. Board of Supervisors* discussed in the article at: https://scocal.stanford.edu/opinion/friends-mammoth-v-board-supervisors-32943 the California Supreme Court said that *[C]*EQA needs to be viewed in such a manner "as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language".

With this in mind, and in conjunction with Mr. Abbott's comments above, the first three questions here are, (1) if Mr. Abbott is correct regarding the flood-exacerbating cumulative effects of the increasing high-density development in Mission Valley, and given that we are already three years' worth of development in Mission Valley past the date of the photos/video captures shown above, what will Mission Valley's *real* potential for flooding actually be, given not just the development at Riverwalk, but at all the other sites in progress and in varying stages of planning in Mission Valley (e.g., Civita, SDSU, and more) by the time these projects are completed (i.e., in 10, 15, or 20 years from now)? (2) What level of environmental damage might such flooding do to Mission Valley, in general? And, (3) to the San Diego River, specifically?

The fourth and fifth questions are: (4) how old are the FEMA maps used for the flood study work that was done for this project? (5) If indeed the maps are from 2012, and given the amount of new development that has been done since then, could it be said that these maps might not provide a sound foundation upon which to build a flood safety argument that seeks to justify a project of this exceptionally large size?

CCCC.A-1 (cont.) The sixth question is: (6) given that the San Diego River's dams are not in what one would call "stellar" condition, will over-development of the valley serve to further limit water run-off capabilities and challenge local dams, leading to greater flooding for Mission Valley?

An article from May 18, 2017 at https://www.voiceofsandiego.org/topics/science-environment/big-winter-rains-could-not-fill-san-diego-reservoirs-even-halfway/

"At least one dam, the El Capitan Reservoir near Alpine, is not allowed to be filled all the way because of concerns about stability and safety."

And on May 19, 2017 at https://www.voiceofsandiego.org/topics/science-environment/citys-aging-dams-getting-costly-check/ the Voice of San Diego article states:

"Nobody knows for sure if El Capitan is a safety issue yet. Engineers plan to do several different tests to determine the condition of the 83-year-old dam and the soil and rock on which it sits."

Another article, from September 2017 at https://www.eastcountymagazine.org/nine-dams-sandiego-county-ranked-below-satisfactory-safety-newly-released-state-data-reveals has this to say on the condition of local dams: (My italics)

"A report with listings by county reveals that of 54 dams in San Diego County, *nine are listed in "fair" condition ...*

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But "fair" is not a passing grade when it comes to dams. Fair means the dams are likely to hold up under normal capacity but could have problems in an earthquake or with excessive precipitation, so improvements are needed to assure public safety.

The dams rated fair locally are at reservoirs at Lake Barrett, *El Capitan* in lakeside, Lake Hodges, Lake Morena in Campo, Mt. Woodson in Ramona, Lake Murray, Savage Dam at Otay, Sweetwater Main dam in Bonita, and Lake Wohlford in Escondido.

Of those 9 dams listed in fair condition locally, eight also have downstream hazards rated "extremely high" meaning "considerable" loss of human life and property is likely. The extremely high risk classification is given to dams that may impact highly populated areas or critical infrastructure, or that have short evacuation times. One, Mt. Woodson, has a "high" downstream hazard." (El Capitan, then, is one of the eight).

An article in 2017 in Times of San Diego at:

https://timesofsandiego.com/politics/2017/02/14/comprehensive-inspections-city-san-diego-dams-underway/ stated that inspections of these dams began a year earlier, and the report on their condition would likely be available sometime in 2021. And, from California Supreme Court case Laurel Heights Improvement Assoc. v. University of California (1988) writeup at: https://law.justia.com/cases/california/supreme-court/3d/47/376.html

"The EIR is therefore "the heart of CEQA.""

As the "heart of CEQA", an EIR's purpose is to inform the public and its responsible officials of the environmental consequences of a project before the decisions that bring about those consequences are made. This leads to the question: (7) Knowing that area dams are in various stages of disrepair, but not being able to determine how badly they are in disrepair for another year makes it very difficult, if not impossible, to inform anyone about the "environmental consequences" that could be brought about by potential dam issues that could so severely affect the project area. Should this project, or any other Mission Valley (or other flood-prone area) development project of magnitude, be given a "go ahead" until the area dam study is completed and its results are released?

The eighth and ninth questions are arguably the most important questions we need to ask ourselves. (8) Are the existing pre-development residents of the area to be *put at risk by the overly-dense development* that is being forced upon them by the City – which seems quite willing to ignore the physical limitations and potential hazards attendant to a development project's proposed location – in spite of the residents' voiced opposition to such massive density increases? And, (9) will the limited roadways within Mission Valley allow the ever-increasing number of residents of these multiple, overly-dense, developments to evacuate this narrow valley (the need for which has happened in the past) and reach safety in a timely manner when the next, and possibly larger, flood hits the valley?

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	ELITERO OF COMMERTO	TITE I TECH CITCES
	Project Name: Riverwalk / Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley - Council District: 7	
	CONCLUSION:	
CCCC.A-1 (cont.)	In light of everything presented within this document, it would seem that adoption of either of the "alternative projects" discussed in Section 10 of the DEIR, Project Alternative 2 – Reduced Development Intensity/Operational Air Quality Impact Avoidance, or Project Alternative 3 – Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources Impacts, would make much more sense for the area of, and the people within and proximate to, the Riverwalk project's proposed location.	
	However, unlike Project Alternative 2, Project Alternative 3 additionally leaves more open land for water drainage, which can only help during times of heavy rain or more-often-than-desired flooding of the project area, and pays respect to local historical and cultural considerations by not grading or building upon areas in the project site where historical or cultural elements may exist. Given the additional and important benefits it yields to the community, Project Alternative 3 appears to be the better of these two project alternatives.	
	End of Comments	

	From: brian shaw brianshawtt@gmail.com		
	Subject: [EXTERNAL] concerning Riverwalk, project #581984/SCH No. 2018041028		
	Date: June 27, 2020 at 9:46 AM		
	To: DSD EAS DSDEAS@sandlego.gov		
	10. DOD LAG DODLAGGE SAITUIGGO.GOV		
	This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.		
	This chair out of the normal source. Be outdood about oliosing of any links in this chair of opening action in this.		
	To whom it may concern.		
	I am incredibly dismayed by this misguided attempt to force people to		
	use public transit in the name of environmental concerns. I purchased a	DDDD-1	Comments noted. The comments do not address the adequacy of the
DDDD-1	place in Friar's Village a few years ago and now realize that MY quality of		·
	life is about to suffer greatly. Much like with the plan to remove parking along		Draft EIR. No further response is required.
	30th St it will result in people driving around a lot more, using more fuel to		
DDDD 3	find a place to park (while store owners lose business!). Traffic on Friar's Rd		
DDDD-2	will explode. Parking the one public street in Friar's Village and on Via Las	DDDD-2	See Master Response 7 regarding parking.
	Cumbres will be nonexistent for residents in this complex. These type of projects		
	can happen because many people only see what's on the surface, especially		
	when you push the "green" component. They don't consider the resulting ramifications	DDDD-3	Comments noted. The comments do not address the adequacy of the
	or the fact that there are always other motives. Primarily money. Permits, taxes and		
	probably kick backs from the state for attempting to achieve unrealistic environmental		Draft EIR. No further response is required.
	goals. I've been more and more disenchanted with local government here for some		
	time because I see a lot of knee jerk, sounds great on the surface things being pushed		
	by the mayor and city council that will not affect THEM. A few years ago I sold		
DDDD-3 —	a property in Arizona. Big mistake. I was born in San Diego, lived here most of my		
	life, I love southern California and this city. At the time my gut told me it might be		
	a mistake, I now realize it truly was. This state has manipulated voting procedures to reduce choice and increase the odds of those in power but, as long as I am		
	to reduce a miniorease une odus or unice my power but, as any as rain still here I will be doing my best to not vote for anyone who had anything to do with		
	suit nere twin be doing in y best or hot vote or anyone with read anyoning to do with this project (or others like it). Really getting tired of local government here forcing		
	new projects on us that they say are in the population's best interest when in reality they are only the best interests of the mayor and		
	city council. I urge you to reconsider going forward		
	with this project. It is NOT desirable for tons of people to live in such high density, nor		
	will it persuade people to use public transportation. You should also consider what	DDDD 4	Comments noted. See Master Response 1 regarding the project's
DDDD-4 —	has become quite obvious with the COVID19 pandemic. That so many people living and	DDDD-4	, , , , , , , , , , , , , , , , , , , ,
	working in such close proximity is not in the best interest of the population health wise.		development intensity/density. See Master Response 10 regarding
	Unfortunately the same can be said for using public transportation and "you know it"!		, , , , , , , , , , , , , , , , , , , ,
	While there may be other factors like being a major air travel hub the high density		Covid pandemic.
DDDD-5 —	in New York and their high infection rates of COVID19 should be a reawakening. Even "if"		
	a vaccine is discovered you will have to convince the anti vaccine crowd to TAKE it		
	and there will always be another transferrable viral or bacterial threat on the horizon.	DDDD-5	Comments noted. See Master Response 10 regarding Covid pandemic.
	Not to mention the always present yearly waves of other flus and colds. One major		
DDDD-6	reason I bought this dwelling is that it has nice views of a beautiful valley with		
9-עטטט	trees and greenery. Soon, instead I will be looking at high rises.	DDDD-6	See response N-37.
	We do not need more retail space here. There are two major shopping centers nearby		•
	in Mission Valley and a multitude of office space in high rises just east of them.		
	Another often used ruse is that this will provide affordable housing. I feel there is not	DDDD-7	Comments noted. The comments do not address the adequacy of the
DDDD-7 —	much that can be done to achieve this given the main reason people want to live in San Diego. The weather and ocean! No doubt there may also be a supply and demand		· · ·
	in san begu. The weather and observe the components of how about enforcing the rules regarding the vacation home		Draft EIR. No further response is required.
	industry, or even passing laws that make it less desirable for huge concerns (or even		
	private parties who could do well enough renting properties long term) to use residential dwellings as hotels. While I am not in favor of		
	any aspect of this project what I find		
	most disturbing is the ridiculous size of it. The size of the high rises and the insane number	DDDD-8	See Master Response 4 regarding neighborhood character/building
DDDD-8	of people that will be added to this area. Will any of you be moving here? I think not.	0000-0	, a same
	Of course you may like to consider purchasing a unit to rent out as a highly profitable		heights/height limits.
	short term rental.		- 5 5
DDDD-9 —	Maybe this project could at least be reenvisioned at a smaller scale. At this point I fear	DDDD-9	Comments noted. The comments do not address the adequacy of the
	that's about all my wife and I and our neighbors can hope for.	0000	· · ·
	Brian and Judy Shaw		Draft EIR. No further response is required.
	6322 Caminito Telmo		·
	San Diego, 92111		

TO:

E. Shearer Nguyen Environmental Planner City of San Diego Development Services Center 1221 1st Avenue, MS 501 San Diego, CA 92101

FROM: Mary Shepperd

DATE: 07/06/2020

SUBJ:

Project Name: Riverwalk

Project No. 591984/ SCH No. 201841028

Community Plan Area: Mission Valley, Council District 7

I am a 7-year resident of Park Place Estates, a condominium complex located North of Friars Road across from the Riverwalk Property. For the last 6 years, I have actively participated in dozens of community meetings related to development of the Riverwalk Property, and have maintained an e-mail distribution list of over 120 neighbors that I've kept informed of progress on the Riverwalk planning process and all of their opportunities to attend meetings, become informed, and offer feedback on the project. I have served actively on the Riverwalk Ad-hoc Subcommittees for both Mission Valley Planning Group and Linda Vista Planning Group.

