

**CALIFORNIA ENVIRONMENTAL QUALITY ACT – SECTION 15162  
CONSISTENCY EVALUATION  
FOR THE  
CELINE PROJECT  
PRJ-1130168**

**AUGUST 2025**

Prepared by:

City of San Diego  
Development Services Department  
1222 First Avenue  
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## DOWNTOWN FEIR CONSISTENCY EVALUATION

1. **Project Title:** Celine ("Project")
2. **Applicant:** Soheil Nakhshab (Nakhshab Development & Design Inc)
3. **Project Location and Setting:** SDP for the substantial alteration of the Ordway Residence located at 1620 State Street within the Little Italy neighborhood of the Downtown Community Planning Area (DCP) (Council District 3). The project site consists only of the 4,979-square-foot parcel at 1620 State Street within the Residential Emphasis land use district of the Centre City Planned District, the Airport Land Use Compatibility Land Use Overlay, and the Transit Priority Area Overlay. The project proposes to construct an eight-story, 91-foot-tall mixed-use development comprised of 52 residential dwelling units, including six affordable dwelling units, and 6,232 square feet of commercial space. The Resource will be dismantled, stored off-site during construction, and relocated to the front property line of the parcel. New construction will project over the rear of the historic structure at the third floor and over the entirety of the structure at the fourth through eighth floors.

The Downtown Community Planning (DCP) area includes approximately 1,500 acres within the metropolitan core of the City of San Diego, bounded by Laurel Street and Interstate 5 on the north; Interstate 5, Commercial Street, 16th Street, Sigsbee Street, Newton Avenue, Harbor Drive, and the extension of Beardsley Street on the east and southeast; and San Diego Bay on the south and west and southwest. The major north-south access routes to downtown are Interstate 5, State Route 163, and Pacific Highway. The major east-west access route to downtown is State Route 94. Surrounding areas include the community of Uptown and Balboa Park to the north, Golden Hill and Sherman Heights to the east, Barrio Logan and Logan Heights to the South and the City of Coronado to the west across San Diego Bay.

4. **Project Description:** Site Development Permit (Process 4) for the substantial alteration of a historical resource (Ordway Residence, HRB No. 278) and the construction of an eight-story, 91-foot tall mixed-use development known as "Celine" (Project), comprised of 52 residential dwelling units, including six affordable dwelling units, and 6,232 square feet of commercial space. The Project site is located on the 4,979-square-foot property at 1620 State Street on the west side of State Street between West Date Street and West Cedar Street in the Little Italy neighborhood of the Downtown Community Plan area, the Residential Emphasis land use district of the Centre City Planned District, the Airport Land Use Compatibility Land Use Overlay, the Transit Priority Area Overlay, and Council District 3.
5. **CEQA Compliance:** The DCP, CCPDO, Redevelopment Plan for the Centre City Redevelopment Project and related activities have been addressed by the following environmental documents, which were prepared prior to this Consistency Evaluation and are hereby incorporated by reference:

- 1) FEIR for the DCP, CCPDO, and 10<sup>th</sup> Amendment to the Redevelopment Plan for the

Centre City Project (State Clearinghouse Number 2003041001, certified by the Redevelopment Agency (Resolution No. R-04001) and the San Diego City Council (City Council) (Resolution No. R-301265), with date of final passage on March 14, 2006.

- 2) Addendum to the Downtown FEIR for the 11<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, Amendments to the DCP, CCPDO, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program of the Downtown FEIR for the DCP, CCPDO, and the Redevelopment Plan for the Centre City Redevelopment Project certified by the Redevelopment Agency (Resolution No. R-04193) and by the City Council (Resolution No. R-302932), with date of final passage on July 31, 2007.
- 3) Second Addendum to the Downtown FEIR for the proposed amendments to the DCP, CCPDO, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program (MMRP) certified by the Redevelopment Agency (Resolution No. R-04508), with date of final passage on April 21, 2010.
- 4) Third Addendum to the Downtown FEIR for the Residential Emphasis District Amendments to the CCPDO certified by the Redevelopment Agency (Resolution No. R-04510), with date of final passage on April 21, 2010.
- 5) Fourth Addendum to the Downtown FEIR for the San Diego Civic Center Complex Project certified by the Redevelopment Agency (Resolution No. R-04544) with date of final passage on August 3, 2010.
- 6) Fifth Addendum to the Downtown FEIR for the Industrial Buffer Overlay Zone Amendments to the CCPDO certified by the City Council (Resolution No. R-308724) with a date of final passage on February 12, 2014.
- 7) Sixth Addendum to the Downtown FEIR for the India and Date Project certified by the City Council (Resolution No. R-309115) with a date of final passage on July 14, 2014.
- 8) Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561).
- 9) City of San Diego FEIR for the Climate Action Plan (CAP FEIR) certified by the City Council on December 15, 2015, (Resolution No. R-310176), including the Addendum to the CAP FEIR certified by the City Council on July 12, 2016.
- 10) General Plan FEIR (GP FEIR) consisting of (i) Land Development Code FEIR No. 96-0333 (SCH 96081056) certified November 18, 1997 (Resolution No. R-289458) and associated environmental determinations; (ii) General Plan PEIR No. 104495 (SCH 2006091032) certified March 10, 2008 (Resolution No. R-2008-685) and associated addenda; (iii) Public Resources Code (PRC) Section 21166 analysis covering City Council's approval of the City's Affordable Housing Density Bonus Regulations (San Diego Municipal Code

["SDMC"] section 143.0710 et seq.) on March 6, 2018 and March 22, 2018 (City Council Resolution No. R-311593 and City Council Ordinance No. O-20916, respectively); and (iv) CEQA Guidelines Section 15378 not a project determination and CEQA Guidelines Section 15183 analysis covering City Council's approval of the City's Inclusionary Affordable Housing Regulations (SDMC section 142.1301 et seq.) on December 10, 2019 (City Council Resolution No. R-312784) and on January 14, 2020 (City Council Ordinance No. O-21167, respectively).

- 11) City of San Diego Final Program Environmental Impact Report No. 2019060003 for Complete Communities: Housing Solutions and Mobility Choices (Complete Communities FEIR) certified by the City Council on November 17, 2020 (Resolution No. R-313279); and associated resolutions amending the Land Development Manual to amend the City's CEQA Significance transportation thresholds, and adding the new Transportation Study Manual and Mobility Choices Regulations Implementing Guidelines, all relating to the City's Complete Communities Mobility Choices Program (Resolution Number R-313280). The Mobility Choices Regulations were adopted by City Council Ordinance No, O-21274 on December 9, 2020.

As used herein, the term "FEIR or Downtown FEIR" refers to the 2006 FEIR and all the addenda and supplemental environmental documentation referenced in 1 thru 8 above; the term "CAP FEIR" refers to the 2015 FEIR and the Addendum referenced in 9 above, the term "GP FEIR" refers to the 2008 FEIR and the EIRs, addenda, and CEQA Section 21166 analysis referenced in 10 above, and the term "Complete Communities FEIR" refers to the 2020 FEIR and associated resolutions amending the Land Development Manual to amend the transportation threshold as well as adding the new Transportation Study Manual (TSM) and Mobility Choices Regulations as referenced in 11 above.

The FEIR, GP FEIR, CAP FEIR, and Complete Communities FEIR (the FEIRs) are Program EIRs prepared in compliance with CEQA Guidelines Section 15168. The aforementioned environmental documents are the most recent and comprehensive environmental documents pertaining to the project. The FEIR and GP FEIR and subsequent addenda are available for review at the offices of the City of San Diego Development Services Department, Urban Innovation Division located at 550 West C Street, San Diego, CA 92101 and on the City's website at <https://www.sandiego.gov/development-services/news-programs/downtown-development/eirs> and <https://www.sandiego.gov/planning/genplan/documents/peir>. The CAP FEIR and Complete Communities FEIR is available at the offices of the City of San Diego Planning Department located at 202 C Street, San Diego, CA 92101 and on the City's website at <https://www.sandiego.gov/sustainability/climate-action-plan> and [final peir for complete communities housing solutions and mobility choices.pdf \(sandiego.gov\)](https://www.sandiego.gov/sustainability/climate-action-plan).

Under this process described in CEQA Guidelines Section 15168(c), a Consistency Evaluation is prepared for each subsequent proposed action as a written checklist to determine whether additional environmental documentation beyond the FEIRs must be prepared. No additional documentation is required for subsequent proposed actions if the Consistency

Evaluation determines that the potential impacts were within the scope of the FEIRs and subsequent proposed actions implement appropriate feasible mitigation measures identified in the Mitigation Monitoring and Reporting Programs (MMRPs) that accompanies the FEIRs.

Through its CEQA Guidelines 15162 analysis, the Consistency Evaluation identifies whether additional environmental documentation is required. The form of this documentation depends upon the nature of the impacts of the subsequent proposed action being proposed. A Subsequent or Supplemental Environmental Impact Report would be prepared in accordance with Sections 15162 or 15163 of the State CEQA Guidelines should the lead agency determine, on the basis of substantial evidence in the light of the whole record, one or more of the three triggers described in CEQA Guidelines Section 15162(a) exist.

Pursuant to CEQA Guidelines 15168(c)(2), if the lead agency under CEQA finds that, pursuant to Sections 15162, no subsequent EIR would be required, the lead agency can approve the subsequent proposed action to be within the scope of the project covered by the FEIRs, and no new environmental document is required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that a legal agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts and covered infrastructure as described in the program EIR. The Downtown FEIR is specific to the Downtown Community Plan Area where the project is located and the others are City-wide, which also includes where the project is located.

6. **Project-Specific Environmental Analysis:** See attached Environmental Checklist and Section 10 Evaluation of Environmental Impacts.
7. **Mitigation Monitoring and Reporting Program:** As described in the Environmental Checklist and summarized in Attachment A, the following mitigation measures included in the MMRP, found in Volume 1.B.2 of the Downtown FEIR, will be implemented by the proposed Project:  
  
AQ-B.1-1, HIST-A.1-2, HIST-B.1-1, NOI-B.1-1, PAL-A.1-1
8. **Determination:** In accordance with Sections 15168 and 15180 of the CEQA Guidelines, the potential impacts associated with future development within the DCP area are addressed in the Downtown FEIR prepared for the DCP, CCPDO, and the six subsequent addenda to the Downtown FEIR listed in Section 6 above, as well as the Final Supplemental EIR for the Downtown San Diego Mobility Plan and the CAP FEIR.

These documents address the potential environmental effects of future development within the Centre City Redevelopment Project based on build out forecasts projected from the land use designations, density bonus, and other policies and regulations governing development intensity and density.

