THE CITY OF SAN DIEGO

SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

Project No. 1106734
SCH No. 2023120451

SUBJECT: **Midway Rising Specific Plan**: GENERAL PLAN and COMMUNITY PLAN AMENDMENT to the Midway-Pacific Community Plan to redesignate the site from Community Commercial-Residential Permitted (0-44 dwelling units/acre (du/ac)) to Mixed Community Village (0-72 du/ac), Adoption of a SPECIFIC PLAN, REZONE from CC-3-6 (Community-Commercial) to RMX-2 (Mixed-Use Residential), an ORDINANCE to propose the Midway Rising Entertainment Center District ~~overlay~~, a VESTING TENTATIVE MAP, various EASEMENT VACATIONS, and a SITE DEVELOPMENT PERMIT to adopt the Midway Rising Specific Plan that would establish goals, policies, development standards, and architectural guidelines for a transit-oriented development with a range of land uses. Buildout of the Midway Rising Specific Plan would allow for approximately 4,254 housing units, including up to 2,000 affordable units, public parks and open space, a multi-purpose Entertainment Center, and up to 130,000 square feet of commercial uses. The Project would also include infrastructure improvements on- and off-site, including extensions and/or upgrades of existing water, sewer, storm drain, drainage, roadways, bike paths, transit, mobility and pedestrian facilities. The Specific Plan would encompass the City-owned Sports Arena site, which includes other commercial buildings, totaling 49.23 acres, located at 3220, 3240, 3250, 3350, and 3500 Sports Arena Boulevard. The site is zoned CC-3-6 and designated for Community Commercial-Residential Permitted (0-44 du/ac) and the Midway-Pacific Highway Community Plan area. Additionally, the site is located in the following overlays: Airport Land Use Compatibility Overlay Zone (San Diego International Airport (SDIA) and NAS North Island); Airport Influence Areas Overlay Zone (SDIA – Review Areas 1 and 2; NAS North Island – Review Area 2); Airport FAA Part 77 Noticing Areas Overlay Zone (SDIA notification threshold at 70 feet through 100 feet AMSL and NAS North Island notification threshold at 181 feet through 206 feet AMSL); Airport Noise Contours (CNEL) Overlay Zone (SDIA 60-65 CNEL – partially within); Coastal Height Limitation Overlay Zone; Community of Concern: Low; Community Plan Implementation Overlay Zone: Type B, Complete Communities Mobility Zone 2; Complete Communities Housing Solutions FAR Tier 2.5 Coastal (2.5 FAR); Parking Standards Transit Priority Areas Overlay Zone; Transit Priority Area Overlay Zone; Sustainability Development Area; and partially within the Transit Area Overlay Zone. (Assessor Parcel Number: 441-590-04.) APPLICANT: Midway Rising, LLC.

ENVIRONMENTAL DETERMINATION:

This document has been prepared by the City of San Diego's Environmental Analysis Section under the direction of the Development Services Department and is based on the City's independent analysis and conclusions made pursuant to 21082.1 of the California Environmental Quality Act (CEQA) Statutes and Sections 128.0103(a), 128.0103(b) of the San Diego Land Development Code.

Based on the analysis conducted for the project described above, the City of San Diego, as the Lead Agency, has prepared the following Environmental Impact Report. The analysis addressed the following issue area(s) in detail: **Land Use, Transportation and Circulation, Historical and Tribal Cultural Resources, Geologic Conditions, Noise, Health and Safety, Hydrology/Water Quality, Visual Effects and Neighborhood Character, Air Quality, Greenhouse Gas Emissions, Public Services and Facilities Public Utilities, Biological Resources, Paleontological Resources.** The Subsequent Environmental Impact Report (EIR) concluded that the project would result in significant but mitigated environmental impacts to **Land Use, Transportation and Circulation, Historical and Tribal Cultural Resources, Noise, Health and Safety, and Air Quality** and significant unmitigated impacts to **Land Use, Transportation and Circulation, Historical and Tribal Cultural Resources, and Noise**. All other impacts analyzed in the draft Subsequent EIR were determined to either be less than significant or result in no impact.

The purpose of this document is to inform decision-makers, agencies, and the public of the significant environmental effects that could result if the project is approved and implemented, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

UPDATE: SEPTEMBER 10, 2025. Clarifications and corrections have been made to the final Subsequent Environmental Impact Report as detailed within the Preface.

In accordance with Section 15088.5 of the California Environmental Quality Act, the addition of new information that clarifies, amplifies, or makes insignificant modifications and would not result in new impacts or no new mitigation does not require recirculation. Pursuant to Section 15088.5(a) of the CEQA Guidelines, significant new information requiring recirculation includes, for example, a disclosure or additional data or other information showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The modifications made to the final environmental document do not affect the analysis or conclusions of the Environmental Impact Report. All revisions are shown in a ~~strikeout~~ and/or underline format.