Although I have no personal experience or expertise in any area of property development, my diligent attendance at these public forums have made me more informed about plans for Riverwalk development than many. My comments about the draft EIR that follow address my remaining concerns about Riverwalk Development. Please note that many of these comments are directed at actions and activities directly controlled by the City of San Diego, not the developer Hines.

EEEE-1

COMMENTS:

Project Executive Summary:

Overall, I am impressed by the thorough analysis provided in this draft EIR, and somewhat surprised that in the end, there is only one significant direct environmental impact that is unmitigated. My biggest concerns on hydrology, public services, etc. that are detailed in the comments below relate to items that are under the control of the City of San Diego, not the developer. The City approved the updated Mission Valley Community Plan Update with a huge number of "significant and unavoidable" unmitigated impacts. At the time, we were told that Project level EIR's would be held to a "higher standard." At the project level, this is true for the Riverwalk DEIR, however at the **cumulative level**, the DEIR falls back on being consistent with the MVCPU so results in negative environmental impacts that affect current residents of the community. I objected to those impacts at the time, and still do.

EEEE-1 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

EEEE-7

The included Riverwalk Specific Plan includes a description and renderings of an idealized urban village. With improved roads, a massive park, bicycle and pedestrian trails and a transit stop that encompasses retail and commercial uses, the project as rendered is attractive and includes EEEE-2 many components that will complement the neighboring community. However, it is only attractive if built as proposed. The City needs to ensure that development fees fund the promised attributes and not use the fees for other purposes. This project's only unmitigated impact is Air Quality. In order to minimize impacts on Air Quality: 1) Hines and City of SD should ensure improvements to Friars Road and Fashion EEEE-3 Valley Road, including smart signaling, are completed as early in the project as possible. Alleviating traffic congestion in the vicinity will help offset negative Air Quality effects. Hines and the City of SD should ensure completion of the park aspects of the plan as early in EEEE-4 the project as possible to keep local residents enjoying the outdoors locally. Hines should ensure the build-out of the promised grocery store facility as early in the project as possible which will reduce trips from Riverwalk residents and neighbors, as no grocery EEEE-5 facilities are available within 2 miles of this neighborhood. **Potential Areas of Controversy** On Oct 9, 2014, a Report on the Amendment to the Levi-Cushman Specific Plan was presented to the Planning Commission. Commissioner James Whalen made the comment that he would EEEE-6 like to see a Sierra Club endorsement for the amended Specific Plan. Has the Developer sought this endorsement, and if not, why not? Has the Developer been successful in receiving this endorsement, and if not, why not? **Environmental Analysis:** Land Use 5.1 Says no trails are located within no-use buffer, but this is incorrect. There is no mention of trails EEEE-7 connecting to the two existing footbridges crossing the river, which will traverse the no use buffer. Hydrology 5.12 In February, 1980, Mission Valley was evacuated due to a week of huge storms that left El Capitan reservoir near capacity and spilling. In 2014 concerns about El Cap resulted in restrictions placed on normal capacity for the dam. In 2018, a state study rated El Capitan Dam as "fair," "Fair" means the dam will hold up under normal circumstances, but could have problems with in an earthquake or excessive precipitation, so improvements are needed to assure public safety. El Cap has downstream

hazards rated "extremely high," meaning considerable loss of human life and property is likely. Hines

to show its plan for ensuring the Dam is brought to compliance so as to eliminate downstream

hazards. This project does not adequately protect life and property in the event of the dam

completed a "Sunny Day Dam Breach Analysis" however, dams don't break on sunny days. They break when there are major rainstorms or earthquakes, both of which are likely for this area. The City needs

EEEE-2 The Draft EIR evaluates the project as presented in the Specific Plan and associated actions. The project would be built in accordance with the Specific Plan, the Vesting Tentative Map, and all other permits and actions approved for the project.

EEEE-3 The Intelligent Transportation Systems (ITS) improvements along Friars Road would occur prior to the 1ST Equivalent Dwelling Unit (EDU) occupancy. ITS improvements along Fashion Valley Road would occur prior to occupancy of the 1,500th EDU. Frontage improvements for Friars Road would occur in concert with development of adjacent lots along Friars Road.

Publicly-accessible parks within the project would be delivered in coordination with surrounding development starting with Phase 1. The Riverwalk Development Agreement ensures public recreation amenities are delivered based on triggers as the project builds out, which would ensure the project is never park deficient based on population-based park requirements of the City's General Plan and Parks Master Plan. The project would ultimately provide publicly accessible parks that are in excess of park requirements. These parks are provided at a time when the project can generate funds to provide supplemental park maintenance to ensure adequate park maintenance and safety.

EEEE-5 The project includes a maximum of 152,000 square feet of retail space as part of the project. The majority of this retail space is planned in Phase 1 along Friars Road. According to the applicant, actual tenants for that space have not yet been determined, but the Specific Plan would allow for development of a grocery store or other food market in the Phase 1 retail space.

EEEE-6 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

No uses would be allowed in the no use buffer (except proposed MSCP compliant trails attached to the two existing bridges on-site), and the passive park would only allow passive uses (i.e., walking/hiking trails and nature observation nodes). The text has been corrected to indicate only MSCP compliant trails would be permitted in the 50-foot no use buffer.

EEEE-8

breaking.

	EEEE-8	The project would not cause a failure of the El Capitan Dam and would not result in an impact to the dam as the El Capitan Reservoir is over 22 miles east of and upstream of the project site.

Public Service, 5.15 Police 5.15.1.2 1) Per this DEIR, police department staffing is currently 1.34 versus goal of 1.48 per 1000 citizens. Adding EEEE-9 See Master Response 8 regarding public services and facilities. the population contemplated in this EIR only makes the department further from their goal. It is unacceptable to have a plan to add population without identifying a plan to meet planned staffing EEEE-9 goals which is before the current budget crisis caused by Covid-19. 2) This DEIR identifies that response times in the Western Division for Priority 2, 3 and 4 calls are, respectively 38%, 36% and 88% higher than goal. This project will make response times higher than current times, which are already below goal and unacceptable. This is at a time when the city is facing unprecedented budget cuts due to Covid-19. Fire/Life Safety Protection, 5.15.1.3 Station 45, the primary service provider for this project, is currently 2 minutes (40%) above their 5 **EEEE-10** See Master Response 8 regarding public services and facilities. minute travel time goal, and 1.5 minutes (20%) above their arrival time goal of 7.5 minutes. Added **EEEE-10** traffic resulting from this and many other Mission Valley projects currently under development can only make this worse, which is unacceptable. And, as with police, this is at a time that the city is facing unprecedented budget cuts due to Covid-19. **Growth Inducement, Short-term effects 9.1** This section states demand for labor will be met by the local labor force. I would like for Hines EEEE-11 Comments noted. The comments do not address the adequacy of the to publicly commit to using local labor first for all aspects of the project, and only bring in Draft EIR. No further response is required. outside labor where there is no local labor available. Alternative 2 10.5.2, Visual Effects and Neighborhood character Text from DEIR: 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 **EEEE-12** Comments noted. The text has been stricken from Chapter 10.0. would appear more suburban in nature rather than urban in-fill. I strongly object to the characterization of this alternative, with 2275 housing units placed in an EEEE-12 urban center as "appearing more suburban in nature." There is no single level housing proposed in this alternative. This is a gross mischaracterization of this alternative and is meant to influence those who support in-fill in a very deceitful way. There is NOTHING suburban about alternative 2 and it does not meet any dictionary definition available for being "suburban" in

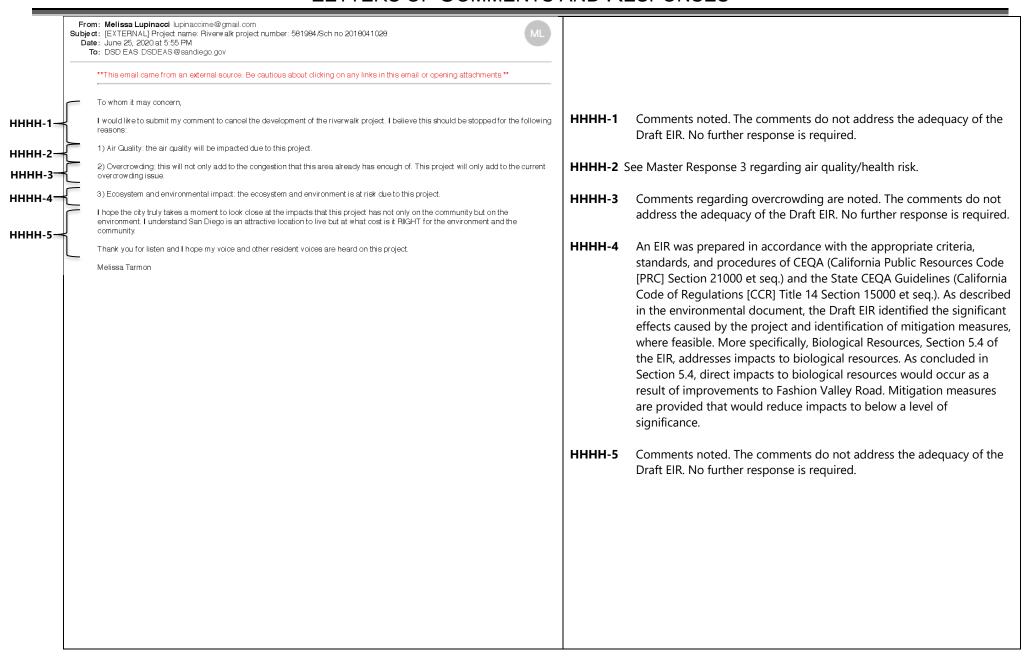
From: Deborah Shramek debbohem@yahoo.com Subject: [EXTERNAL] Project Name Riverwalk; Number 581984 / SCH No. 2018041028 Date: June 28, 2020 at 11:15 PM To: DSD EAS DSDEAS@sandiego.gov **This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.** Dear Sir or Madame, I live in The Courtyards condominium development in Mission Valley to the west of the Riverwalk Gold Course. I strongly oppose the Riverwalk development. The neighborhood character would dramatically change. Not only would we be losing a greenspace "jewel" in Mission Valley, but we would lose our FFFF-1 Comment noted. Neighborhood character, views, shadows, and visual beautiful view to the east to a block of large apartment buildings. I am very concerned at how close the FFFF-1 buildings will be to our complex. In addition, the height of the buildings is out of character with the rest quality were analyzed in Section 5.3 of the Draft EIR. Impacts were of the buildings in the area and will block out the morning sun as well as our view to the east. They determined to be less than significant. See also Master Response 4 should not allow any buildings along Friars Road to be higher than four stories. The sheer density of regarding neighborhood character/building heights/height limits and 4,300 units---most of which are on Friars Road-- will negatively impact the area in numerous other ways Master Response 5 regarding visual quality/views. There would be more people and more traffic. This would adversely affect our living conditions here at FFFF-2 Comments noted. The project's transportation and circulation was the Courtyards and neighbor complexes. It is already difficult to take a left turn out of our complex during rush hour. If more people and vehicles are added that would make it even more difficult. Also, analyzed in Section 5.2 of the Draft EIR, and it was determined that the dense plan will add to the street noise, air pollution, and possibly crime rate. Another concern is the FFFF-2 the project would not result in a significant transportation VMT lack of adequate parking for the residents and office building workers. More people will be parking on impact. Friars Road and side streets competing with guests and residents at our complex and the other complexes in the area. Regarding noise impacts, see response M-22. I am also concerned that no provision has been made for more police and fire departments. In addition, I am concerned that their buildings might cause more flooding to our complex. Will they be bringing in foreign soil to build up the ground? That could expose us to toxins. The developers did not address these Air quality impacts are address in Section 5.5 of the EIR. As stated in FFFF-3 and other important issues. that section, operational emissions (that is, project emissions taken into consideration with past, present, and reasonably foreseeable Please help us to prevent this development. future projects) would be significant. See Master Response 3 Thank you for your time. regarding air quality/health risk. Sincerely, Relative to crime, under CEQA (Guidelines Section 15131), economic Deborah Shramek and social effects of a project are not treated as significant effects on the environment. The focus of CEQA is on physical changes in the environment. See Master Response 7 regarding parking. FFFF-3 See Master Response 8 regarding public services and facilities. Flooding was addressed in Section 5.12. The project would not result