ISSUE AREA	IMPACT SUMMARY	MITIGATION MEASURE	DIRECT	CUMULATIVE
<b><i>Air Quality</i></b>				
AQ-B.1	Construction Emissions	AQ-B.1-1	SM	SNM
<b><i>Historical Resources</i></b>				
HIST-A.1	Built Environment	HIST-A.1-1, HIST-A.1-2	SNM	SNM
HIST-B.1	Archeological Resources	HIST-B.1-1	SNM	SNM
<b><i>Land Use</i></b>				
LU-B.3,	SDIA 65 CNEL to sensitive uses interior noise	NOI-B.1-1	SM (Interior) / SNM (Exterior)	--
LU-B.6	Physical Changes Related to Transient Activity	--	SNM	SNM
<b><i>Noise</i></b>				
NOI-B.1	Noise generated by I-5 and grid streets to sensitive uses interior noise	NOI-B.1-1	SM	--
<b><i>Paleontology</i></b>				
PAL-A.1	Impacts to Significant Paleontological Resources	PAL-A.1-1	SM	--
<b><i>Traffic and Circulation</i></b>				
TRF-A.1.1	Increased traffic from Downtown development on grid streets	TRF-A.1.1-1, TRF-A.1.1-2	SNM	SNM
TRF-A.1.2	Increased traffic from Downtown development on surrounding streets	TRF-A.1.1-1	SNM	SNM
TRF-A.2.1	Additional traffic on Freeway segments and ramps	TRF-A.2.1-1	SNM	SNM
TRF-D.1	Parking Demand	TRF-D.1-1	SNM	SNM
<b><i>Water Quality</i></b>				
WQ-A.1	Urban Runoff	Compliance with regulations	--	SNM

In certifying the Downtown FEIR and approving the DCP, CCPDO, and 10th Amendment to the Redevelopment Plan, the City Council and Redevelopment Agency adopted a Statement of Overriding Considerations which determined that the unmitigated impacts were acceptable in light of economic, legal, social, technological or other factors including the following:

### Overriding Considerations

- Develop downtown as the primary urban center for the region
- Maximize employment opportunities within the downtown area
- Develop full-service, walkable neighborhoods linked to the assets downtown offers
- Increase and improve parks and public spaces
- Relieve growth pressure on outlying communities
- Maximize the advantages of downtown's climate and waterfront setting
- Implement a coordinated, efficient system of vehicular, transit, bicycle, and pedestrian traffic
- Integrate historical resources into the new downtown plan
- Facilitate and improve the development of business and economic opportunities located in the downtown area
- Integrate health and human services into neighborhoods within downtown
- Encourage a regular process of review to ensure that the Plan and related activities are best meeting the vision and goals of the Plan.

The proposed activity detailed and analyzed in this Evaluation are adequately addressed in the environmental documents noted above and there is no change in circumstance, substantial additional information, or substantial Project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved Project, this activity is not a separate Project for purposes of review under CEQA pursuant to CEQA Guidelines Sections 15060(c)(3), 15180, and 15378(c).

9. **Summary of Findings:** In accordance with Public Resources Code Sections 21166, 21083.3, and CEQA Guidelines Sections 15168 and 15183, the following findings are derived from the environmental review documented by this Evaluation and the Downtown FEIR and CAP FEIR as amended:
- 1) No substantial changes are proposed in the Centre City Redevelopment Project, or with respect to the circumstances under which the Centre City Redevelopment Project is to be undertaken as a result of the development of the proposed Project, which will require important or major revisions in the Downtown FEIR and the six subsequent addenda to the FEIR or with the CAP FEIR;
  - 2) No new information of substantial importance to the Centre City Redevelopment Project has become available that shows the Project will have any significant effects not discussed previously in the Downtown FEIR or subsequent addenda to the Downtown FEIR or CAP FEIR; or that any significant effects previously examined will be substantially more severe than shown in the CAP FEIR and the Downtown FEIR or subsequent addenda to the FEIR; or that any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the Project on the environment;
  - 3) No Negative Declaration, Subsequent EIR, or Supplement or Addendum to the CAP EIR and the Downtown FEIR, as amended, is necessary or required;

- 4) The proposed actions will have no significant effect on the environment, except as identified and considered in the CAP FEIR and the Downtown FEIR and subsequent addenda to the Downtown FEIR for the Centre City Redevelopment Project. No new or additional project-specific mitigation measures are required for this Project; and
- 5) The proposed actions would not have any new effects that were not adequately covered in the CAP FEIR and Downtown FEIR or addenda to the Downtown FEIR, and therefore, the proposed Project is within the scope of the program approved under the CAP FEIR and Downtown FEIR and subsequent addenda listed in Section 6 above.

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Date

Attachment(s):    Environmental Checklist  
                         Attachment A: Mitigation, Monitoring and Reporting Program



## ENVIRONMENTAL CHECKLIST

10. **EVALUATION OF ENVIRONMENTAL IMPACTS:** This environmental checklist evaluates the potential environmental effects of the proposed Project consistent with the significance thresholds and analysis methods contained in the CAP FEIR and the Downtown FEIR for the DCP, CCPDO, and Redevelopment Plan for the Centre City Project Area. Based on the assumption that the proposed activity is adequately addressed in the Downtown FEIR and CAP FEIR, indicates how the impacts of the proposed activity relate to the conclusions of the Downtown FEIR and CAP FEIR. As a result, the impacts are classified into one of the following categories:
- Significant and Not Mitigated (SNM)
  - Significant but Mitigated (SM)
  - Not Significant (NS)

The checklist identifies each potential environmental effect and provides information supporting the conclusion drawn as to the degree of impact associated with the proposed Project. As applicable, mitigation measures from the Downtown FEIR and CAP FEIR are identified and are summarized in **Attachment A** to this Evaluation. Some of the mitigation measures are plan-wide and not within the control of the proposed Project. Other measures, however, are to be specifically implemented by the proposed Project. Consistent with the Downtown FEIR and CAP FEIR analysis, the following issue areas have been identified as Significant and Not Mitigated even with inclusion of the proposed mitigation measures, where feasible:

### Significant but Mitigated Impacts

- Air Quality: Construction Emissions (AQ-B.1) (Direct [D])
- Noise: Interior from Traffic Noise (NOI-B.1) (D)
- Historical Resources: Built Environment (HIST-A.1)
- Historical Resources: Archaeological Resources (HIST-B.1)
- Historical Resources: Paleontological (PAL-A.1) (D)

### Significant and Not Mitigated Impacts

- Aesthetics/Visual Quality: Views of Bay and Bay Bridge (VIS-B.1) (D)
- Air Quality: Construction Emissions (AQ-B.1) (Cumulative [C])
- Air Quality: Mobile-source Emissions (C)
- Historical Resources: Historical (D/C)
- Historical Resources: Archaeological (D/C)
- Land Use: Aircraft Noise (LU-B.3) (D)
- Land Use: Physical Changes Related to Transient Activity (LU-B.6) (D/C)
- Noise: Traffic Noise Level Increase on Grid Streets (NOI-A.1) (D/C)
- Noise: Exterior Traffic Noise in Residential Development (NOI-C.1) (D)
- Noise: Exterior Aircraft Noise in Residential Development (NOI-C.2) (D)
- Noise: Exterior Traffic Noise in Public Parks and Plazas (NOI-D.1) (D)
- Parking: Excessive Parking Demand (TRF-D.1) (D/C)
- Traffic: Impact on Grid Streets (TRF-A.1.1) (D)
- Traffic: Impact on Surrounding Streets (TRF-A.1.2) (D/C)
- Traffic: Impact on Freeway Ramps and Segments (TRF-A.2.1) (D/C)

- Water Quality: Urban Runoff (WQ-A.1) (C)

The following Overriding Considerations apply directly to the proposed Project:

- Develop downtown as the primary urban center for the region
- Develop full-service, walkable neighborhoods linked to the assets downtown offers
- Relieve growth pressure on outlying communities
- Integrate historical resources into the new downtown plan
- Facilitate and improve the development of business and economic opportunities located in the downtown area
- Encourage a regular process of review to ensure that the Plan and related activities are best meeting the vision and goals of the Plan.

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	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>removing the requirements of the Little Italy Sun Access Overlay, reduction of the transparency requirement, reduction of habitable street wall requirement, and an increase of the street wall setback. These deviations would not create incompatibility with the surrounding bulk, scale, color, or design of the surrounding development.</p> <p>CEQA was also amended to affirm that “aesthetic and parking impacts of a residential, mixed use residential or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” (PRC 21099(d)(1)). The proposed project is a mixed-use residential project with residential and commercial uses, surrounded by urban development, and located within half a mile of a major transit stop. Therefore, any aesthetic impact of the project from its bulk, scale, color and/or design on surrounding development cannot be considered significant.</p> <p>The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review related to surrounding development, and no mitigation would be required.</p>						
(c) Substantially affect daytime or nighttime views in the area due to lighting?					X	X
<p><u>Downtown FEIR</u></p> <p>The Downtown FEIR concludes that no significant impacts related to lighting would occur with implementation of the DCP. The DCP and CCPDO include policies to prevent adverse effects due to lighting.</p> <p><u>Project</u></p> <p>The project would comply with the outdoor lighting standards in Municipal Code Section 142.0740 (Outdoor Lighting Regulations) that require all outdoor lighting be installed, shielded, and adjusted so that the light is directed in a manner that minimizes negative impacts from light pollution, including trespass, glare, and to control light from falling onto surrounding properties. Therefore, lighting installed with the project would not adversely affect day or nighttime views in the area, resulting in a less than significant lighting impact. In regards to glare, the project would comply with Municipal Code Section 142.0730 (Glare Regulations) that require exterior materials utilized for proposed structures be limited to specific reflectivity ratings. The project would have a less than significant glare impact. As such, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. The project does not trigger</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
<b>2. AGRICULTURAL RESOURCES:</b>						
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?					X	X
<u>Downtown FEIR</u> The FEIR concludes that no impacts to farmland would occur with implementation of the DCP.  <u>Project</u> There is no land that contains soils that would be considered prime agricultural soils or land that would be designated as Farmland by the California Department of Conservation (DOC) in the DCP. Therefore, there would be no conversion of land of Farmland to a non-agricultural use. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?					X	X
<u>Downtown FEIR</u> The FEIR concludes that no impacts to agricultural zoning would occur with implementation of the DCP, as there are no Williamson Act contracts in the planning area or nearby.  <u>Project</u> As discussed in the DCP the planning area and therefore the project site, is not located on or near land zoned for agriculture or land that has a Williamson Act contract. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
<b>3. AIR QUALITY:</b>						
(a) Conflict with or obstruct implementation of an applicable air quality plan, including the County's Regional Air Quality Strategies (RFS) or the State Implementation Plan?					X	X

### Downtown FEIR

The FEIR concludes that, while implementation of the DCP would increase air emissions generated in the DCP area with respect to current levels, the DCP would not conflict with regional air quality planning as it would implement strategies and policies to reduce air pollution.

As discussed in the FEIR, the mixed-use emphasis proposed in the DCP as well as the DCP area's proximity to a variety of transit opportunities would reduce mobile source emissions. The DCP also represents smart growth, which would be consistent with the goals and policies of the San Diego Air Pollution Control District (SDAPCD).

### Project

The project site is in the San Diego Air Basin (SDAB) and are under the jurisdiction of the San Diego Air Pollution Control District (SDAPCD) and the California Air Resources Board (CARB). Both the State of California and the Federal government have established health-based Ambient Air Quality Standards (AAQS) for the following six criteria pollutants: carbon monoxide (CO); ozone (O<sub>3</sub>); nitrogen oxides (NO<sub>x</sub>); sulfur oxides (SO<sub>x</sub>); particulate matter up to 10 microns in diameter (PM<sub>10</sub>); and lead (Pb). O<sub>3</sub> (smog) is formed by a photochemical reaction between NO<sub>x</sub> and reactive organic compounds (ROCs). Thus, impacts from O<sub>3</sub> are assessed by evaluating impacts from NO<sub>x</sub> and ROCs. A new increase in pollutant emissions determines the impact on regional air quality as a result of a proposed project. The results also allow the local government to determine whether a proposed project would deter the region from achieving the goal of reducing pollutants in accordance with the Air Quality Management Plan (AQMP) in order to comply with Federal and State AAQS.

The SDAPCD and San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the SDAB. The County Regional Air Quality Strategy (RAQS) was initially adopted in 1991 and is updated on a triennial basis (most recently in 2016). The RAQS outlines the SDAPCD's plans and control measures designed to attain the state air quality standards for ozone (O<sub>3</sub>). The RAQS relies on information from the CARB and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in San Diego County and the cities in the county, to project future emissions and then determine the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by San Diego County and the cities in the county as part of the development of their general plans.

The RAQS relies on SANDAG growth projections based on population, vehicle trends, and land use plans developed by the cities and by the county as part of the development of their general plans. As such, projects that propose development that is consistent with the growth anticipated by local plans would be consistent with the RAQS. However, if a project proposes development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the RAQS and may contribute to a potentially

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
significant cumulative impact on air quality. The project would be consistent with the General Plan, community plan, and the underlying zoning. Therefore, the project would be consistent at a subregional level with the underlying growth forecasts in the RAQS and would not obstruct implementation of the RAQS or applicable air quality plan. As such, no impacts would result.						
(b) Expose sensitive receptors to substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health?			X			X
<p><u>Downtown FEIR</u></p> <p>The Downtown FEIR concludes that emissions generated during demolition and construction activities could exceed acceptable local standards and pose a health risk to nearby sensitive receptors. The FEIR identifies Mitigation Measure AQ-B.1-1, which requires dust control measures to be implemented during demolition and construction. With implementation of Mitigation Measure AQ-B.1-1 and compliance with the City of San Diego mandated dust controls within the City Land Development Manual, Appendix O, Storm Water Standards Manual, impacts would be reduced to below a significant level. The FEIR concludes that no significant impacts associated with mobile source, stationary, and hazardous materials emissions would occur with implementation of the DCP. However, mobile source emissions combined with other emissions in the San Diego Air Basin would result in a significant cumulative impact.</p> <p><u>Project</u></p> <p>Project construction activities could potentially generate combustion emissions from on-site heavy-duty construction vehicles and motor vehicles transporting the construction crew, and necessary construction materials. Exhaust emissions generated by construction activities would generally result from the use of typical construction equipment that may include excavation equipment, forklift, skip loader, and/or dump truck. Variables that factor into the total construction emissions potentially generated include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on- or off-site. It is anticipated that construction equipment would be used on-site for four to eight hours per day; however, construction would be short-term. Excavation, grading, and relocation activities can cause fugitive dust emissions. Construction of the project would be subject to standard measures required by a City of San Diego grading permit to reduce potential air quality impacts to less than significant.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>These measures include, but are not limited to, compliance with SDMC section 142.0710, which prohibits airborne contaminants from emanating beyond the boundaries of the premises upon which the use emitting the contaminants is located. Some example measures are watering three times daily, reducing vehicle speeds to 15 miles per hour on unpaved or use architectural coatings that comply with San Diego Air Pollution Control District Rule 67.0 [i.e., architectural coatings that meet a volatile organic compounds (VOC) content of 100 grams per liter (g/l) for interior painting and 150 g/l for exterior painting] would be used during construction. As discussed in the FEIR, implementation of Mitigation Measure AQ-B.1-1, compliance with the City's mandated dust control measures, pre-construction hazard assessment, and subsequent implementation of required remediation procedures would be required prior to and during demolition and construction activities (see Appendix A). Therefore, impacts associated with fugitive dust are considered less than significant and would not violate air quality standard and would not contribute substantially to an existing or projected air quality violation. No mitigation measures are required.</p>						
Generate substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health?		X	X			
<p><u>Downtown FEIR</u></p> <p>The Downtown FEIR concludes that emissions generated during demolition and construction activities could exceed acceptable local standards result in significant impacts. As discussed above in section 3(b), the FEIR identifies Mitigation Measure AQ-B.1-1, which requires dust control measures to be implemented during demolition and construction. With implementation of Mitigation Measure AQ-B.1-1 and compliance with the City of San Diego mandated dust controls within the City Land Development Manual, Appendix O, Storm Water Standards Manual, impacts would be reduced to below a significant level. Mobile source emissions combined with other emissions in the San Diego Air Basin would result in a significant cumulative impact.</p> <p><u>Project</u></p> <p>As identified in the Downtown FEIR, demolition and construction of the proposed project would create emissions that would be significant impacts without mitigation. Implementation of Mitigation Measure AQ-B.1-1 and compliance with the City's dust control measures and other standards would reduce project impacts to less than significant levels.</p>						



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>Vehicle traffic associated with the project would not exceed air quality significance standards, however, in combination with dust generated during demolition and proposed construction of the project, it would contribute to the significant and unmitigated cumulative impact to air quality identified in the FEIR.</p> <p>While emissions were cumulatively considerable in the FEIR, implementation of the DCP would ultimately decrease vehicle emissions as it concentrates development in an area that is well served by transit and offers a variety of opportunities to work and live in the same area. The project would add residential units to this area, which is close to employment opportunities and transit stations. The significant and unmitigated cumulative impacts related to air quality were previously identified in the FEIR and the project's contributions to these impacts do not require further environmental documentation related to the proposed project.</p> <p>The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review related to air contaminants. As discussed in the FEIR, implementation of Mitigation Measure AQ-B.1-1, compliance with the City's mandated dust control measures, pre-construction hazard assessment, and subsequent implementation of required remediation procedures would be required prior to and during demolition and construction activities (see Appendix A). As identified in the FEIR, cumulative impacts to the San Diego Air Basin cannot be mitigated.</p>						
<b>4. BIOLOGICAL RESOURCES:</b>						
(a) Substantially effect, either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by local, state or federal agencies?					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<u>Downtown FEIR</u> The FEIR concludes that no significant impacts to sensitive species would occur with implementation of the DCP.						
<u>Project</u> The project site is fully developed within an urbanized area. No native habitat is located on or adjacent to either site. As such, the proposed project would not directly or through habitat modification affect any species identified as a candidate, sensitive, or special statues species in local or regional plans, policies, or regulations, or by CDFW or USFW. Additionally, the project sites are located outside the City's Multi-Habitat Preservation Area (MHPA). No impacts would occur. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by local, state or federal agencies?					X	X
<u>Downtown FEIR</u> The FEIR concludes that no significant impacts to riparian habitat or other sensitive natural communities would occur with implementation of the DCP.						
<u>Project</u> The DCP covers a highly urbanized area with little to no native habitat. There have been no sensitive communities identified in the planning area or in plans covering the area. The project site currently is developed with agas station and does not contain riparian or other natural communities. As applicable, the project would comply with local, state, and federal plans and policies. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
<b>5. GEOLOGY AND SOILS:</b>						
(a) Substantial health and safety risk associated with seismic or geologic hazards?					X	X
<u>Downtown FEIR</u> The FEIR concludes there would be no significant impact to health or safety related to seismic or						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>geologic hazards with implementation of the DCP. The planning area is subject to earthquakes and liquefaction, however impacts would not be significant with implementation of Health and Safety policies in the FEIR and conformance with design policies, such as the California Building Code (CBC; California Code of Regulations Title 24).</p> <p><u>Project</u></p> <p>Based upon geotechnical investigations, it was determined that the proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic related ground failure, including liquefaction, or landslides. The project would utilize proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, in order to ensure that potential impacts from regional geologic hazards would remain less than significant and mitigation is not required. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
<b>6. GREENHOUSE GAS EMISSIONS:</b>						
(a) <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>					X	X
<p><u>Downtown FEIR</u></p> <p>Impacts related to greenhouse gas (GHG) emissions are identified in the Climate Action Plan (CAP) FEIR. The CAP FEIR analysis included impacts related to anticipated growth, inclusive of the DCP growth projections. The City adopted its CAP Consistency Checklist to provide streamlined review of project level consistency with the CAP. The CAP FEIR concludes that GHG emissions from a project that complies with the CAP are not a significant impact and are not cumulatively considerable.</p> <p>The City's CAP outlines measures that would support substantial progress towards the City's 2035 GHG emissions reduction targets, which are intended to keep the City making substantial progress toward achieving its share of the state's 2050 GHG reductions targets that Executive Order B-30-15 found would "attain a level of emissions necessary to avoid dangerous climate change" because it limits global warming to 2 degrees Celsius by 2050. The CAP Consistency Checklist was adopted on July 12, 2016, to uniformly implement the CAP for project-specific analyses of GHG emission impacts.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<u>Project</u> The project's CAP Checklist demonstrates the project's consistency with the City's CAP through features such as a cool/green roof, low-flow fixtures/appliances, and electric vehicle (EV) charging spaces. Overall, implementation of residential units in proximity to transit corridors would result in a net decrease of GHG emissions over time. The project would contribute to Action 3.6 of the CAP FEIR by implementing development within a TPA. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
(b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gas?					X	X
<u>Downtown FEIR</u> The CAP FEIR concludes that it would not conflict with GHG reduction plans and policies, such as Executive Order S-3-05, Executive Order B-30-15, AB 32, or the CARB Scoping Plan. The CAP would result in the City attaining its share of statewide GHG emission reductions and would otherwise reduce future GHG emissions.  <u>Project</u> The project is required to comply with the City's CAP regulations. The City's CAP regulations demonstrates the project's consistency with the City's CAP through features such as a cool/green roof, low-flow fixtures/appliances, and electric vehicle (EV) charging spaces. Overall, implementation of residential units in proximity to transit corridors would result in a net decrease of GHG emissions over time. The project would contribute to Action 3.6 of the CAP FEIR by implementing development within a TPA. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
<b>7. HAZARDS AND HAZARDOUS MATERIALS:</b>						
(a) Substantial health and safety risk related to onsite hazardous materials?					X	X
<u>Downtown FEIR</u>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>As discussed further in section 7(a) above, the project would be consistent with the CAP, as demonstrated by the CAP Checklist and verified by City staff. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p> <p><u>Project</u></p> <p>Construction activities for the project would involve the use of potentially hazardous materials including vehicle fuels, oils, transmission fluids, paint, adhesives, surface coatings and other finishing materials, cleaning solvents, and pesticides for landscaping purposes. However, the use of these hazardous materials would be temporary, and all potentially hazardous materials would be stored, used, and disposed of in accordance with manufacturers' specifications, and applicable federal, state, and local health and safety regulations. As such, impacts associated with the transport, use, or disposal of hazardous materials would be less than significant during construction.</p> <p>The operational phase of the project would occur after construction is completed. The project includes residential and commercial uses that are compatible with surrounding uses. These types of uses do not routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the potential exception of common commercial grade hazardous materials such as household and commercial cleaners, paint, etc. The project is developing residential uses with some commercial. These types of uses do not routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the potential exception of common commercial grade hazardous materials such as household and commercial cleaners, paint, etc. The project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials, nor would a significant hazard to the public or to the environment through the reasonably foreseeable upset and accidental conditions involving the likely release of hazardous materials into the environment occur. Therefore, the proposed project would not create a significant hazard to the public or the environment and any impacts would be less than significant.</p>						
Be located on or within 2,000 feet of a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p><u>Downtown FEIR</u> The FEIR concludes that projects within the planning area have a high likelihood of being located on or near sites compiled pursuant to Government Code Section 65962.5. Compliance with the applicable regulations would avoid significant impacts to human health and the environment. Implementation of the DCP would not create significant hazards related to hazardous materials sites and no mitigation would be required.</p> <p><u>Project</u> As discussed in the Downtown FEIRs, project sites are likely to be located on or near sites listed as hazardous materials sites. However, this would not create a significant hazard given compliance with appropriate regulations.</p> <p>As indicated in the FEIR, the project's proximity to hazardous waste sites would not cause a significant impact given compliance with the applicable federal, state, and local regulations. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
Substantial safety risk to operations at San Diego International Airport?					X	X
<p><u>Downtown FEIR</u> The Downtown FEIR concludes that implementation of the DCP would not result in significant impacts related to substantial safety risk to operations at the San Diego International Airport The Downtown FEIR concludes that implementation of the DCP would not result in significant impacts related to substantial safety risk to operations at the San Diego International Airport</p> <p><u>Project</u> As discussed in the FEIR, the DCP is designed to implement the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP) and would not create conflicts with this plan. The land use consistency analysis in the permit findings and staff report are incorporated by reference herein. As such, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
Substantially impair implementation of an adopted emergency response plan or emergency evacuation plan?					X	X
<u>Downtown FEIR</u>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>As discussed in the Downtown FEIR, project sites are likely to be located on or near sites listed as hazardous materials sites. However, this would not create a significant hazard given compliance with appropriate regulations.</p> <p>As indicated in the Downtown FEIR, the project's proximity to hazardous waste sites would not cause a significant impact given compliance with the applicable federal, state, and local regulations. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p> <p>The ongoing implementation of the City's Emergency Operations Plan would provide adequate emergency response throughout the City. The project would not prevent or impair implementation of this plan and no significant impact would occur. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p> <p><u>Project</u></p> <p>As discussed in the FEIR, the ongoing implementation of the City's Emergency Operations Plan would provide adequate emergency response throughout the City. The project would not prevent or impair implementation of this plan and no significant impact would occur. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
<b>8. HISTORICAL RESOURCES:</b>						
(a) Substantially impact a significant historical resource, as defined in § 15064.5?			X	X		
<p><u>Downtown FEIR</u></p> <p>The FEIR concludes that significant impacts to historical resources have the potential to occur including substantial alteration, relocation, or demolition. Impacts to historical resources associated with implementation of the DCP and cannot be presumed to be mitigated below a significant level with implementation of the identified mitigation measures. Mitigation Measures HIST-A.1-1, HIST-A.1-2, and HIST-A.1-3 outline measures for identifying historic resources, permitting and constructing projects proposed to impact historic resources, submitting monitoring verifications, and issuance of demolition permits. Due to Mitigation Measure HIST-A.1-3 allowing pursuit of a demolition permit through the documentation program, impacts cannot be considered less than</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>significant for the DCP. Impacts to San Diego Register Listed resources are considered potentially significant and unmitigated.</p> <p><u>Project</u>  The project site located at 1620 State Street contains a designated historical resource that is listed as HRB Site #278. The project proposes a substantial alteration of a historical resource (Ordway Residence, HRB No. 278) and the construction of an eight-story, 91-foot tall mixed-use development comprised of 52 residential dwelling units, including 6 affordable dwelling units, and 6232 square feet of commercial space. The project will temporarily store the historic structure offsite and relocate the building on the parcel at the property line.</p> <p>. The project balances preservation of the historical resource with policies encouraging economic development and housing creation. In accordance with Mitigation Measures HIST-A.1-1 and HIST-A.1-2 (see Appendix A), a technical report, treatment plan, documentation plan, and monitoring plan have been prepared. A final monitoring report will be prepared after construction as required in HIST-A.1-2.</p> <p>The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review related to historical resources. As discussed in the FEIR, implementation of Mitigation Measures HIST-A.1-1, HIST-A.1-2, and would be required prior to and during demolition and construction activities and would mitigate impacts to historical resources at the project site (see Attachment A).</p>						
Substantially impact a significant archaeological resource pursuant to § 15064.5, including the disturbance of human remains interred outside of formal cemeteries?	X	X				
<p><u>Downtown FEIR</u>  The FEIR concludes that significant archaeological resources may be impacted by implementation of the DCP. Mitigation Measure HIST-B.1-1 lists steps required prior to, during, and after construction for projects with potential to impact archaeological resources. It further details steps to follow if remains are discovered during project activity. Due to the unknown nature of archaeological resources, specifically at undisturbed sites, there is potential for significant impacts to occur.</p> <p><u>Project</u>  Many areas of San Diego County, including mesas and the coast, are known for intense and diverse</p>						