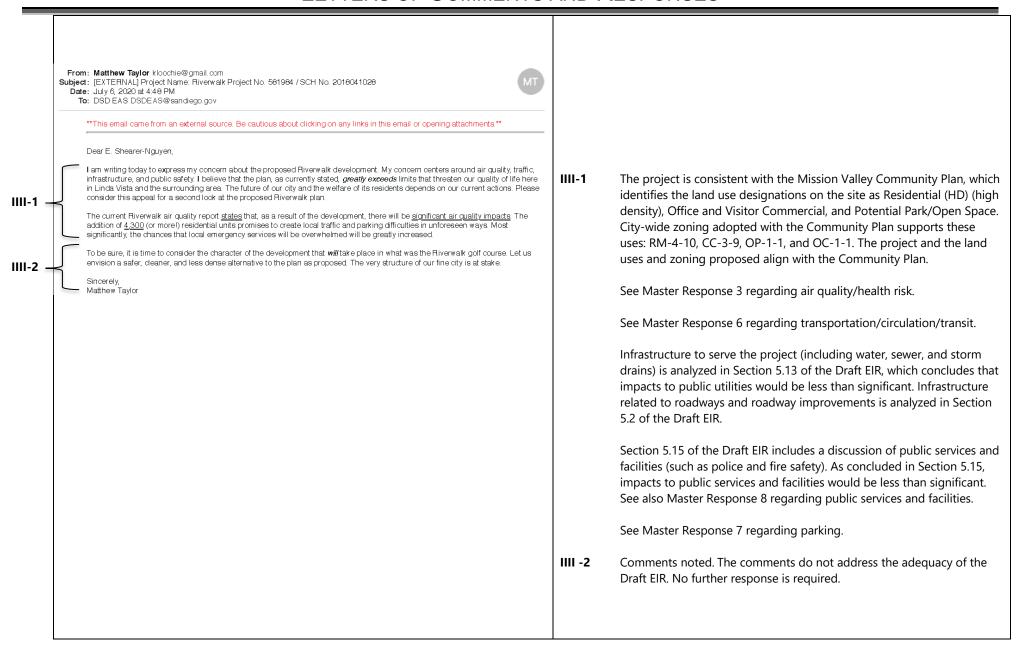
in significant impacts associated with flooding. See also Master Response 9 regarding flooding. Health and safety was analyzed in Section 5.16 of the Draft EIR. The project would not result in significant impacts relative to health and safety. In conformance with City and County requirements, imported soil would be clean fill soil and would not bring in toxins. Applicable local regulations for soil import for unrestricted free reuse soil are established by the Regional Water Quality Control Board (RWQCB) in the Waiver.[1] Depending on the available soil sample dataset that is available for potential export sites, applicable regulatory guidance that can also be used for this Project includes the California Department of Toxic Substances Control (DTSC) Information Advisory, Clean Imported Fill Material, dated October 2001 (DTSC Fill Guidance).

RWQCB's Order No. R9-2014-0041, Conditional Waivers of Waste Discharge Requirements for Low Threat Discharges in the San Diego Region

----Original Message----From: Candice Stephens <candicestephens@att.net> Sent: Sunday, July 5, 2020 3:19 PM To: DSD EAS <DSDEAS@sandiego.gov> Subject: [EXTERNAL] Project Name: Riverwalk, Project No. 581984/SCH No. 2018041028 **This email came from an external source. Be cautious about clicking on any links in this email or opening attachments,** GGGG-1 The City acknowledges the comment as an introduction to comments Dear Ms. Shearer-Nouven that follow. I am a resident in the community north of the Riverwalk project. I have reviewed the projected Riverwalk project and attended GGGG-1 numerous community meetings with the developer. I have concerns that I feel should be mitigated before the project is approved. GGGG-2 Air quality impacts are evaluated in Section 5.5 of the Draft EIR. As The project's air quality report states that the cumulative effect of operational emissions exceeds threshold. Pollutants, sensitive concluded in Section 5.5. the project would not result in significant receptors, violations of air quality standards per threshold would be significant. As a Senior in the area most impacted by the poor air quality, that north of the project, I see that as a huge issue to be corrected before approval is given. Schools in the area where GGGG-2 direct air quality impacts from construction. The project would result children will be subjected to this pollution is a great issue. It also does not include the additional air pollution from the increased traffic that will happen although not included in the report projections at a reasonable level. in cumulatively significant operational air quality impacts associated with the project. These impacts are unavoidable and cannot be The traffic impact is anticipated to have a less than significant transportation impact based on the presence of public transit in the project area. The trolley stop that will provide the public transportation will not be built until almost half of the residents have moved mitigated to below a level of significance.. See Master Response 3 into the project, 5 years into the project. Individuals will have learned not to use the trolley for transportation since it was not available to them for years. The thought that parking is not necessary because those living in Riverwalk will use the trolley is not feasible. GGGG-3 regarding air quality/health risk. Residents will have to use cars and find parking wherever they can. This will cause parking issues along Friars road and all north bound streets. This will cause more congestion for traffic as drivers already drive dangerously as they maneuver to find parking on the north side of Friars road across the street from the project. Only 3% of San Diego residents utilize mass transit. I understand the Duilding code changes have been made to force people to give up their cars and use mass transit. The San Diego system is not Relative to the project's potential to cause a significant air quality efficient and takes substantially longer to ride mass transit than to sit in stopped traffic on roadways. The mass transit system is GGGG-4impact on schools in the project area, as presented in Section 5.5 of limited in its destinations and frequently required alternate transportation (car) to get to the final destination. the Draft EIR, the closest schools to the project site include: University To minimize traffic and parking issues, improvement to Friars Road need to be made early in the project. The golf course generates 600 average driver trips per day. That could potentially increase to 41,186 drive trips by the final stage of the project. At stage one of San Diego (approximately one-third mile north of the site), Francis before the trolley stop is built will be over 11,640 drive trips, a significant increase. Hotel Circle north is problematic now and will Parker Middle and Upper Schools (approximately one-third mile north substantially have backed up traffic with the increase of uses by the residences. How can this amount of traffic not substantially GGGG-5increase air pollution in the area? There is no guarantee a trolley stop will ever occur in this project. Has this part of the plan been of the site), and Carson Elementary (approximately one mile northeast guaranteed? Friars Road is heavily utilized today by bicycles and pedestrians. With the increased traffic and increased turn lanes into the project, this is going to be a dangerous place for people who utilize the alternate means of transportation the city is trying to of the site). All schools are well beyond the area of impact with regard to air emissions generated by the project; however, the Francis Parker With the addition of 4300 residential units and a potential of 8,000 plus more residents there will be an increased need for police and Schools and Classroom of the Future Foundation were assessed as fire support. Today the police and fire department do not meet their response time expectations. The Riverwalk plan does nothing to GGGG-6_ support these agencies. It only drains the resources for the area. part of the Construction HRA and were determined to not be exposed to substantial concentrations of TAC emissions. Of great concern is that the proposal is just a proposal of what will be built. There is nothing in the plan that keeps the developer from increasing the number of units in the plan beyond the 1st phase. It must have a limit at the initial approved number of units for the entire build time. Of great concern is that the phasing of building is a recommendation but can occur in any order or all at one time. GGGG-7-A15 year project could be completed in 10 or 5 years? All of the concerns mentioned would be dramatically challenging for the City GGGG-3 The Riverwalk project does not conclude transportation impact and the community. significance solely based on the presence of public transit in the area. As a resident of the area, I am concerned about what is the projected look of the community. I see renderings of the plan from the See Master Response 6 regarding the Vehicle Miles Traveled (VMT) inside of the project but the developer has failed to provide anyone the view from Friars road. The developer has one, of course, but GGGG-8 must be concerned with the community response should it be shown. This should have been part of the DEIR to allow the community Analysis, which summarizes why the project would not result in a significant transportation VMT impact. In summary, my concerns are Air Pollution, Traffic, Parking, lack of essential services, and no restrictions to increase the size of the project at a later time. GGGG-9 The trolley stop would be constructed and operational at the end of Please add me to the project mailing list and provide me a copy of the notice of decision. Phase I prior to occupancy of the 3,386th equivalent dwelling unit Candice Stephens (EDU). Therefore, transit will be available within Riverwalk to serve the 5964 Cirrus Street San Diego, CA project's residents as well as the community.

LETTERS OF COMMENTS AND RESPONSES				
	GGGG-4	See Master Response 7 regarding parking. Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.		
	GGGG-5	Improvements to Friars Road would be provided as the project develops per the Transportation Improvement Plan, provided as Appendix A to the TIA (Appendix D to the EIR). As stated in the TIP, there are several improvements to Friars Road within Phase I of the project. See also response GGGG-3. See Master Response 7 regarding parking. Air quality was analyzed in Section 5.5 of the EIR, and it was determined that the project would result in cumulatively significant operational air quality impacts. The project design and regulations included within the Specific Plan minimize operational air quality impacts. However, cumulative operational air quality impacts would be significant and unmitigable. The trolley stop would be constructed and operational at the end of Phase I prior to occupancy of the 3,386 th equivalent dwelling unit (EDU). Construction of the trolley station would be required as a transportation permit condition.		
	GGGG-6	See Master Response 8 regarding public services and facilities.		
	GGGG-7	See Master Response 1 regarding development intensity/density. See Master Response 2 regarding project phasing.		
	GGGG-8	Visual effects and neighborhood character were analyzed in Section 5.3 of the Draft EIR. Impacts were determined to be less than significant. See also Master Response 4 regarding neighborhood character/building heights/height limits and Master Response 5 regarding visual quality/views.		
	GGGG-9	Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.		