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>prehistoric occupation and important archaeological and historical resources. The region has been inhabited by various cultural groups spanning 10,000 years or more. The project area is located within an area identified as sensitive on the City of San Diego Historical Resources Sensitivity Maps. Qualified City staff conducted a records search of the California Historic Resources Information System (CHRIS) digital database; the search identified several previously recorded historic and prehistoric sites in the project vicinity. Based on this information, there is a potential for buried cultural resources to be impacted through implementation of the project. There are no formal cemeteries or known burials in the immediate vicinity of either project site. In the unlikely event of a discovery of human remains, the project would be handled in accordance with procedures of the California Public Resources Code (§5097.98), State Health and Safety Code (§7050.5), and California Government Code (§27491). These regulations detail specific procedures to follow in the event of a discovery of human remains, i.e. work would be required to halt and no soil would be exported off-site until a determination could be made via the County Coroner and other authorities as required. In addition, for the Union Street site, to reduce potential archaeological resource impacts to below a level of significance, all excavation within previously undisturbed soil would be monitored by a qualified archaeologist or archaeological monitor and Native American monitor. This monitoring would ensure that any remains are identified and handled in compliance with these regulations. As no known burials exist within the project site, it is not anticipated that human remains would be encountered during construction. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review.</p>						
Substantially impact a unique paleontological resource or site or unique geologic feature?			X	X		
<p><u>Downtown FEIR</u></p> <p>The Downtown FEIR concludes that significant impacts to paleontological resources have the potential to occur with implementation of the DCP. The FEIR states that any grading or excavation outside of the artificial fill zone, measuring beyond 1 to 3 feet deep, of surficial fills for foundations, subterranean parking, or below-grade features such as utilities has the potential to expose fossil-bearing formations and impact resources. Mitigation Measure PAL-A.1-1 would require construction monitoring and would reduce impacts below a significant level.</p> <p><u>Project</u></p> <p>The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review. Mitigation Measure PAL-A.1-1 would be required for ground-disturbing activities and would reduce impacts to less than significant levels.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<b>9. HYDROLOGY AND WATER QUALITY:</b>						
Substantially degrade groundwater or surface water quality?		X			X	
<p><u>Downtown FEIR</u>  The FEIR concludes that no significant impacts related to degradation of groundwater or surface water quality would occur. Adherence to state and local water quality controls, such as the City Jurisdictional Runoff Management Plan, Storm Water Pollution Prevention Plan (SWPPP), City Stormwater Standards, and Hazardous Materials Release Response and Inventory Plan, would reduce potential water quality impacts generated by new development.</p> <p><u>Project</u>  The proposed project has the potential to result in short-term, temporary water quality impacts during construction activities. Water quality control measures would reduce the potential impacts through compliance with (1) the San Diego Regional Water Quality Control Board under a National Pollutant Discharge Elimination System general permit for construction dewatering (if dewatering is discharged to surface waters); (2) the City of San Diego Metropolitan Wastewater Department (if dewatering is discharged into the City's sanitary sewer system under the Industrial Waste Pretreatment Program); or (3) the mandatory requirements controlling the treatment and disposal of contaminated dewatered groundwater would ensure that potential impacts associated with construction dewatering and the handling of contaminated groundwater are not significant. A Storm Water Quality Management Plan (SWQMP) has been prepared for the project and identified the Best Management Practices (BMPs) that would be implemented to prevent project impacts to water quality. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
Substantially increase impervious surfaces and associated runoff flow rates or volumes?					X	X
<p><u>Downtown FEIR</u>  The FEIR concludes that there would not be significant impacts to impervious surface increase or associate runoff flow rates or volumes. The DCP area is composed of mostly impervious surfaces that may be decreased with the implementation of the DCP. The hydrology of the DCP area would not be significantly altered, as it is already highly urbanized and the DCP does not propose topographic changes such that runoff patterns would be altered.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<u>Project</u> The project site is currently developed and covered with impervious surfaces. The project would be required to comply with City BMPs, as identified in the SWQMP. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
Substantially impede or redirect flows within a 100-year flood hazard area?					X	X
<u>Downtown FEIR</u> The FEIR concludes that there would be no impacts to flood flows with implementation of the DCP.						
<u>Project</u> There are no 100-year flood hazard areas in the DCP area and therefore the project site is not within a 100-year flood hazard area. The project would not impede or redirect flows associated with a 100-year flood hazard area. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
Substantially increase erosion and sedimentation?					X	X
<u>Downtown FEIR</u> The FEIR discusses the potential for erosion and sedimentation in the short-term during site preparation and other construction activities. However, compliance with state and local water quality controls would ensure that impacts are not significant. The FEIR concludes that no significant impacts associated with an increase in erosion or sedimentation would occur with implementation of the DCP.						
<u>Project</u> The project has the potential to result in erosion and sedimentation temporarily during construction. As discussed in the SWQMP, implementation of BMPs and a Water Pollution Control Plan would be required for both project sites. These measures would reduce potential impacts to less than significant levels. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<b>10. LAND USE AND PLANNING:</b>						
Physically divide an established community?					X	X
<u>Downtown FEIR</u> The FEIRs conclude that implementation of the DCP would not result in dividing established communities. The DCP should create integrated neighborhoods with strengthened community identity. Projects spanning more than one block would be subject to additional review, as they have the potential to divide an established community.  <u>Project</u> The proposed project is a residential, mixed-use facility, which complies with the use permitted for the site in the DCP. The project would no span more than one block and would therefore not be considered a large facility that may divide a community. The project footprint would be limited to the footprint of the existing facility. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
Substantially conflict with the City's General Plan and Progress Guide, Downtown Community Plan or other applicable land use plan, policy, or regulation?					X	X
<u>Downtown FEIR</u> The Downtown FEIR concludes that implementation of the DCP would not result in significant impacts related to conflicts with applicable land use plans. The DCP further details policies for the development of the downtown area as intended in the City's General Plan and Progress Guide.  The GP FEIR includes the Land Development Code FEIR, General Plan PEIR and associated addenda, and PRC Section 21166 analysis covering City Council's approval of the City's Affordable Housing						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>Density Bonus Regulations, which concludes there are no new significant and unmitigated impacts from implementation of the City's Affordable Housing Density Bonus Regulations, which permits floor area ratio bonuses in excess of maximum zoning density for project sites downtown.</p> <p><u>Project</u> The proposed project complies with the residential emphasis category through the creation of residential space. Compliance with the assumed land use in the DCP and CCPDO ensures the Downtown FEIR adequately covered project impacts. The land use consistency analysis in the permit findings and staff report are incorporated by reference herein. As such, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
Substantial incompatibility with surrounding land uses?					X	X
<p><u>Downtown FEIR</u> The FEIR concludes that significant land use incompatibility impacts related to noise and lighting would occur with implementation of the DCP. Even with implementation of the mitigation measures, impacts related to traffic, aircraft, and railroad noise would be significant and not mitigated.</p> <p><u>Project</u> The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
Substantially impact surrounding communities due to sanitation and litter problems generated by transients displaced by Downtown development?		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p><u>Downtown FEIR</u>  The Downtown FEIR concludes that impacts related to sanitation and litter generated by individuals experiencing homelessness would be significant and unmitigated with implementation of the DCP. The City would continue to support social services and other programs that aim to support people experiencing homelessness as a mitigation effort but would not be able to reduce impacts below a significant level. Specifically identified in the FEIR is support for the Homeless Outreach Team that was created through mitigation in the Ballpark EIR.</p> <p><u>Project</u>  The project site is currently developed and does not provide spaces that are used by people experiencing homelessness. As such, construction of the project would not cause displacement of any individuals.</p> <p>As identified in the FEIR, development of the DCP would overall have a significant cumulative impact on surrounding communities due to displacement of individuals who are experiencing homelessness. The appropriate mitigation for these impacts outlined in the FEIR is the City's continued support of local social service providers and government programs. This mitigation effort would not be implemented at the project level and as such is not included in Appendix A. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
<b>11. MINERAL RESOURCES:</b>						
Substantially reduce the availability of important mineral resources?					X	X
<p><u>Downtown FEIR</u>  The FEIR concludes that there would be no impacts to mineral resources with implementation of the DCP as there is limited potential for mineral resources to occur and be extracted in the area.</p> <p><u>Project</u></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
As discussed in the FEIR, there are not known mineral deposits in the DCP area. Furthermore, the urban nature of the area prevents viable extraction. Therefore, the project would not substantially reduce the availability of important mineral resources. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
<b>12. NOISE:</b>						
Substantial noise generation?		X			X	
<u>Downtown FEIR</u> The FEIR concludes development within the DCP area could generate temporary noise impacts caused by construction activities. However, short-term construction noise impacts would be avoided by adherence to construction noise limitations imposed by the City's Noise Abatement and Control Ordinance. The FEIR also concludes that significant impacts associated with traffic, aircraft, and ballpark noise increases would occur with implementation of the DCP. No feasible mitigation measures are available to reduce the significant traffic and aircraft noise increase.						
<u>Project</u> Short-term noise impacts would occur from the demolition, grading, and construction activities from the project. Construction-related short-term noise levels would be higher than existing ambient noise levels in the project area but would be temporary and would no longer occur once construction is completed. Sensitive receptors (e.g. residential uses) occur in the immediate area and may be temporarily affected by construction noise; however, construction activities would be required to comply with the construction hours specified in City's Municipal Code, (Section 59.5.0404, Construction Noise), which are intended to reduce potential adverse effects resulting from construction noise. With compliance to the City's construction noise requirements, project construction noise levels would be reduced to less than significant, and no mitigation measures are required.						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
For the long-term, typical noise levels associated with the existing residential and commercial uses are anticipated, and the project would not increase in the existing ambient noise level. The project would not result in noise levels in excess of the standards established in the City of San Diego General Plan or Noise Ordinance. No significant long-term impacts would occur, and no mitigation measures are required. Therefore, based on the foregoing analysis, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
Substantial exposure of required outdoor residential open spaces or public parks and plazas to noise levels (e.g. exposure to levels exceeding 65 dBA CNEL)?					X	X
<p><u>Downtown FEIR</u></p> <p>The FEIR concludes that outdoor residential open spaces or public parks and plazas may be subject to noise levels exceeding 65 dB(A) CNEL. Impacts would be significant and unmitigated.</p> <p>The FEIR identifies Mitigation Measure NOI-C.1-1, which would require a project-specific noise study prior to approval of a development permit for any residential development within 475 feet of the centerline of I-5 or adjacent to a roadway carrying more than 7,000 ADT. Even with implementation of Mitigation Measure NOI-C.1-1, without knowing the exact spatial relationship of the open space areas to the traffic noise for each future development, it is impossible to know whether every future development would be able to maintain noise levels below 65 dB(A) CNEL. Full attenuation of noise may be contrary to the goal of creating outdoor open space and parks, so impacts are considered unmitigated.</p> <p><u>Project</u></p> <p>The project would not include public parks or plazas, so no impact would occur in relation to these land uses. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required. The project would be required to implement Mitigation Measure NOI-C.1-1 (see Appendix A).</p>						
Substantial interior noise within habitable rooms (e.g. levels in excess of 45 dBA CNEL)?			X			X