From: Terry Treiber ttreiber@cox.net Subject: [EXTERNAL] Riverwalk Project No. 581984/SCH No. 2018041028 Date: July 2, 2020 at 5:39 PM To: DSDEAS DSDEAS@sandiego.gov, Faulconer, Mayor Kevin KevinFaulconer@sandiego.gov, Councilmember Jennifer Campbell JenniferCampbell@sandiego.gov **This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.** Hello Mayor Faulconer, Councilmember Campbell, and the City Planner - I have just read about JJJJ-1 Comments noted. For clarification, the project is estimated to generate a the behemoth 7 story development, Riverwalk, planned for the former Mission Valley golf course -some 10,000 residents? As someone who travels from Point Loma to and through Mission population of approximately 7,998 residents, based on 4,300 residential Valley frequently, I am greatly concerned about the effect of this development on our current JJJJ-1 units and SANDAG's estimate of 1.86 persons per household. infrastructure and the Peninsula residents' ability to commute back and forth from our area and also access the businesses in Mission Valley. A list of the project's transportation improvements is included in the I have read that the developer is not required to provide parking for the residents. Is this true? Transportation Improvement Plan (TIP), which is included as Appendix A to Why would this be allowed? the TIA (Appendix D to the EIR). The project's transportation and circulation is analyzed in Section 5.2 of the Draft EIR. The project is Terry Treiber expected to result in a less than significant transportation VMT impact. Point Loma JJJJ-2 See Master Response 7 regarding parking.

From: Ms. Wade wandluvs4@yahoo.com Subject: [EXTERNAL] Riverwalk Project #581984/ SCH Number 2018041028 Date: June 29, 2020 at 6:33 AM To: DSD EAS DSDEAS@sandiego.gov **This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.** Hello. Comments noted. The comments do not address the adequacy of the KKKK-1 I live at The Courtyards on Friars Road. I am strongly against your plans to destroy the tranquility and Draft EIR. No further response is required. fine air quality of my neighborhood. KKKK-1 Do you really want to put citizens in danger of more fires, more flooding and horrible traffic congestion KKKK-2 Section 5.16 of the Draft EIR analyzed health and safety (including fire) as well as a major threat to the concept of social distancing? The latter is something that may be upon us for some time - wise community planners will take heed. This virus is not going away and concluded that the project would result in less than significant magically and it is expected we may face other novel viruses as time goes by. Think ahead. Human KKKK-2 impacts. safety and quality of life is more important than focusing all the energy of business and government on *economic growth*. As addressed in Section 5.12 of the Draft EIR, the project would not And speaking of economic parameters - why is there no funding for more firefighters or police? Why KKKK-3 result in significant impacts associated with flooding. See also Master is there no good plan to facilitate parking with the proposal's huge uptick in vehicle traffic? Have you KKKK-4 studied water mains, gas pipelines, electric and internet infrastructure... anything other than "build, Response 9 regarding flooding. KKKK-5 build, build" because we have some land, let's just build! As addressed in Section 5.2 of the Draft EIR, the project would not result We want to maintain our land and fresh air. Trees give us oxygen, buildings and more cars give us fouled air and smog. Open spaces bring peaceful views, urban clutter only adds stress upon stress. in a significant transportation VMT impact. Making this area denser is not appropriate - especially now. All for what? Some ill advised plan to bring more population and more money into the coffers of developers and tax bases. NO! This is See Master Response 10 regarding Covid pandemic. against every principled decision made in San Diego over the years, allowing us to be a big, laid back and fine city. To be certain: "America's Finest" will no longer be our name if you approve this See Master Response 8 regarding public services and facilities. KKKK-3 monstrosity in the heart of San Diego. There are projects that can be done WITHOUT adding population density. The idea of a Riverwalk KKKK-4 See Master Response 7 regarding parking. Park, much like the wonderful way San Antonio built their district, is a great idea. Will you make an KKKK-6 effort to study what other cities have done? Please. Developing the land to serve the community is a good idea, allow for some commerce - that's fine. Just not this overblown plan! KKKK-5 The project would be required to install water, sewer, and storm water control facilities, which would connect to existing facilities. As analyzed Let the developers spend and make their money revitalizing existing neighborhoods. It is time to stop destroying our land; to stop overbuilding before we make our beloved San Diego a mess like so much in Section 5.13 of the Draft EIR, the project would not result in of Los Angeles [among other poorly planned cities] has become. significant impacts to public utilities. Relative to energy providers, the Please do not approve this project. project has received a letter from SDG&E stating that gas and electric Thank you for taking my concerns into account. services are available for the project. Similar letters were received from AT&T and Cox, two providers of internet service. DJ Wade The Courtvards #5113 KKKK-6 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

June 29, 2020

RECEIVED

JUL 02 2020

E. Shearer-Nguyen, Environmental Analysis Section City of San Diego Development Services Department 1222 First Avenue, MS-501, San Diego, CA 92101

Development Services

RE: Project Name: Riverwalk. Project No. 581984 / SCH No. 2018041028

Dear E. Shearer-Nguyen:

I was born and raised in San Diego and at the age of 67 still reside here. I have seen many changes in our City throughout the years – some good and some bad. I have never contacted the City before, but felt compelled to this time regarding the Riverwalk development, as I believe it will be bad for the community and San Diego as a whole.

Although I don't live in Mission Valley, I travel through that area weekly for shopping at Costco and the malls. The traffic on Friars Road is already very bad. There isn't room for any more. There's abandoned stores in the mall and huge developments that still have vacancies in them. Why does the City feel compelled to add more? How would it be benefiting anyone? Do the citizens of San Diego even want it? Has any polls or studies been done on the pros and cons of this development? It will definitely make my commute even worse, and I will just take my shopping elsewhere.

I remember cattle in Mission Valley while growing up. It would be a shame to lose our last bit of open land by developing it. It's like losing who we are as San Diegans and where we came from. Our last little bit of history gone. Wouldn't it be better to preserve our history?

Because of the heavy flooding in Mission Valley (which I've witnessed my entire life), the open land on the golf course was a perfect fit for that area, since it absorbed rain water. I think San Diegans would rather that the entire area became a park instead of adding more buildings. The tiny bit of park space mentioned in the Riverwalk project is nothing.

I think the City should turn the Riverwalk project into a project for a park instead of a project for more development.

Sincerely,

Diana Webster

LLLL-1

Comments noted. The comments do not address the adequacy of the Draft EIR.

Traffic impacts were analyzed in Section 5.2 of the EIR and determined not to be significant. See also Master Response 6 regarding transportation/circulation/transit.

As discussed in Section 5.12 of the EIR, no significant impacts to flooding would result from the project. See also Master Response 9 regarding flooding.

LLLL-1

From: desmgmt@aol.com <desmgmt@aol.com> **Sent:** Tuesday, June 23, 2020 1:42 PM To: DSD EAS < DSDEAS@sandiego.gov> Subject: [EXTERNAL] Project Name: Riverwalk Project No. 581984 / SCH No. 2018041028 **This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.** Hello MMMM-1 Comments noted. The comments do not address the adequacy of the I live at Presidio Place and it has come to light your future plans for our Draft EIR. No further response is required. quiet region on west Friars Rd, from Fashion Valley to Napa Rd. When I see the planned buildings considered, I want to scream with rage! San Diego is not a New York City or Chicago. We are America's finest city for a reason! We have a quality of life other cities dont have because we havent completely overbuilt. Ciitivita on Mission and Friars is an example of MMMM-1 overbuilding. How many of those units are occupied? Look at what you had to do with the 163 and Friars interchange due to that. (and the total inconvenience of the years it took to build that!) And now you want even more? Christmas traffic at Fashion Valley is a nightmare and you want more? What kind of greed is that? It would seem logical and cautious to me that you would let the coronavirus **MMMM-2** See Master Response 10 regarding Covid pandemic. settle completely and determine just how much overbuild we have already MMMM-2 done in San Diego. We are now going to see many more working from home, office buildings will become obsolete and we, as America's finest City **MMMM-3** See Master Response 9 regarding flooding. have to put our foot down to no more building. Especially in a flood zone. Im fed up with our lagoon flooding and we foot the expense of cleaning - just because the city gave the go ahead, and Im sure a pay off, for Presidio and Courtyard to build here. You need scuba equipment almost every winter to MMMM-3 play tennis on our tennis courts. The YMCA floods to their front door. Note the road you built under the 163 freeway is flooding, who was the smart person that made that decision? MMMM-4 Comments noted. The comments do not address the adequacy of the What is it with cities that they just have to keep building and building -Draft EIR. No further response is required.

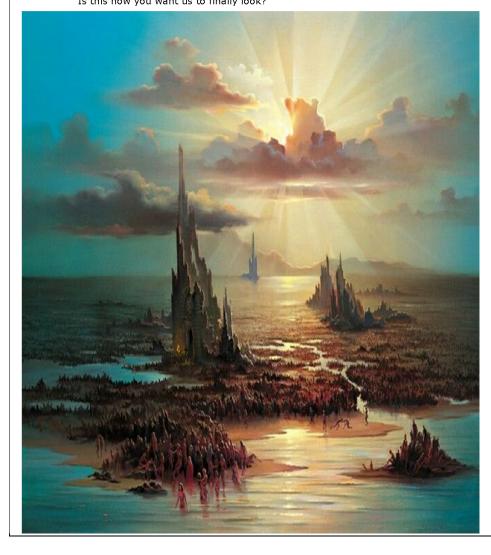
MMMM-4 (cont.) leave our precious tranquil neighborhood alone. Our golf course all dried up is a shame. Where do all of you live that you feel we should endure overpopulation for your greed.

Please find another place to build - how about Sherman Heights and Logan Heights, East National City?

Respect our well being of life in Fashion Valley - build elsewhere.

Katherine Whitley, Presidio Place, 307

Is this how you want us to finally look?



Jason G Greer 6005 Cirrus Street San Diego, CA 92110 June 14, 2020 E. Shearer-Nguyen Environmental Planner, City of San Diego Development Services Center 1222 1st Avenue, MS 501 San Diego, CA 92101 Project Name: Riverwalk Project No. 581984 / SCH No. 2018041028 Dear E. Shearer-Nguyen, Tam a homeowner in the Linda Vista area near the proposed Riverwalk project referenced above. NNNN-1 Comments noted. The comments do not address the adequacy of the Upon review of the draft environmental impact report published on 05/15/20, it dawned on me that Draft EIR. No further response is required. NNNN-1this project would have lasting adverse effects on the character, quality of life, and safety of our neighborhood. Riverwalk proposes 4,300 units, 1 million square feet of office, 150,000 square feet of retail, with NNNN-2 Section 5.15 of the Draft EIR includes a discussion of public services and J95 acres of combined open space and a public park and no requirement for any increases in police, facilities (such as police and fire safety). As concluded in Section 5.15, fire rescue, and first responder services. impacts to public services and facilities would be less than significant. See also Master Response 8 regarding public services and facilities. Most of the proposed units are positioned on Friars Road. Friars Road already has considerable traffic and parking is incredibly difficult. This substantial increase in units on Friars road will greatly exacerbate the problem especially given the developer is not required to provide parking **NNNN-3** Comments noted. The project would be required to provide parking for any residential units and there will be minimal public parking for retail and visitors (but at a accordance with City requirements. See Master Response 7 regarding cost). parking. The Air Quality Report for Riverwalk states the residents or "receptors" who live north of Friars **NNNN-4** See Master Response 3 regarding air quality/health risk. will bear the brunt of significant air quality impacts from Riverwalk construction and operation, I NNNN-4 am one of the many "receptors." This project has the potential to materially improve the area, however; in its current form, it misses **NNNN-5** Comments noted. The comments do not address the adequacy of the the mark. It seems that many facets of this proposal were driven by cost efficiency and that type Draft EIR. No further response is required. NNNN-5of decision-making process nearly always leads to short-sighted results. I implore you to push for meaningful change to the Riverwalk project. Sincerely, Jason Greer

MELINDA W. BUTCHER 5964 GAINES STREET SAN DIEGO, CA 92110-1438

June 13, 2020

E. Shearer-Nguyen, Environmental Planner, City of San Diego 1222 1st Avenue, MS501 San Diego, CA 92101

Dear Ms. Shearer-Nguyen:

0000-1-

0000-2-

0000-3

I am adamantly opposed to the Riverwalk San Diego Project (Project No. 581984 / SCH No. 2018041028). If this plan were to be adopted, my quality of life and the quality of live of all the other residents of my neighborhood would be destroyed.