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p><u>Downtown FEIR</u></p> <p>The FEIR concludes that significant impacts to interior noise as a result of traffic, railroad, and ballpark noise would occur with implementation of the DCP. The FEIR identifies Mitigation Measure NOI-B.1-1, which would require a project-specific noise study prior to approval of a building permit for any residential, hospital, or hotel development within 475 feet of the centerline of I-5 or adjacent to a roadway carrying more than 7,000 ADT or that has the potential to expose habitable rooms to disruptive railroad noise. The FEIR also identifies Mitigation Measure NOI-B.2-1, which would require a project-specific noise study prior to approval of a building permit for any noise-sensitive land uses, including hotels within four blocks of the ballpark. Implementation of these mitigation measures and compliance with Title 24 and CBC requirements would reduce interior noise impacts to below a level of significance by requiring noise levels in habitable rooms to not exceed 45 dB(A) CNEL.</p>						
<p><u>Project</u></p> <p>Short-term noise impacts would occur from the demolition, grading, and construction activities from the project. Construction-related short-term noise levels would be higher than existing ambient noise levels in the project area but would be temporary and would no longer occur once construction is completed. Sensitive receptors (e.g. residential uses) occur in the immediate area and may be temporarily affected by construction noise; however, construction activities would be required to comply with the construction hours specified in City's Municipal Code, (Section 59.5.0404, Construction Noise), which are intended to reduce potential adverse effects resulting from construction noise. With compliance to the City's construction noise requirements, project construction noise levels would be reduced to less than significant, and no mitigation measures are required.</p> <p>For the long-term, typical noise levels associated with the existing residential uses are anticipated, and the project would not increase in the existing ambient noise level. The project would not result in noise levels in excess of the standards established in the City of San Diego General Plan or Noise Ordinance. No significant long-term impacts would occur, and no mitigation measures are required. Therefore, based on the foregoing analysis, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<b>13. POPULATION AND HOUSING:</b>						
Substantially induce population growth in an area?					X	X
<p><u>Downtown FEIR</u> The FEIR concludes that no significant adverse impacts associated with inducing population growth would occur with implementation of the DCP.</p> <p><u>Project</u> The project would construct 52 dwelling units, which would be expected to induce population growth. However, the creation of housing would be consistent with the growth assumptions contained in the FEIR and would not lead to additional adverse physical changes. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
Substantial displacement of existing housing units or people?					X	X
<p><u>Downtown FEIR</u> The FEIR concludes that no significant adverse impacts would occur to housing units as a result of the DCP. Implementation of the DCP would result in a beneficial increase in housing supply by contributing additional residential units beyond those projected by SANDAG in an area that is experiencing housing deficiencies.</p> <p><u>Project</u> The project is adding additional housing units to the DCP and therefore would not result in the displacement of existing housing units or people. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<b>14. PUBLIC SERVICES AND UTILITIES:</b>						
Substantial adverse physical impacts associated with the provision of new schools?					X	X
<u>Downtown FEIR</u> The FEIR concludes that implementation of the DCP would generate residential units that increase the number of school-age children, therefore requiring additional schools. Specifically, the need for a new elementary school and possibly a new high school are identified. Impacts related to these facilities would be speculative, as there is no proposed location, and therefore the impacts are not required to be addressed in the FEIR.						
<u>Project</u> The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
Substantial adverse physical impacts associated with the provision of new libraries?					X	X
<u>Downtown FEIR</u> The FEIR concludes that implementation of the DCP would result in the need for a new Main Library. The impacts of the Main Library were addressed in a Secondary Study, which concluded the library would have no impacts that could not be reduced below significant levels. Smaller libraries could be constructed to serve the downtown population; however, their location and impacts would be speculative and thus are not included in the FEIR.						
<u>Project</u> The project would not generate the need for any additional library facilities; however, the project's Development Impact Fees (DIFs) would contribute to funding any future library facilities that are proposed. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
Substantial adverse physical impacts associated with the provision of new fire protection/ emergency facilities?					X	X
<u>Downtown FEIR</u>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p><b>Fire Protection Facilities (Downtown FEIR)</b></p> <p>The FEIR concludes that implementation of the DCP would result in the need for additional fire protection and emergency facilities. The impacts associated with new facilities proposed at the time of the FEIR's certification would have been speculative and were not included in the FEIR. Since the FEIR was certified, the City opened Station 2 at 875 West Cedar Street to serve Little Italy and the downtown area west of the train and trolley tracks. Any future facilities would be analyzed individually for impacts, as analysis provided in the FEIR would be speculative.</p> <p><b>Fire Hazards (Complete Communities FEIR)</b></p> <p>Further updates to CEQA Guidelines have resulted in the addition of a "Wildfire" section to ensure projects do not result in increased hazards associated with wildfires. Adherence to CBC, the City's Fire Code, and Brush Management Regulations would be required, but may not fully reduce impacts related to wildfire. The Complete Communities FEIR concludes that impacts related to wildfire would be significant and unavoidable, as there are places in the citywide planning area that may develop residences in an area with wildfire risks.</p> <p><u>Project</u></p> <p><b>Fire Protection Facilities (Downtown FEIR)</b></p> <p>The growth assumptions in the DCP include the project's introduction of additional housing and therefore construction of the project would not necessitate additional fire protection or emergency facilities beyond those identified in the FEIR. The collection of DIFs was the policy identified to mitigate future impacts associated with provision of fire protection and emergency facilities. The project would pay the applicable DIFs to minimize such impacts. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p> <p><b>Fire Hazards (Complete Communities FEIR)</b></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
As identified in the Complete Communities FEIR, the project site is not located within a Fire Hazard Severity Zone and is located within the moderate fire threat level of the Downtown area. Urban areas, such as the project site, are unlikely to experience wildfires. The project would be constructed in accordance with state and local Fire Codes and Building Codes, such that impacts related to wildfire would not be significant. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
Substantial adverse physical impacts associated with the provision of new law enforcement facilities?					X	X
<u>Downtown FEIR</u> The FEIR concludes that implementation of the DCP would result in the need for additional law enforcement, which may include the need for additional facilities. However, the growth impacts associated with the DCP most directly require additional officers and not the provision of additional facilities. Any future substation addition would pursue its own analysis of environmental impacts associated with its physical construction.						
<u>Project</u> The project would add population to the DCP area, consistent with the analysis provided in the FEIR. The additional population would not require the provision of additional law enforcement facilities but would be part of the population increase that would require additional officers. The addition of personnel would not result in environmental impacts under CEQA, and any future facility development would undergo a separate CEQA process. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
Substantial adverse physical impacts associated with the provision of new water transmission or treatment facilities?					X	X
<u>Downtown FEIR</u> The FEIR concludes that implementation of the DCP would result in additional growth, which would increase the demand for treated water. However, the Alvarado Water Treatment Plant has the capacity to support the additional DCP population. Further, the San Diego Water Department routinely replaces and upsizes deteriorating and under-sized pipes through its Capital Improvement Project program, which is categorically exempt from environmental review pursuant to CEQA. There						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>would be no significant impacts associate with provision of water transmission or treatment as a result of DCP implementation.</p> <p><u>Project</u> As identified in the FEIR, the growth proposed in the DCP would not require the provision of new water facilities. The growth associated with the proposed project would be consistent with the assumptions included in the previous FEIR analyses and would not require new water facilities to be constructed. Future facilities would be assessed in accordance with CEQA as they are proposed. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
Substantial adverse physical impacts associated with the provision of new storm water facilities					X	X
<p><u>Downtown FEIR</u> The FEIR concludes that implementation of the DCP would not substantially alter stormwater runoff, and therefore would not require the provision of new stormwater facilities.</p> <p><u>Project</u> Implementation of the project would result in no significant change to occur regarding runoff. Any future changes to the offsite stormwater system would be assessed in accordance with CEQA as they are proposed. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
Substantial adverse physical impacts associated with the provision of new wastewater transmission or treatment facilities?					X	X
<p><u>Downtown FEIR</u> The FEIR concludes that the Point Loma Wastewater Treatment Plant (PLWTP) would have sufficient capacity to accommodate increased wastewater through 2025, by which point the South Bay Wastewater Treatment Plant would be available and able to accommodate excess wastewater. There would not be significant environmental impacts related to the provision of new wastewater transmission or treatment facilities given the implementation of the DCP.</p> <p><u>Project</u></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
The increased wastewater associated with construction of the project would be consistent with the growth assumed in the Downton FEIR and would not directly warrant construction of a new wastewater treatment facility. The project's wastewater would be treated at the PLWTP. Future new or updated facilities will address their impacts pursuant to CEQA as they are proposed. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.						
Substantial adverse physical impacts associated with the provision of new landfill facilities?					X	X
<p><u>Downtown FEIR</u></p> <p>The FEIR concludes that solid waste would increase and be disposed of at the Miramar Landfill until it reaches capacity, however impacts related to a new landfill would be speculative and are not considered in the FEIR. Projects proposing at least 50 residential units are required to prepare a waste management plan.</p> <p><u>Project</u></p> <p>Adequate services are available to serve the project site, and the project would not require the construction or expansion of existing facilities. The project would be served by a landfill with sufficient permitted capacity to accommodate the project's disposal needs. Construction debris and waste would be generated from the construction of the new residential units and 6,232 square feet of commercial space. All construction waste from the project site would be transported to an appropriate facility, which would have adequate capacity to accept the limited amount of waste that would be generated by the project. Long-term operation of the project would be anticipated to generate typical amounts of solid waste associated with residential and commercial use. Furthermore, the project would be required to comply with the City's Municipal Code (including the Refuse and Recyclable Materials Storage Regulations (Municipal Code Chapter 14, Article 2, Division 8), Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division 7), and the Construction and Demolition (C&amp;D) Debris Deposit Ordinance (Municipal Code Chapter 6, Article 6, Division 6)) for diversion of both construction waste during the demolition phase and solid waste during the long-term, operational phase. Impacts would be less than significant.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<b>15. PARKS AND RECREATIONAL FACILITIES:</b>						
Substantial increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?					X	X
<p><u>Downtown FEIR</u>  The FEIR concludes that there would be no significant impacts contributing to the physical deterioration of park facilities with implementation of the DCP. The DCP intends to provide increased park and recreational space to the downtown area through a Transfer of Development Rights program. Implementation of the DCP would accommodate an increased downtown population with park facilities and would not create significant impacts related to deterioration of these facilities.</p> <p><u>Project</u>  The project sites is located in an urbanized and developed area where City-operated parks are available.</p> <p>The project would increase population, and thereby the use of park facilities, in accordance with the growth assumed in the DCP and FEIR. Therefore, the planned park increases outlined in the FEIR would accommodate the project's residents and would not lead to accelerated deterioration of the facilities. Development of future park and recreation facilities would be supported through payment of the City's DIF. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p> <p>The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
<b>16. TRANSPORTATION/TRAFFIC:</b>						
Cause the LOS on a roadway segment or intersection to drop below LOS E?		X			X	
<p><u>Downtown FEIR</u>  <b>LOS Analysis (Downtown FEIR)</b></p>						