Specifically:

- The air quality in my immediate neighborhood would be significantly negatively impacted from the time construction began through the life of the project.
- Parking is at a premium in our neighborhood now. Adding 4300 housing units, a million square feet of office space and 150,000 square feet of retail space without planning for adequate parking borders on insanity.
- Traffic will become a nightmare! I know you planners are anticipating that
 people will ride the trolley but let me remind you they are Californians and
 Californians love driving their cars. They will spend an hour looking for a parking
 spot rather than spend 15 minutes on public transportation.
- Doing the above without adequately considering the impact on police, fire rescue and first responders will place our safety in jeopardy.

I know that these issues have been discussed in planning meetings with members of the community, but it is very disappointing that those meetings have had minimal impact on your planning. It almost seems like the meetings were held so you could say that you held the meetings, not to actually listen to us and act on our requests and suggestions.

Finally, I have lived in this neighborhood for more than 20 years and would hate to move. However, if this project is not changed to reflect at least some of the views of the resident, I feel I will have no choice.

Sincerely,

Melinda W. Butcher

melinda W. Butcher

OOOO-1 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

OOOO-2 See Master Response 3 regarding air quality/health risk.

The project would be required to provide parking accordance with City requirements. See Master Response 7 regarding parking.

As addressed in Section 5.2 of the Draft EIR, the project would not result in a significant transportation VMT impact.

Section 5.15 of the Draft EIR includes a discussion of public services and facilities (such as police and fire safety). As concluded in Section 5.15, impacts to public services and facilities would be less than significant. See also Master Response 8 regarding public services and facilities.

OOOO-3 Comments noted. The comments do not address the adequacy of the Draft EIR. No further response is required.

From: EARON FAIRBOURN <eafairbourn@msn.com> Sent: Saturday, July 4, 2020 12:50 PM To: DSD EAS Cc: EARON FAIRBOURN Subject: [EXTERNAL] Fw: Project: Riverwalk, Project No. 581984/SCH No. 2018041028, Area: Mission Valley. Attachments: PMVA_LindaVistaDEIRresponse.pdf **This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.** Project Name: Riverwalk Project No. 581984 / SCH No. 2018041028 Community Plan Area: Mission Valley Council District: 7 Dear Ms Shearer-Nguyen, Attached please find a copy of the response to the DEIR by the Linda Vista planning group. PPPP-1 Comments provided in this letter are identical to comments I have studied this document at length and would like to state that I wholeheartedly submitted by Linda Vista Planning Group (Letter J). See responses J-1 concur with the findings and recommendations found within. I feel strongly that for the health, safety and well being of those of us who reside in this area the only option that should through J-72. be considered is alternative three. It is sound and sensible. It mitigates the areas that concern us most, those of air PPPP-1 quality, traffic, parking and Tribal issues. Please send the response of your department to the issues and concerns delineated in the attached report to me at eafairbourn@msn.com. Thank you very much, Earon Fairbourn 5805 Friars road #2412 San Diego, CA. 92110

June XX, 2020

E. Shearer-Nguyen, Environmental Planner City of San Diego Development Services Department 1222 First Avenue, MS-501 San Diego, CA 92101

Re: Riverwalk Specific Plan & Draft EIR Comments

Dear Ms. Shearer-Nguyen

The Riverwalk Ad Hoc Subcommittee of the Linda Vista Planning Group (LVPG), took up a review of the Riverwalk Specific Plan Draft (RSPD), the Riverwalk Project (project), and the related Draft Environmental Impact Report (DEIR) and on June XX, 2020, the Linda Vista Planning Group approved the following comments.

PPPP-1 (cont.)

First, by way of background, Friars Road is the dividing line between the Mission Valley and Linda Vista Community Planning Areas. While Riverwalk is on the Mission Valley side of Friars Road, it is immediately across the street from existing developments in the Linda Vista Planning Area that stand to be greatly impacted by the Riverwalk proposal. Therefore, on November 24, 2014, the LVPG created the Linda Vista Riverwalk Ad Hoc Subcommittee to work with the Mission Valley Planning Group and the Riverwalk project developer on issues of mutual community interest such as traffic, parking, pedestrian access and safety, and other relevant planning matters, and to make regular reports to the LVPG. The Subcommittee has since been actively engaged in meetings and workshops on the proposed development of the Riverwalk site.

The subcommittee notes that there is substantial confusion because there are \underline{two} different proposals being advanced:

- 1. The RSPD, which authorizes about 10,000 residential units; and
- The Riverwalk Project, which the developer has represented will consist of no more than 4.300 residential units.

Then there is the DEIR, which supports the Riverwalk Project.

It would be a better apples-to-apples review if the RSPD was reformed to permit only the 4,300 residential units specified in the Riverwalk Project. Absent that, community residents are concerned that sooner or later Riverwalk will be transformed into the 10,000-unit monstrosity that would be allowed under the proposed RSPD.

The Riverwalk developer has submitted a project level DEIR, which is also a topic of this comment letter. There are five areas of concern addressed in this comment: air quality, traffic, public health, public safety, and cumulative impacts. Because the DEIR fails to adequately inform of the likely effects of the proposed Riverwalk project, offer meaningful mitigation, and address foreseeable impacts, it should be recirculated until such time that it is brought into conformance with CEQA standards. Absent recirculation, Alternative 3 is the only acceptable scope for the project. Alternative 3 obviates the subcommittee's air quality concerns because it decreases density and use. Further, it preserves important tribal cultural resources.

A. The Allowable Land Uses in the Riverwalk Specific Plan Draft Dramatically Exceed Project-Level Uses

2

In its development intensity districts (A and B) in the western end of the planning area, the existing Levi-Cushman Specific Plan in effect allows 56 dwelling units per acre. (See RSPD at p. 1-4; MVPD-MV-M/SP; and former SDMC §§ 1514.0307, 1514.0304.) By comparison, the RSPD allows residential high density of 109 dwelling units per acre for residential and 140 dwelling units per acre for high density mixed use in this same area. (RSPD at p. 7-2.) The RSPD imposes high intensity residential (RM-4-10) and mixed-use zoning (CC-3-9) in the North, Central, and South Districts. (RSPD at p. 2-10, 2-14, 2-17; see LDC §§ 131-0406, 131-0507.) Further, the RSPD seeks deviation from the Land Development Code for high density mixed use-- from one dwelling unit for each 400 square feet of lot area to one dwelling unit for each 200 square feet of lot area. (RSPD at p. 6-62, 67.) If the amendment is permitted, micro units will be permitted. (See https://en.wikipedia.org/wiki/Microapartment.)

PPPP-1 (cont.) As it relates to residential density in Western Mission Valley and Southern Linda Vista, the RSPD is totally inconsistent with the existing conditions of the community. It envisions downtown densities in a low- to mid- density neighborhood setting. For example, to the west of the Riverwalk Specific Plan area, residential units total 739 between two HOA communities. To the north of the Riverwalk development area, there are 10 residential complexes, ranging from 16-unit to 440-unit HOAs, totaling approximately 1,040 units. To the east of the Riverwalk development area, there are 242 residential units in two HOA communities. The RSPD allows for maximum densities, which if built represent more than four times the number of units within the existing conditions—the allowable maximum density is about 10,000 units. As drafted, the RSPD goes too far in allowing maximum high intensity uses while overlooking the existing conditions of the community and the burdens such uses would impose on the community.

The Riverwalk developer's current representation of <u>project</u> density is less than the maximum allowed in the RSPD discussed above. The Riverwalk project developer's current representation is that 4,300 residential units are contemplated in their project plans, which amounts to about 75 dwelling units per acre in the land proposed to be developed north of the San Diego River, in the area of Friars Road. The RSPD allowable maximum uses and densities discussed above cannot be reconciled with the proposed project-level use and density that has been heavily marketed to the community by the project developer. The maximum allowable densities and land uses currently in the RSPD should be removed and the RSPD should redrafted to reflect the project-level density and uses are the maximum allowable. The caveat to bringing the RSPD into conformance with the developer's project is whether the project as currently proposed can pass the scrutiny of environmental review.

PPPP-1 (cont.) Should the RSPD not be re-drafted, there is opportunity for this or any new developer's project plans to significantly increase the intensity of the land uses and units, as the project is divided into 49 or 52 sellable lots. (Compare RSPD at p. 4-17, figure 4-9, and RSPD App. A-1.) The Planning Department has acquiesced in the private developer's marketing campaign for its proposed project. The community has been involved in a discussion of that project. Therefore, it is either a specific plan for that project or it is not; it should not also be a regulatory document that allows for thousands and thousands more units and intense land uses than the project level. If that were the case, the project is only as viable as its principals deem it and until they chose to sell off parcels for another to take up development under these extreme maximum allowable land uses.

 $^{^{1}}$ In fact, in April 2018, Nancy Graham of the Planning Department refused a request by the LVPG to discuss the project.

In sum, for purposes of the specific plan, maximum allowable uses and densities that grossly exceed project-level uses and densities should be removed from the RSPD. The community should not have to bear the uncertainty of a plan that has been heavily marketed by the developer with the intent of gaining community approval, to be something that it is not.

The project-level uses and densities currently proposed by the developer are problematic for the resulting burdens on the community, such as unsafe air quality, traffic, public health and safety impacts. Some additional consequences of the project that is proposed under the guise of the RSPD which require mitigation are identified and discussed in further detail below.

B. The DEIR Does Not Meet Its Mandated Purpose Under CEQA

CEQA provides: "The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which would substantially lessen the significant environmental effects of such projects " Pub. Res. Code § 21002.

CEQA's "substantive mandate" requires agencies to refrain from approving projects with significant effects where there are feasible mitigation measures or alternatives that can lessen or avoid those effects. (Mountain Lion Foundation v. Fish and Game Comm. (1997) 16 Cal.4th 105, 134.) "[T]he Legislature has[] declared it to be the policy of the state 'that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects " (Uphold Our Heritage v. Town of Woodside (2007) 147 Cal.App.4th 587, 597-598 (citations

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omitted).)

"The basic purpose of an EIR is to 'provide public agencies and the public in general with detailed information about the effect [that] a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project." (Sierra Club v. County of Fresno (2018) 6 Cal.5th 502, 511 (Sierra Club).) " "The EIR is the heart of CEQA" and the integrity of the process is dependent on the adequacy of the EIR." (Rialto Citizens for Responsible Growth v. City of Rialto (2012) 208 Cal.App. 4th 899, 924.)

"But the question whether an agency has followed proper procedures is not always so clear. This is especially so when the issue is whether an EIR's discussion of environmental impacts is adequate, that is, whether the discussion sufficiently performs the function of facilitating 'informed agency decisionmaking and informed public participation.' "
(Sierra Club, supra, 6 Cal.5th at pp. 512–513.)

"The ultimate inquiry, as case law and the CEQA guidelines make clear, is whether the EIR includes enough detail 'to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.' "(Sierra Club, supra, 6 Cal.5th at p. 516, footnote omitted.)

The air quality, public safety, and traffic analyses contained in the DEIR do not adequately address the underlying issues of density, trolley ridership, reliance on the automobile, traffic impacts, and parking requirements in the 15-year horizon of the proposed project.

Further, the DEIR does not adequately address foreseeable impacts related to pandemics or foreseeable impacts resulting from the installation of the Alvarado 2nd Pipeline Extension

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Project. The DEIR fails to adequately address mitigation of significant impacts. For the reasons stated, DEIR fails to meet the CEQA mandate and should be revised to address these inadequacies and re-circulated.²

1. Unsafe Air Quality Resulting from the Project

The Air Quality Report (Appendix F) associated with the DEIR assumes the project will be built out in three scheduled phases: Phase 1, the western portion of North District, completed by 2025; Phase 2, the eastern portion of North District and Central District, completed by 2030; and, Phase 3, South District, completed by 2035. (App. F at p. 16.) However, the Specific Plan draft expressly rejects any phasing schedule. The draft states, "Phasing may occur in any order, and more than one phase may occur at any time, provided the necessary infrastructure is in place, or occurs concurrently as specified in each phase(s) of development." (RSPD at p. 7-5, and Table 7-2.)

The report admits that it is unknown how many parking spaces will be provided, so it assumes that a total of 10,274 parking spaces will be provided as follows: 3,520 spaces in Phase 1; 3,637 spaces in Phase 2; and,3,117 spaces in Phase 3. (App. F at p. 18.) The RSPD is not so generous and does not guarantee any number of spaces to be provided. Rather, it states without any attribution that "studies" support shared parking in mixed-use development is an option, because less parking would be required under those conditions. (RSPD at p. 4-56.)

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² The absence of comment on any particular topic in the DEIR (e.g. hydrology, noise, public utilities) should not be construed as tacit approval of the analysis or methodology utilized.

The report addresses air quality impacts resulting from construction of the project, including diesel-powered construction equipment used on and off site (to haul debris and materials) and operational uses and needs of the project, including impacts from vehicle emissions, energy consumption for space and water heating, landscape equipment, and use of consumer products. (App. F at p. 18.)

With respect to construction of the project, the report assumes that about 10 acres will be disturbed daily during construction of each general grading phase (known to create particulate matter, a.k.a "fugitive dust") and heavy equipment operations during the construction process (known to emit diesel particulate). (App. F at p. 21, 23.) Based on the assumption that five construction rules for grading would be implemented and because the term of construction is assumed to be under 30 years, the report concludes that these toxic air contaminates were not significant. (App. F at p. 23.)

Additionally, the report (1) assumes maximum daily emissions by designating an 8-hour work day, (2) does not consider the impact of exterior painting of the project, (3) extends interior painting schedules and, (4) overlaps those schedules with next-phase construction, in order to claim a reduction in significant Reactive Organic Gas (ROG) impacts. The report's manipulation of construction schedules in order to find less than significant ROG impacts pushes the completion of Phase 3 the project outside the 15-year horizon, into 2036. (App. F at p. 21-23; see RSPD at p. 7-5, Table 7-2.)

The report concludes that impacts from construction activities will have less than significant impacts. It assumes discrete, scheduled phases of construction in its analysis, although as previously mentioned, the project expressly rejects any such schedule. (App. F at p.

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22-23, and compare RSPD at p. 7-5.) When the phases are properly considered without a discrete schedule, thresholds are exceeded. For example, the 2025 Maximum tons/year ROG emission is 15.2 tons, already in excess of the screening threshold of 15 tons, and in combination with *any* construction year in Phase 2 for the same emission is exceeded. (App. F at p. 24-25, see Tables 5 and 6.)

The report concludes that air quality impacts resulting from project operations of individual phases are less than significant. However, it concludes the cumulative effect of operational emissions (from all phases of the project) exceeds thresholds in three areas: Reactive Organic Gas (ROG); Carbon Monoxide (CO); and, Particulate Matter 10 (PM10). The excessive operational emissions culminate in BOTH vehicle trips produced by the project AND the operations of the residential buildings, consumer products, and landscape equipment associated with the project. (App. F at p. 27.) The report states as follows:

[T]he project's regional air quality impacts (including impacts related to criteria pollutants, sensitive receptors, violations of air quality standards per threshold d) would be significant. The project would also result in a cumulatively considerable net increase in PM10 and ozone precursor emissions. This would be a significant impact per threshold c. Because of the size and scope of the proposed development, there are no feasible methods for reducing all cumulative emissions to meet daily SDAPCD standards for ROG, CO, and PM10 and the annual standards for PM10.

(App. F at p. 27, emphasis in original.)

Underscored in this comment is that the report identifies the nearest "sensitive receptors" of the project as the residents who currently reside in the northeast and northwest

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corners of the project site, and those Linda Vista residents "located along the northern site boundary on the north side of Friars Road." (App. F at p. 14.) The DEIR illustrates additional sensitive receptor locations in Linda Vista, including the University of San Diego, Francis Parker Middle and Upper School, and Carson Elementary School. (DEIR Figure 5.16-2, at p. 5.16-31.) As the report points out, air quality standards are designed to protect the public, and especially those most at risk for respiratory distress such as children. (App. F at p. 13.)

The report clearly establishes the harm to residents resulting from project operations, that is, the existence of the project itself, based on its sheer magnitude. The report deems construction of the project to have less than significant impacts. (App. F at p. 22-23.) However, the report fails to fully and adequately address impacts from construction of the project during phases that "may occur in any order," and because construction activities from "more than one phase may occur at any time." (RSPD at p. 7-5.) Construction of the project must be properly analyzed to establish the impacts of phases occurring in any order and at the same time. The report, which presents the phases in a vacuum, fails to "'sufficiently performs the function of facilitating 'informed agency decisionmaking and informed public participation.' "(Sierra Club, supra, 6 Cal.5th at pp. 512–513.)

B. Transportation/Circulation and Parking

The vehicles associated with the Riverwalk development will result in traffic and parking impacts, especially on Friars Road, Via Las Cumbres, Gaines Street, Cirrus Street, and Goshen Street. Notably, Via Las Cumbres is a major north-south connector to the project site, and Goshen is another north-south connector to Friars Road. As discussed below, the DEIR fails to adequately address these impacts.

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1. Traffic

The DEIR relies on a flawed Transportation Impact Analysis (TIA) as it fails to adequately state the phases, timelines and the scenarios allowed for development since phasing is rejected in the RSPD; any order of phasing may occur and phases may occur concurrently. "The Specific Plan does not require that phases occur in a specific order. Phasing may occur in any order, and more than one phase may occur at any time, provided the necessary infrastructure is in place, or occurs concurrently as specified in each phase(s) of development." (RSPD at p. 7-4.) To adequately analyze the traffic impacts, the analysis must include the phases in every possible order and combination, should the developer proceed with any order or combinations of phases as allowed under the RSPD.

The DEIR states "the Riverwalk Project is anticipated to have a less than

significant transportation impact," and bases its finding on Vehicle Miles Traveled (VMT) guidelines from the state that indicate "in most instances a per capita or per employee VMT that is 15 per cent below that of existing development may be a reasonable threshold." The presumption of less than significant transportation impacts derives from state law under SB 743. "Essentially, the proposed threshold means that future land use development projects and future land use plans would need to demonstrate that they are capable of producing VMT per capita or VMT per employee that is 15 per cent better than existing development." (ADC10 News, "An Evolutionary Change to CEQA, Transportation Impact Analysis: Replacing LOS with VMT," by Ronald T. Milam, Summer 2018)

The TIA concludes that the 15 percent lower per capita VMT is "generally achievable" based solely on the presence of public transit in the project area, particularly the

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trolley stop. (TIA, at p. 35, 37.) The TIA is overly optimistic in its conclusion. First, the trolley stop will not be constructed until years after almost fifty percent of the residents move in to the project development. Second, there are no trolley ridership studies to show that an adequate number of residents will use the trolley to set the proposed project below the 15 percent threshold. Indeed, the trolley ridership projections in the TIA are not impressive. For example, the projection for the year 2050 total weekday daily ridership at the Riverwalk stop is 2,734. (By comparison, the projection for the year 2050 total weekday daily ridership at the Fashion Valley Transit Center 5,344.) If the project is occupied as proposed in year 2050, there will be 4,300 units that house about 8,000 residents. The ridership projections do not justify the density proposed.

PPPP-1 (cont.) Further, the presumption of less than significant traffic impacts is rebutted by the well-established metric for accurate measurement of vehicles on the roadways as a result of the proposed project. The City of San Diego's Land Development Code Trip Generation Manual (TGM) is the authority used by the City to determine how many vehicles enter and exit sites devoted to particular land uses. (City of San Diego Land Development Code Trip Generation Manual, p. 1). Average Daily Trips (ADTs) are the measure of two-direction, 24-hour total count of vehicles crossing a line on an average day. Unusual seasonal variations must be identified, or less than the typical annual conditions are assumed. In the project area, the holiday season brings significant increases in traffic and congestion from October through January due to retail operations at the Fashion Valley Mall.

Driveway Trips are the total number of trips that are generated by a site. The DEIR provides faulty analysis and data regarding the expected generation of net new ADTs by the proposed project (TIA at p. ii-iii). It states, "Phase I Project is calculated to generate 17,248

driveway trips ... Phase II Project is calculated to generate 30,896 driveway trips." The DEIR further states, "The Project Buildout (Phase I, II and III) is calculated to generate 41,186 new driveway trips" The total stated for Project Buildout (41,186) is *less than the total the document states for Phase I and II* (48,144) AND fails to include Phase III generated driveway trips.

Referencing the TGM, the total anticipated ADTs for Phase III are 12,592, comprised of: 3,432 ADTs from 28,600 square feet of Commercial-Retail at the Neighborhood rate of 120 trips per 1,000 square feet; 9,149 ADTs from 935,000 square feet of multi-tenant Commercial-Office pursuant to the required logarithm; and 11 ADTs derived from 5 trips per acre for an Undeveloped Park of 2.2 acres. Combining the analysis stated in the TIA for Phases I and II, and incorporating the Phase III estimated calculation based on the TGM above, all three phases result in 60,736 ADTs generated by the project. This amounts to a 99% increase over the 600 ADTs that are generated by a golf course.

The proposed project will result in a significant increase in traffic which is substantial in relation to existing traffic load and capacity of the street system.