	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>The FEIR concludes that significant traffic impacts on 62 intersections in the DCP area would occur with implementation of the DCP. The FEIR identifies improvements at 50 of the impacted intersections that would maintain an acceptable LOS. Due to constraints imposed by adjacent land use, up to 12 intersections would not be within acceptable LOS and the impact would be significant and not mitigated.</p> <p>The FEIR also concludes that significant traffic impacts to roadway segments in the DCP area would occur with implementation of the DCP. The FEIR identifies Mitigation Measures TRF-A.1.1-1 and TRF-A.1.1-2, which would require subsequent monitoring and project-specific traffic studies to determine appropriate future improvements. Even with implementation of Mitigation Measures TRF-A.1.1-1 and TRF-A.1.1-2, the impact may be significant and not mitigated.</p> <p><u>Project</u>  <b>LOS Analysis (Downtown FEIR)</b></p> <p>With regards to level of service analyzed in the Downtown FEIR, the project is estimated to generate 498 ADT based on 52 dwelling units (DU; 4 ADT/DU) with a 4,167 sf full service restaurant (KSF; 27/KSF), 850 sf café (KSF; (37/KSF), and 4,151 sq sf convenience market (KSF; 27/KSF). The ADT rates were based on Centre City Cumulative Traffic Generation Rates in the City's Trip Generation Manual. The 498 ADT generated by the proposed project would not exceed the LOS significance threshold of 2,400 ADT that was established in the Downtown FEIR. Therefore, the project's impacts related to LOS would not be significant.</p> <p>Mitigation Measures TRF-A.1.1-1 and TRF-A.1.1-2 are not the responsibility of project applicants and instead apply</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>to the City's responsibility to improve and maintain transportation services. The project's contributions to cumulative transportation impacts would not be significant, as they fall under the significance threshold. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p> <p><b>VMT Analysis (Complete Communities FEIR)</b></p> <p>The Complete Communities FEIR designates sites within the DCP Area as Mobility Zone 1. Development in this zone supports VMT reductions through access to transportation and community amenities. The project's zone has VMT of 50 to 85 percent of the Region's Average for both residents and employees, and can be expected to have similar levels with implementation of the project. Therefore, the project would not have significant VMT impacts.</p> <p>Based on the City's Transportation Analysis Screening, the project was screened out from further VMT analysis based on its location in a VMT/Capita Efficient Area, inclusion of affordable housing, and creation of commercial space that would be considered a small project. No impacts related to VMT would occur. Therefore, the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
<p>Cause the LOS on a freeway segment to drop below LOS E or cause a ramp delay in excess of 15 minutes?</p> <p><u>Downtown FEIR</u></p>		X			X	