The proposed project states that project buildout is calculated to generate 41,186 driveway ADTs. (TIA, at p. iii.) The analysis is flawed, in that per the TGM:

At a Daily Trip Rate of 6 ADTs per resident dwelling unit (multi-family), 4,300 units will generate an impact of <u>25,800 ADTs every day</u>. Note that the developer has stated in public presentations that about 1,910 units need to be completed prior to the construction of the Riverwalk trolley stop in 2025; those units generate 11,460 ADTs

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daily without the benefit of nearby transit. Residents dependent on or preferring to use transit will be required to walk more than $\frac{1}{2}$ mile to a transit stop.

- At a Daily Trip Rate for Neighborhood Commercial Retail of 120 trips per 1,000 square feet, at 152,000 square feet, the Neighborhood Commercial Retail generates an impact of 18,240 ADTs every day.
- At a Daily Trip Rate for multi-tenant Commercial-Office and using the required TGM logarithm, the separated Commercial-Office areas were calculated at 65,000 and
 935,000 square feet, and resulted in 1,219 and 9,149 ADTs, respectively. The combined total results in an additional 10,368 ADTs every day.
- The Daily Trip Rate for a Developed Park is 50 trips per acre. At 27.87 acres, this
 totals 1,394 ADTs. The Daily Rate Trip for Undeveloped Parks, the rate is 5 trips per
 acre and at 58.79 acres, the total is 294 ADTs. The ADTs for the Undeveloped and
 Developed Parks total 1,688 ADTs every day.
- Combining the above expected ADTs from the project total of <u>56, 096 ADTs every</u>
 <u>day</u>.³

The DEIR fails to address the reality of the traffic impacts, citing the implementation of Intelligent Transportation Systems (ITS) strategies and Transportation Demand Management plans (TDM) as the cure-all. As stated, Friars Road already has traffic signal coordination. (TIA, at p. 79.) The project proposes using ITS Adaptive Traffic Signal Controls at three major corridors and three lesser corridors as the answer to mitigating this significant impact of the addition of over 55,000 ADTs on the adjacent roads every single

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 $^{^3}$ Projected ADTs in the TIA and in this analysis based on the TGM for Phase 1 and Phase 2 slightly vary and it could be the result of different methodologies or base data.

day. ITS will likely not provide for a smoother circulation of the tens of thousands of average daily trips will be generated by the project; the measure of vehicles on the road is a reality that requires mitigation. Other TDM measures proposed to be implemented are a transit stop and the implementation of paid parking in the project. (TIA, at p. 79-83.)

2. On-Street Parking by Project Residents

The DEIR fails to consider the impacts associated with an anticipated shortage of parking. (See Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist. (2013) 215 Cal. App. 4th 1013, 1052 ["a project's impact on parking generally should be studied for any potential impact on the environment"].) Indeed, the EIR fails to discuss how a lack of parking could have several impacts, including increases in traffic, increased police and fire response times, and air pollution associated with the insufficiency of available parking spaces provided by the project. This is particularly significant considering the City's recent adoption of an ordinance that, among other things, does not require developers to provide any residential parking, when the project is located within ½ mile of a transit stop. However, the transit stop is not planned to be constructed until 2025 or later, or until after 1,910 residential dwelling units have been constructed. The DEIR fails to address the impact from vehicles associated with the project prior before a transit stop in the project area is fully operational.

The DEIR fails to address impacts associated with a lack of parking following the City's adoption of the ordinance. (See *Covina Residents for Responsible Development v. City of Covina* (2018) 21 Cal.App.5th 712, 728 ["secondary parking impacts caused by ensuing traffic congestion ('air quality, noise, safety, or any other impact associated with transportation') must be addressed"].) For example, the DEIR fails to address the fact that there is no adjacent onstreet parking allowed on the project borders, and only limited available on-street parking on the

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north side of Friars Road in the project area. With no requirement to provide parking, and a proposed transit stop that is not required to be built prior to the development of 1,910 units, the adjacent streets will be heavily impacted by residential parking and for the next 10-15 years, by the construction of the project. Further, any residential parking provided by the developer is required by to be unbundled (parking is required to be separated from rent). The unbundled parking presents problems with residents choosing not to pay for parking onsite or not having the ability to purchase parking if parking is no longer available due to purchase by other residents.

On-street parking is prohibited or exhausted by existing residential communities in the project area. The project is bounded by three major streets which prohibit on-street parking: to the north – the south side of Friars Road; to the south – Hotel Circle North and to the east – Fashion Valley Road. Directly abutting the project property to the west are the Courtyards condominiums, a gated community with underground parking. The lack of on-street residential parking adjacent to the project will cause residents, visitors, and retail customers who are not able nor willing to pay for parking, to park on the closest available streets: Via Las Cumbres, Gaines, Cirrus, and Goshen in the Linda Vista Community Planning Area. All of these streets currently have limited parking and currently accommodate overflow parking from nearby retail, residents, and USD.

Further, the expected parking impacts to the community has the potential to increase. Current mandated limited parking as it exists today may be further reduced as stated in the Mobility Plan (at page 286), "during the course of Riverwalk's build out, parking regulations within the Land Development Code may change, resulting in reduced parking regulations, which would not require a change to the Specific Plan. Instead, these changes would be reviewed as a Substantial Conformance Review."

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In sum, the DEIR fails to address the impacts of vehicles circulating for extended periods of time and contributing to poor air quality, traffic congestion, and an increase in police and fire response times. The DEIR needs to be recirculated to properly analyze these impacts.

3. Public Safety Impacts Are Not Adequately Addressed In the DEIR

a. Police

The Riverwalk development area is served by the SDPD Western Division

Substation, that also serves the neighborhoods of Linda Vista, Morena, University Heights,

North Park, Burlingame, Hillcrest, Midtown, Mission Hills, Midway District, Loma Portal, Point

Loma Heights, Ocean Beach, Sunset Cliffs, Roseville-Fleetridge, La Playa, and Wooded Area.

SDPD acknowledges that police response times in the Mission Valley community will continue

to slow with build-out of community plans and the increase of traffic generated by new growth.

Yet, there are no current plans for additional police sub-stations in the immediate area to absorb

this growth. (See Appendix J, Letter from SDPD, dated May 9, 2020.)

SDPD breaks its calls into five categories: emergency calls, and Priority 1, 2, 3 and 4 calls. Priority "E" and priority one calls involve serious crimes in progress or those with a potential for injury. (See App. J, Letter from SDPD, dated May 9, 2020.) SDPD advises citizens to report emergencies such as "crimes that are in progress or about to happen, and ones that have resulted in serious personal injury, property damage, or property loss," and that also "include situations in which the suspect may still be at the scene and some suspicious activities." (See https://www.sandiego.gov/police/services/emergencies.) SDPD provides examples of emergencies that should be reported by calling 9-1-1 as fights, sexual assaults, burglaries and robberies, domestic violence, child and elder abuse, sounds of gunshots, screaming, breaking

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glass, explosions, alarms, hit and run accidents with possible injuries, road hazards that require immediate attention to prevent personal injuries and property damage, graffiti and other acts of vandalism in progress. (See https://www.sandiego.gov/police/services/emergencies.) The 9-1-1 reports for 2020 through May show that citizens have made about 500,000 calls or 100,000 calls each month to report crimes. (See

https://www.sandiego.gov/police/services/911monthlyreports.)

Priority 2 calls include calls for prostitution, trespassing, disturbing the peace, criminal threats with a gun, casing a burglary or for people having a mental health episode.

Priority 3 calls include loud parties, homeland security checks, calls to pick up evidence, hate crime investigations and taking reports and statements for serious crimes like arson, battery and assault with a deadly weapon. Priority 4 calls include parking issues, computer crimes, graffiti and reporting lost or found property. (See https://www.voiceofsandiego.org/topics/public-safety/sdpd-now-takes-hours-to-respond-to-non-emergency-calls/.)

The DEIR identifies that response times for Beat 623 in the Western Division for Priority 2, 3 and 4 calls are, respectively 38%, 36% and 88% longer than Citywide goals. In other words, citizens reporting a Priority 3 event waited almost two hours for a response. Worse, the wait time for a response to a Priority 4 event was almost three hours. (DEIR at p. 5.15-1-2.) Beat 623 of the Western Division does not meet response time goals as currently staffed in 3 out of 5 of the categories. (See App. J, Letter from SDPD, dated May 9, 2020.) SDPD's statement of even slower response times based on community growth presents a grim forecast, especially with respect to the risk the growth places on emergency and Priority 1 call for service.

The DEIR strains to conclude that "[a]lthough the project could result in an increase in service calls, the SDPD has facilities and staffing in the project area to adequately serve the project, ongoing funding for police services is provided by the City General Fund; and no new facilities or improvements to existing faculties would be required." (DEIR at p. 5.15-9.) That statement is not supported by the record of response to calls and importantly, the SDPD's own statement. The DEIR fails to properly analyze the public safety impacts that the project population creates. The discussion fails to sufficiently perform "the function of facilitating 'informed agency decisionmaking and informed public participation.'" (Sierra Club, supra, 6 Cal.5th at pp. 512–513.) The DEIR must be rejected for its lack of adequate analysis of adequate police protection.

b. Fire & Life Safety

PPPP-1 (cont.) Fire Station 45 at 9366 Friars Road serves the existing project site and according to the DEIR, will remain the primary station for the Riverwalk development. (DEIR at p. 5.15-3.) Fire Station 45 has a Battalion Chief's vehicle, an engine, an aerial truck, and a HAZMAT unit. A Battalion Chief (BC) is a staff officer who serves as the Incident Commander on the scene of fire and medical incidents and has authority over the equipment on the scene. The fire engine is a pumper which usually carries 500 gallons of water, hose, pump and 48 feet of ground ladders. The primary task of a fire engine crew is: search and rescue, locate, confine and extinguish fire and, when warranted, respond to 9-1-1 medical incidents. The primary tasks of a truck company are search and rescue, salvage, ventilation, securing utilities and overhaul (clean-up crew). The HAZMAT unit is a specialized emergency response vehicle equipped to handle hazardous material incidents (chemical spills, fuel spills, compressed gas releases, etc.) and is staffed with specially trained personnel. Each apparatus is equipped with a mobile mini-

laboratory, which allows the Hazardous Materials Technicians and Specialists to identify unknown substances and "suspicious" materials on site. (See https://www.sandiego.gov/fire/about/firestations/sta45.)

Fire Station 45 does not meet San Diego's first-due unit response standards that were adopted in 2017. Currently, Fire Station 45 is 2 minutes (40%) longer than the 5-minute travel time goal, and 1.5 minutes (20%) slower than the arrival time goal of 7.5 minutes. (DEIR at p. 5.15-3.) Minimum standards are put in place for purpose of avoiding loss of life and property. Communities with good response times enhance the quality of life for residents. Conversely, communities that do not have the proper allocation of life and property saving resources place citizens, their homes, and their businesses at great risk (see generally, www.nfpa.org).

PPPP-1 (cont.)

The DEIR concedes that the population resulting from development of Riverwalk will increase the demand for fire protection. Although minimum standards are currently not being met, the DEIR concludes that even though the project will result in an increase in service calls, "no new or expanded facilities or improvements to existing facilities would be required as a result of the project," because there are facilities and staffing in the project area to adequately serve the project. (DEIR at p. 5.15-10.) The conclusion is inconsistent with the community plan. The Mission Valley Community Plan Update states as follows:

To augment the existing services provided by the Fire-Rescue Department, the colocation of a Fire-Rescue station with the San Diego Police Department at the existing facility at [the] corner of Napa Street and Friars Road just outside of Mission Valley in Linda Vista is recommended.

(MVCPU at p. 94.)

A co-located station would allow first-due units to meet the minimum response times. (MVCPU at p. 94.) However, there are no plans for such co-location. Given the City's economic condition, there are questions as to how it would be financed. The Riverwalk developer has not taken up the responsibility to provide for a co-located police and fire station. The DEIR ignores the express recommendation in the community plan and frustrates public safety by making the existing excessive response time even worse. The DEIR should be recirculated for adequate study of the impacts the Riverwalk project population places on Fire and Life Safety services. The augmented services called for in the Mission Valley Community Plan Update should be a condition of this project, given the need it creates.

C. The DEIR Fails to Analyze Foreseeable Impacts Resulting from Contagious Disease

The DEIR for the Riverwalk project must be recirculated because it fails to consider the project's potential contribution to the COVID-19 and future pandemics. This is not surprising because the drafting of the DEIR preceded public awareness of the pandemic. However, because the DEIR is designed to inform the lead agency of the environmental impacts of a proposed project, this DEIR is inadequate for failure to consider what is now known and what must be considered by the lead agency. (Sierra Club, supra, 6 Cal.5th at pp. 512–513.)

The pandemic has taught us that high density residential and mass transit are vectors of disease. The DEIR fails to evaluate how the Riverwalk project will exacerbate contagion, whether there are ways to mitigate this impact, and if there are alternatives that will avoid it.

Densification and mass transit are the very opposite of social distancing. New York City, the nation's densest major city, was the hotbed of COVID-19 contagion. New York Governor Andrew Cuomo said high-rise apartment complexes and busy subways were responsible for the city's plight.

Specifically, he asked "Why are we seeing this level of infection? Why cities across the country? It is about density." He added that dense environments are the contagion's feeding grounds.

This vulnerability to pandemic is sometimes referred to as "Exposure Density." Wendell Cox, writing about this matter on April 12, 2020 in New Geography, said "residents who live in high rise residential buildings are likely to experience greater exposure densities because they must use common hallways and elevators. One New York developer expressed concern about the high-rise residential market, calling the City 'a gargantuan petri dish."

The New York Times recently quoted a Stanford University epidemiologist as calling density "an enemy in a situation like this." In the United States, the earliest flashpoint for COVID-19 were dense places such as New York City, Seattle, Detroit, and Chicago.

The Riverwalk DEIR fails to consider the effects of density and transit on spreading illness. It is not that a yet-undiscovered vaccine will soon liberate us, or that the virus will disappear in warm weather as some government leaders have predicted, or even that this is a once-in-a-hundred-year event. In less than two decades there have been epidemics of SARS, MERS, H1N1, Ebola and now COVID-19. In our globalized era, where people travel to the United States and Europe from parts of the world where diseases jump from animals to humans, future pandemics are not only possible – they are inevitable. Social distancing is a strategy to

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limit their impact until cures can be found, but density defeats this strategy. Edward Glaeser of Harvard University noted, "There are always demons that creep in when human beings are living very close to one another."

Moreover, the pandemic has raised the basic question of the need for density and mass transit. High density infill residential, built relatively close to job centers and clustered around mass transit, was designed to limit Greenhouse Gas (GHG) emissions by reducing commuter Vehicle Miles Traveled (VMT). Under this construct, employees would travel shorter distances to job centers than if they lived in sprawl development, and also under this construct they would travel on mass transit rather than ride alone in private vehicles.

What had often been talked about, but not seriously tested, was telecommuting/work from home. The pandemic caused an experiment in large-scale use of telecommuting. A third or more of employees, working from home, did not travel any distance to work and did not cause GHG emissions. Moreover, it was unimportant where they lived. They could be living and working in sprawl developments or across the country. In short, reduction in VMT and GHG emissions does not require density or mass transit. The EIR must be recirculated to consider that reduction in emissions can be achieved by telecommuting rather than by the density imposed by the Riverwalk project.

Finally, the Riverwalk project is purportedly justified by its claimed reduction in GHG emission due to its access to the trolley. However, it is highly questionable that mass transit will reduce GHG. Prior to the pandemic, mass transit use in San Diego was about 3%. The pandemic has diminished even this anemic number by 75% as commuters opt not to risk their lives.

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In an April 28, 2020 article in Forbes magazine, Brad Templeton wrote that public transit is broken in most of North America. He added that it is not pleasant or convenient and "shocking to most, in almost all cities, it's not even energy efficient, using more energy per passenger mile than efficient gasoline cars and way more than electric cars" according to the Department of Energy.

The San Diego City Council does not believe mass transit is the future, as it declined to place a tax on the November 2020 ballot for increased funding to expand mass transit. It has been a federally subsidized money loser in San Diego, and now the federal government and the City have opted out. Given these circumstances, the DEIR must evaluate whether the Riverwalk project, given the minimized use and likely non-expansion of the trolley, will result in the reduction of GHG emissions over other alternatives.

D. The DEIR Does Not Adequately Address Cumulative Impacts

The DEIR fails to provide adequate cumulative analysis. The directive under CEQA is clear: an EIR must discuss cumulative impacts if a project's incremental effect combined with other projects is cumulatively considerable. (CEQA Guidelines, § 15130(a).)

The import of cumulative impact analysis is to avoid evaluating projects in a vacuum. This is so because the failure to adequately evaluate cumulative harm risks environmental disaster.

(Whitman v. Board of Supervisors (1979) 88 Cal.App.3d 397, 408.) In other words, piecemeal approval of several projects with related impacts could lead to severe environmental harm. (San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713, 720.)

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Here, as discussed above, the DEIR fails to adequately address traffic, air quality, public health, and public safety. Cumulative impacts cannot be assessed without a proper analysis of these challenged areas.

Further, the DEIR fails to address the cumulative impacts of the Alvarado 2nd Pipeline Extension Project. This project includes construction of approximately 10 miles of water mains in the Mission Valley and Mission Bay areas. According to a letter to residents dated June 1, 2020, the pipeline extension "is one of multiple public infrastructure projects occurring in this area over the next several years." Pertinent here, the project involves the installation of a 48-inch water main and the replacement of a 16-inch water main along Friars Road in the project area from Napa Street to Fashion Valley Road. Construction is anticipated to occur from mid-2021 to mid-2024. The project will require heavy construction equipment mobilization, traffic control, lane closures, detours, daytime and nighttime work hours, trench digging and backfill, temporary pavement, and bike lane, sidewalk and bus stop closures. (https://www.sandiego.gov/sites/default/files/city_of_san_diego_alvarado_2nd_pipeline_extension_project_fact_sheet_-_june_2020.pdf.)

According to the Riverwalk project, Phase 1 of the project may occur through 2025, however, "[p]hasing may occur in any order, and more than one phase may occur at any time, provided the necessary infrastructure is in place, or occurs concurrently as specified in each phase(s) of development." (RSPD at p. 7-5, and Table 7-2.)

Because of the simultaneous timelines for the projects, impacts on air quality, noise, public safety, and traffic must be addressed for the Riverwalk project area. Further, because the phasing schedules for both projects overlap, the pipeline extension calls into

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question the timely installation of the ITS Adaptive Traffic Signal Controls that the Riverwalk developer is committed to install on Friars Road in the project area. The uncertainty of the installation of this traffic mitigation measure is further compounded by the developer's statement that the Riverwalk trolley stop will not be constructed until about 2,000 residential units are already occupied. Hence, if one were grant the dubious assumption the trolley will reduce VMT, there would be a substantial increase in VMT before the trolley station is opened, which means more traffic.

In sum, the cumulative impact of the Riverwalk project and the pipeline project must be addressed in the DEIR for an analysis of environmental harm of the concurrent projects.

E. Project Alternatives

CEQA requires that an EIR "produce information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned." (San Bernardino Valley Audubon Society v. County of San Bernardino (1984) 155 Cal. App.3d 738, 750-751.) "[T]he discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." (CEQA Guidelines§ 15126.6(b).) "Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process." (Laurel Heights Improvement Assoc. v. University of California (1988) 47 Cal.3d 376,404.)

The DEIR states the no project alternative is the environmentally superior alternative to the project. (DEIR at p. 10-32.) The LVPG subcommittee recognizes that the no

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project alternative does not advance the City's goals. The DEIR identifies Alternative 3-Reduced Development Intensity/Operational Air Quality Impact Avoidance and Minimized Historical/Tribal Cultural Resources as the next environmentally superior alternative. (RSPD at p. 10-32.)

Alternative 3 provides 2,200 residential units; 40,000 square feet of commercial retail space; 900,000 square feet of office and non-commercial retail space; and approximately 114 acres of park, open space, and trails. (DEIR at 10-23, Table 10-2.) Under Alternative 3, no development would occur in the Central District and about one-third of the developable area in North District would be removed. (DEIR at p. 10-23.) The elimination of certain buildings in Alternative 3 avoids potential impacts to three significant archaeological sites of the lipay Nation of Santa Isabel and Jamul Indian Village. Avoiding disturbance of these sites results in fewer potential impacts to tribal cultural resources. Monitoring of any ground disturbing activities would still be required, further reducing impacts to tribal resources. (RSPD at p. 5. 10-6, 10-26, 10-27.) The subcommittee notes that the RSPD implements native plants species, street signs, and interpretive signage in recognition of the Kumeyaay people. (RSPD at p. 5.10-7.) The subcommittee vigorously advocates for greater recognition and greater inclusion of Native American culture within the project site through relevant and lasting symbolism, murals, sculpture, and architecture, in order to represent this important ancestral heritage.

In short, Alternative 3 provides for less intensive density and uses, falls within the range of reasonably feasible alternatives, has less impacts on public safety, avoids significant air quality impacts and the disturbance of tribal cultural resources, while remaining consistent with the City's General Plan and goals under CAP. (RSPD at p. 10-30, 10-31, 10-32.) Alternative 3

allows for informed decision making, unlike the project as presented in the DEIR. (Sierra Club, supra, 6 Cal.5th at pp. 511–513.)

Accordingly, the DEIR for the project cannot be certified without providing for an adequate analysis of the project's impact on air quality, traffic, public safety, contagious disease, and its cumulative impacts.

F. Need to Recirculate

The DEIR is sufficiently lacking that the only way to fix these issues is to revise it and recirculate an adequate report. (See *Laurel Heights Improvement Ass'n v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1130.)

Conclusion

PPPP-1 (cont.)

The LVPG Riverwalk Subcommittee recognizes the unique development opportunity the Riverwalk golf course presents. The planning of the Riverwalk development area will greatly affect the community and for that reason, the issues raised by the Linda Vista Community cannot be disposed of summarily.

A shortcoming of the RSPD is the lack of limits on density and land uses.

Because the RSPD does not accurately reflect density and uses that the project developer has touted for years in the community, seeking its approval, it must be redrafted to state project-level mandatory limits on density and land uses.

Further, the DEIR should be recirculated to address public health and contagious disease and the foreseeable, cumulative impacts associated with the Alvarado 2nd Pipeline Extension Project. Additionally, project should be held to require a co-located police and fire