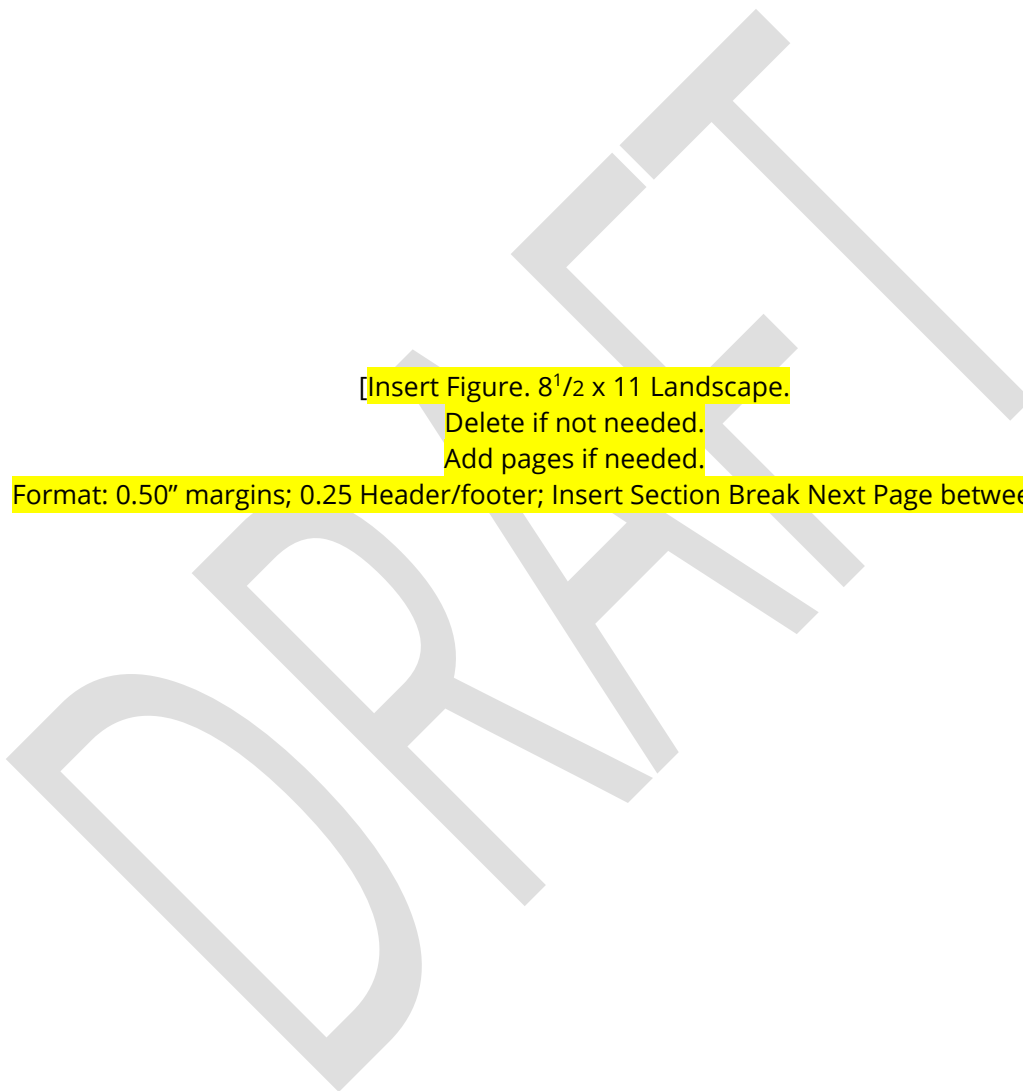
	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>The FEIR concludes that impacts to demand for parking would be significant, as demand may exceed supply with implementation of the DCP. The CCPDO would identify specific parking ratios for new development that would provide some of the supply but would not be adequate to cover the full demand. Mitigation Measure TRF-D.1-1 was identified to provide reviews of parking supply and demand every five years and identify necessary corrective action. The specific supply and demand for parking upon DCP implementation was not considered fully identified in the FEIR, and thus the impacts were considered significant, even with implementation of TRF-D.1-1.</p> <p><u>Project</u> Impacts would be less than significant and the project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
<p>Substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded?</p> <p><u>Downtown FEIR</u> The FEIR concludes that implementation of the DCP would not result in significant impacts related to discouraging the use of alternative transportation or causing the transit service capacity to be exceeded.</p> <p>As discussed in the FEIR, the DCP contains policies to develop a pedestrian and bicycle network. Additionally, although development under the DCP would increase the demand for transit service, the San Diego Association of Governments indicates that existing and planned transit services would have the capacity to meet the increased</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>demand.</p> <p><u>Project</u> The project would not discourage the use of alternative transportation, as it provides housing in a TPA. The housing would also be in proximity to existing commercial, entertainment, and retail services, which ultimately encourages the use of alternative transportation. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review, and no mitigation would be required.</p>						
<b>17. MANDATORY FINDINGS OF SIGNIFICANCE:</b>						
Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					X	X
<p>The Downtown FEIR concludes that significant impacts to biological resources would not occur with implementation of the DCP. However, significant impacts to historical resources have the potential to occur with implementation of the DCP.</p> <p><u>Project</u> As discussed in section 4 of this Consistency Evaluation, pursuant to CEQA Guidelines Section 15162, the project does not trigger any of the circumstances requiring additional review related to biological resources, and no mitigation would be required.</p> <p>As discussed further in section 5 of this Consistency Evaluation, the project would be located at the</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>site of a locally significant historical resource. The exterior would be rehabilitated but the interior would be converted to commercial units. Mitigation Measures HIST-A.1-1, HIST-A.1-2 would be required prior to and during demolition and construction activities to mitigate impacts to the historical resource. (see Attachment A). The project will receive a City SDP and comply with City regulations and mitigation to ensure no impacts remain.</p> <p>The project also has the potential to impact unknown archaeological and paleontological resources during demolition and construction activities. Implementation of Mitigation Measures HIST-B.1-1 and PAL-A.1-1 would be required (see Attachment A).</p> <p>The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review related to historical, archaeological, or paleontological resources.</p>						
Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?		X				
<p><u>Downtown FEIR</u></p> <p>As discussed in the FEIR, implementation of the DCP would result in cumulative impacts associated with air quality, historical resources, land use, noise, traffic and circulation, and water quality. Even with implementation of applicable mitigation measures, cumulative impacts would be significant and not mitigated (see FEIR Table 1.4-1).</p> <p><u>Project</u></p> <p>Pursuant to CEQA Guidelines Section 15162, the project was determined to not result in any new or more severe cumulative impacts than those identified in the FEIR and would not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review. As discussed in this Consistency Evaluation, the project type and intensity of development were assumed to occur as part of the FEIR analyses. The project would be required to implement applicable mitigation measures as discussed above and included in Appendix A.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<b>X</b>	<b>X</b>				
<p><u>Downtown FEIR</u></p> <p>Impacts associated with air quality, noise, and geology and soils have the potential to cause substantial adverse effects on human beings. The FEIR concludes that no significant impacts associated with geology and soils would occur with implementation of the DCP. Implementation of Mitigation Measure AQ-B.1-1 would reduce direct impacts related to construction to less than significant levels. Implementation of Mitigation Measures LU-B.4-1, NOI-B.1-1, and NOI-B.2-1 would reduce impacts associated with interior noise levels. Mitigation Measure NOI-C.1-1 would reduce impacts related to exterior noise levels, but full attenuation of these impacts would conflict with the goal of creating outdoor spaces for gathering and/or enjoyment.</p> <p><u>Project</u></p> <p>As discussed throughout this document, it is not anticipated that the construction and operation of the project would cause environmental effects that would significantly directly or indirectly impact human beings. All impacts identified as being significant have been mitigated to below a level of significance. For this reason, all environmental effects fall below the thresholds established by the City of San Diego. Impacts would be less than significant.</p> <p>Emissions related to the project were assumed in the DCP and FEIR analyses regarding air quality. Implementation of Mitigation Measure AQ-B.1-1 would reduce direct impacts related to construction to less than significant levels along with the City's dust control measures would reduce the temporary air contaminants related to construction activities below a significant level such that sensitive receptors would not be adversely affected. Mobile source emissions related to the project would be consistent with the analysis provided in the FEIR. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review related to air quality.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<b>Issues and Supporting Information</b>						
<p>A seismic event within the DCP area could cause significant ground shaking at the project site. The DCP outlines goals and conformance with CBC standards for seismic safety to reduce risks related to ground shaking. Other hazards such as landslides, liquefaction, slope failure, and subsidence, are considered unlikely at the project site, but are possible risks. Conformance with CBC design requirements and City policies would ensure impacts related to geological hazards are not significant. The project does not trigger any of the CEQA Guidelines Section 15162 circumstances requiring additional review related to geological hazards.</p>						



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Add pages if needed.]

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[Insert Figure. 8 1/2 x 11 Landscape.

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## ATTACHMENT A

### MITIGATION MONITORING AND REPORT PROGRAM (MMRP) FOR THE DOWNTOWN COMMUNITY PLAN FINAL ENVIRONMENTAL IMPACT REPORT (DOWNTOWN FEIR) Celine PRJ-1130168

#### A. **GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance or Notice to Proceed)**

1. Prior to the issuance Bid Opening/Bid Award or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements have been incorporated.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

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

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

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

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

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

2. **MMRP COMPLIANCE:** This Project, Project No. 1130168, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED, MMC and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.)

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

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

*Not Applicable for this project*

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

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

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/ Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Bond Release	Request for Bond Release	Final MMRP Inspections Prior to

	Letter	Bond Release Letter
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## **B. SPECIFIC ISSUE AREA CONDITIONS/REQUIREMENTS:**

### **AIR QUALITY**

**AQ-B.1-1:** Prior to approval of a Grading or Demolition Permit, the City shall confirm that the following conditions have been applied, as appropriate:

1. Exposed soil areas shall be watered twice per day. On windy days or when fugitive dust can be observed leaving the development site, additional applications of water shall be applied as necessary to prevent visible dust plumes from leaving the development site. When wind velocities are forecast to exceed 25 miles per hour, all ground disturbing activities shall be halted until winds that are forecast to abate below this threshold.
2. Dust suppression techniques shall be implemented including, but not limited to, the following:
  - a. Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown or otherwise stabilized in a manner acceptable to the City.
  - b. On-site access points shall be paved as soon as feasible or watered periodically or otherwise stabilized.
  - c. Material transported offsite shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
  - d. The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times.
3. Vehicles on the construction site shall travel at speeds less than 15 miles per hour.
4. Material stockpiles subject to wind erosion during construction activities, which will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer.
5. Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface. Any visible track-out extending for more than fifty (50) feet from the access point shall be swept or washed within thirty (30) minutes of deposition.
6. All diesel-powered vehicles and equipment shall be properly operated and maintained.
7. All diesel-powered vehicles and gasoline-powered equipment shall be turned off when not in use for more than five minutes, as required by state law.
8. The construction contractor shall utilize electric or natural gas-powered equipment in lieu of gasoline or diesel-powered engines, where feasible.
9. As much as possible, the construction contractor shall time the construction activities so as not to interfere with peak hour traffic. In order to minimize obstruction of through traffic lanes adjacent to the site, a flag-person shall be retained to maintain safety adjacent to existing roadways, if necessary.
10. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.
11. Low VOC coatings shall be used as required by SDAPCD Rule 67. Spray equipment with high transfer efficiency, such as the high volume low pressure (HPLV) spray method, or manual coatings application such as paint brush hand roller, trowel, spatula, dauber, rag, or sponge, shall be used to reduce VOC emissions, where feasible.

12. If construction equipment powered by alternative fuel sources (LPG/CNG) is available at comparable cost, the developer shall specify that such equipment be used during all construction activities on the development site.
13. The developer shall require the use of particulate filters on diesel construction equipment if use of such filters is demonstrated to be cost competitive or use on this development.
14. During demolition activities, safety measures as required by City/County/State for removal of toxic or hazardous materials shall be utilized.
15. Rubble piles shall be maintained in a damp state to minimize dust generation.
16. During finish work, low-VOC paints and efficient transfer systems shall be utilized, to the extent possible.
17. If alternative-fueled and/or particulate filter-equipped construction equipment is not feasible, construction equipment shall use the newest, least-polluting equipment, whenever possible.

### **CULTURAL RESOURCES (BUILT ENVIRONMENT)**

**Mitigation Measure HIST-A.1-2:** If the potential exists for direct and/or indirect impacts to retained or relocated designated historical resources, the following measures shall be implemented.

#### **I. Prior to Permit Issuance**

##### **A Construction Plan Check**

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit Building Permits, but prior to the first preconstruction meeting, whichever is applicable, the City of San Diego (City) shall verify that the requirements for historical monitoring during demolition and/or stabilization have been noted on the appropriate construction documents.

- (a) Stabilization work cannot begin until a Precon Meeting has been held at least one week prior to issuance of appropriate permits.
- (b) Physical description, including the year and type of structure, and extent of stabilization shall be noted on the plans.
1. B. Submittal of Treatment Plan for Retained Historic Resources Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit and Building Permits, but prior to the first preconstruction meeting, whichever is applicable, the Applicant shall submit a Treatment Plan to City for review and approval that includes measures for protecting any historic buildings and/or building components during construction related activities (e.g. removal of non-historic features, demolition of adjacent structures, subsurface structural support, etc.). The Treatment Plan shall be shown as notes on all construction documents (i.e. Grading and/or Building Plans).

##### **C. Letters of Qualification have been submitted to City**

1. The applicant shall submit a letter of verification to City identifying the Principal Investigator (PI) for the project and the names of all persons involved in the historical monitoring program (i.e.,

Architectural Historian, Historic Architect and/or Historian), as defined in the City of San Diego Historical Resources Guidelines (HRG)

1. City will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the historical monitoring of the project.
2. Prior to the start of work, the applicant must obtain approval from City for any personnel changes associated with the monitoring program.

## **II. Prior to Start of Construction**

### **A. Documentation Program (DP)**

1. Prior to the first Precon Meeting and/or issuance of any construction permit, the DP shall be submitted to City for review and approval and shall include the following:

#### **(a) Photo Documentation**

(1) Documentation shall include professional quality photo documentation of the structure prior to demolition with 35mm black and white photographs, 4x6 standard format, taken of all four elevations and close-ups of select architectural elements, such as, but not limited to, roof/wall junctions, window treatments, decorative hardware. Photographs shall be of archival quality and easily reproducible.

(2) Xerox copies or CD of the photographs shall be submitted for archival storage with the City of San Diego Historical Resources Board and the City Project file. One set of original photographs and negatives shall be submitted for archival storage with the California Room of the City of San Diego Public Library, the San Diego Historical Society and/or other relative historical society or group(s).

#### **(b) Required drawings**

(1) Measured drawings of the building's exterior elevations depicting existing conditions or other relevant features shall be produced from recorded, accurate measurements. If portions of the building are not accessible for measurement, or cannot be reproduced from historic sources, they should not be drawn, but clearly labeled as not accessible. Drawings produced in ink on translucent material or archivally stable material (blue-line drawings are acceptable). Standard drawing sizes are 19" x 24" or 24" x 36", standard scale is 1/4" = 1 foot.

(2) One set of measured drawings shall be submitted for archival storage with the City of San Diego Historical Resources Board, the CITY Project file, the South Coastal Information Center, the California Room of the City of San Diego Public Library, the San Diego Historical Society and/or other historical society or group(s).

2. Prior to the first Precon Meeting, City shall verify that the DP has been approved.

### **B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and City. The qualified Historian and/or Architectural Historian shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Historical Monitoring program with the Construction Manager and/or Grading Contractor.

(a) If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with City, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

## 2. Historical Monitoring Plan (HMP)

(a) Prior to the start of any work that requires monitoring, the PI shall submit a Historical Monitoring Plan which describes how the monitoring would be accomplished for approval by City. The HMP shall include an Historical Monitoring Exhibit (HME) based on the appropriate construction documents (reduced to 11x17) to City identifying the areas to be monitored including the delineation of grading/excavation limits.

(b) Prior to the start of any work, the PI shall also submit a construction schedule to City through the RE indicating when and where monitoring will occur.

(c) The PI may submit a detailed letter to City prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as underpinning, shoring and/or extensive excavation which could result in impacts to, and/or reduce impacts to the on-site or adjacent historic resource.

## C. Implementation of Approved Treatment Plan for Historic Resources

1. Implementation of the approved Treatment Plan for the protection of Historic Resources within the project site may not begin prior to the completion of the Documentation Program as defined above.

2. The Historian and/or Architectural Historian shall attend weekly jobsite meetings and be on-site daily during the stabilization phase for any retained or adjacent historic resource to photo document the Treatment Plan process.

3. The Historian and/or Architectural Historian shall document activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day and last day (Notification of Monitoring Completion) of the Treatment building would not be retained onsite.

2. City shall provide a letter to the applicant approving or denying the proposal prior to the first preconstruction meeting and/or issuance of any construction permit. However, should City grant conditional approval of the proposal, construction may be allowed to proceed, but the Certificate of Occupancy may not be issued until the historical commemorative program is approved.

3. Prior to the issuance of any Certificate of Occupancy, the applicant shall provide verification to City that the HCP has been implemented in accordance with the approved program. This may include a site visit with City, the CM, RE or BI, but may also be accomplished through submittal of photo documentation or appropriate reporting program.

4. CITY will provide written verification to the RE or BI after the site visit indicating that the Certificate of Occupancy can issued.

## III. During Construction

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

1. The monitor shall be present full-time during grading/excavation/trenching activities which could result in impacts to historical resources as identified on the HME. The Construction Manager is responsible for notifying the RE, PI, and City of changes to any construction activities.

2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the

CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY incidents involving the historical resource. The RE shall forward copies to City.



3. The PI may submit a detailed letter to City during construction requesting a modification to the monitoring program when a field condition arises which could effect the historical resource being retained on-site or adjacent to the construction site.

**B. Notification Process**

1. In the event of damage to a historical resource retained on-site or adjacent to the project site, the Historical Monitor shall direct the contractor to temporarily divert construction activities in the area of historical resource and immediately

notify the RE or BI, as appropriate, and the PI (unless Monitor is the PI).

2. The PI shall immediately notify City by phone of the incident, and shall also submit written documentation to City within 24 hours by fax or email with photos of the resource in context, if possible.

**C. Determination/Evaluation of Impacts to a Historical Resource**

1. The PI shall evaluate the incident relative to the historical resource.

(a) The PI shall immediately notify CITY by phone to discuss the incident and shall also submit a letter to CITY indicating whether additional mitigation is required.

(b) If impacts to the historical resource are significant, the PI shall submit a proposal for mitigation and obtain written approval from City. Direct and/or indirect impacts to historical resources from construction activities must be mitigated before work will be allowed to resume.

(a) If impacts to the historical resource are not considered significant, the PI shall submit a letter to City indicating that the incident will be documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

**IV. Night Work**

A. If night work is included in the contract

1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.

2. The following procedures shall be followed.

(a) No Impacts/Incidents

In the event that no historical resources were impacted during night work, the PI shall record the information on the CSV and submit to City via fax by 9 am the following morning, if possible.

(b) Potentially Significant Impacts

If the PI determines that a potentially significant impact has occurred to a historical resource, the procedures detailed under Section III - During Construction shall be followed.

(c) The PI shall immediately contact City, or by 8 am the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify CITY immediately.

C. All other procedures described above shall apply, as appropriate.

**V. Post Construction**

A. Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Historical Monitoring Program (with appropriate graphics) to City for review and approval within 90 days following the completion of monitoring, (a) The preconstruction Treatment Plan and Documentation Plan (photos and measured

- drawings) and Historical Commemorative Program, if applicable, shall be included and/or
2. City shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  3. The PI shall submit revised Draft Monitoring Report to City for approval.
  4. City shall provide written verification to the PI of the approved report.
  5. City shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to City (even if negative), within 90 days after notification from City that the draft report has been approved.
  2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from City

## **CULTURAL RESOURCES (ARCHAEOLOGICAL) RESOURCES)**

### **HIST-B.1-1**

#### **I. Prior to Permit Issuance**

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

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

##### **B. Letters of Qualification have been submitted to ADD**

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

#### **II. Prior to Start of Construction**

##### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site-specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
  3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.
- B. PI Shall Attend Precon Meetings
1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
    - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
  2. Identify Areas to be Monitored
    - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
    - b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
  3. When Monitoring Will Occur
    - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
    - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

### **III. During Construction**

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
1. The Archaeological Monitor shall be present fulltime during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
  2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on

the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.

3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
  - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
  - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

#### IV. Discovery of Human Remains

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

##### A. Notification

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

##### B. Isolate discovery site

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

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

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
  - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;
  - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN
  - c. To protect these sites, the landowner shall do one or more of the following:
    - (1) Record the site with the NAHC;
    - (2) Record an open space or conservation easement; or

- (3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

**V. Night and/or Weekend Work**

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

**VI. Post Construction**

- A. Preparation and Submittal of Draft Monitoring Report
  1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

**Mitigation Measure PAL-A.1-1:** In the event the Secondary Study indicates the potential for significant paleontological resources, the following measures shall be implemented as determined appropriate by CITY.

**I. Prior to Permit Issuance**

#### A. Construction Plan Check

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not as defined in the City of San Diego Paleontology Guidelines.
2. City will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from City for any personnel changes associated with the monitoring program.

## **II. Prior to Start of Construction**

#### A. Verification of Records Search

1. The PI shall provide verification to CITY that a site-specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

#### B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor Resident Engineer (RE), Building Inspector (BI), if appropriate, and City. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with City, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

#### 2. Identify Areas to be Monitored

- a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to City identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

#### 3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to CITY through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to CITY prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

## **III. During Construction**

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

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and City of changes to any construction activities.
2. The monitor shall document field activity via the Consultant Site Visit Record



(CSVr). The CSVr's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of any discoveries. The RE shall forward copies to City.

3. The PI may submit a detailed letter to CITY during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

**B. Discovery Notification Process**

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

3. The PI shall immediately notify City by phone of the discovery, and shall also submit written documentation to CITY within 24 hours by fax or email with photos of the resource in context, if possible.

**C. Determination of Significance**

1. The PI shall evaluate the significance of the resource.

a. The PI shall immediately notify CITY by phone to discuss significance determination and shall also submit a letter to City indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.

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

**IV. Night Work**

**A. If night work is included in the contract**

1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.

2. The following procedures shall be followed.

**a. No Discoveries**

(1) In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVr and submit to City via fax by 9am the following morning, if possible.

**b. Discoveries**

(1) All discoveries shall be processed and documented using the existing procedures detailed in Sections III – During Construction.

**c. Potentially Significant Discoveries**

(1) If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

d. The PI shall immediately contact City, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

**B. If night work becomes necessary during the course of construction**

- a. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - b.
- 2. The RE, or BI, as appropriate, shall notify City immediately.
- C. All other procedures described above shall apply, as appropriate.

## **VI. Post Construction**

### **A. Submittal of Draft Monitoring Report**

- 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to City for review and approval within 90 days following the completion of monitoring,
  - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
  - b. Recording Sites with the San Diego Natural History Museum
    - (1) The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
- 2. City shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
- 3. The PI shall submit revised Draft Monitoring Report to City for approval.
- 4. City shall provide written verification to the PI of the approved report.
- 5. City shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

### **B. Handling of Fossil Remains**

- 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
- 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate

### **C. Curation of fossil remains: Deed of Gift and Acceptance Verification**

- 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
- 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and City.

### **D. Final Monitoring Report(s)**

- 1. The PI shall submit two copies of the Final Monitoring Report to City (even if negative), within 90 days after notification from City that the draft report has been approved.
- 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from City which includes the Acceptance Verification from the curation institution.

## **LAND USE**

**LU-B.4-1:** Prior to approval of a Building Permit which would expose habitable rooms to disruptive railroad noise, an acoustical analysis shall be performed. The analysis shall determine the expected exterior and interior noise levels related to railroad activity. As feasible, noise attenuation measures shall be identified which would reduce noise levels to 45 dB(A) CNEL or less in habitable rooms. Recommended measures shall be incorporated into building plans before approval of a Building Permit.

## **NOISE**

**NOI-B.1-1:** Prior to approval of a Building Permit for any residential, hospital, or hotel within 475 feet of the centerline of Interstate 5 or adjacent to a roadway carrying more than 7,000 ADT, an acoustical analysis shall be performed to confirm that architectural or other design features are included which would assure that noise levels within habitable rooms would not exceed 45 dB(A) CNEL.

**NOI-C.1-1:** Prior to approval of a Development Permit for any residential development within 475 feet of the centerline of Interstate 5 or adjacent to a roadway carrying more than 7,000 ADT, an acoustical analysis shall be performed to determine if any required outdoor open space areas would be exposed to noise levels in excess of 65 dB(A) CNEL. Provided noise attenuation would not interfere with the primary purpose or design intent of the exterior use, measures shall be included in building plan, to the extent feasible.