PUBLIC REVIEW DISTRIBUTION:

The following agencies, organizations, and individuals received a copy or notice of the draft Subsequent EIR and were invited to comment on its accuracy and sufficiency.

Federal Agencies
Federal Aviation Administration (1)
Marine Corps Recruit Depot Facilities Division (14)
U.S. Fish & Wildlife Service Field Office (Carlsbad) (23)

State Agencies
Caltrans District 11 (31)
California Department of Fish and Wildlife (32)
Department of Toxic Substances (39)
State Historic Preservation Office (41)
Regional Water Quality Control Board (44)
State Clearinghouse (46A)
California Transportation Commission (51)
California Department of Transportation (51A)
Native American Heritage Commission (56)
California Highway Patrol (58)

County of San Diego
Air Pollution Control District (65)
Department of Environmental Health and Quality (76)
Department of Environmental Health and Quality, Hazardous Materials Division
Department of Environmental Health and Quality, Vector Control Program (63)

City of San Diego
Mayor's Office (91)
Councilmember LaCava, District 1 (MS 10A)
Councilmember Campbell, District 2 (MS 10A)
Councilmember Whitburn, District 3 (MS 10A)
Councilmember ~~Montgomery~~ Foster, District 4 (MS 10A)
Councilmember von Wilpert, District 5 (MS 10A)
Councilmember Lee, District 6 (MS 10A)
Councilmember Campillo, District 7 (MS 10A)
Councilmember Moreno, District 8 (MS 10A)
Councilmember Elo-Rivera, District 9 (MS 10A)

City of San Diego - continued
Economic Development Department (MS 56D)
Fire-Rescue Department
Police Department
Environmental Services Department
Public Utilities Department
Parks and Recreation Department
Development Services Department
- Environmental Analysis Section
- Development Project Manager
- Transportation Development
- Current Planning
- Local Enforcement Agency
- Engineering
- Geology
- Landscaping
- Map Check
- Water and Wastewater Review
- Fire-Review

City Planning Department
- Facilities Financing
- Heritage Preservation
- Long-Range Planning

Central Library (81A)
Ocean Beach Branch Library (81V)
Point Loma/Hervey Branch Library (81Z)
Historical Resources Board (87)
City Attorney (93C)

Other Interested Organizations, Groups and Individuals
San Diego Housing Commission (88)
San Diego Association of Governments (108)
San Diego County Regional Airport Authority (110)
Metropolitan Transit System, Denis Desmond (112)
San Diego Gas & Electric (114)
Metropolitan Transit System, Environmental Specialist (115)
University of California San Diego Library
San Diego Unified School District (125)
San Diego Chamber of Commerce (157)
San Diego Natural History Museum (166)
Sierra Club (165)
~~San Diego Audubon Society~~ San Diego Bird Alliance (167)
Mr. Jim Peugh (167A)
California Native Plant Society (170)
San Diego Coastkeeper (173)
Endangered Habitats League (182)

Other Interested Organizations, Groups and Individuals - continued
Endangered Habitats League (182A)
South Coastal Information Center (210)
San Diego History Center (211)
San Diego Archaeological Center (212)
Save Our Heritage Organisation (214)
San Diego County Archaeological Society, Inc. (218)
Midway-Pacific Community Planning Group (307)
Mission Valley Planning Group (331)
Ocean Beach Planning Board (367)
Old Town San Diego Community Planning Board (368)
Old Town Chamber of Commerce (369)
Peninsula Community Planning Board (390)
Point Loma Village Association (395)
Uptown Planners (498)
Cint Linton, Iipay Nation of Santa Ysabel
Lisa Cumper, Jamul Indian Village
Angelina Gutierrez, San Pasqual Band of Mission Indians
Richard Drury
Molly Green
John Stump
Dianne Randquist
Erin Wyer
Pauline Cabalas
Lisa Murki
Frank
Ed Sanford
Clifford Weiler
Linda Parker
George Murua
Jay Gonzales
Brett Michel
Chris Pearson
William Sassie
Jane Anderson
Ashley Valentin
Ben Fadden
Fanny Garvey
Mar Roberts
Timothy Cassedy
Wendy Mihalic
Cindy Scott
Richard Goldman
Marvin Estrin
Katie Petit, Chatten-Brown Law Group
Mark Stephens
Don Wood

Other Interested Organizations, Groups and Individuals - continued
Brian Austin
Heather Odell
John Doe
Applicant, Midway Rising, LLC
Applicant, Bowman
Consultant, Harris & Associates
Albert Perdon
Gary Wonacott
John Ziebarth
Steph Leif
Alex Tehan
Clifford Weiler
Brian Austin
Taco Jones
Tony Veronico
Daniel Wider
Janene Bacica
Sara Hickmann
Eric Law
Jeremy Shields
Ben Spiegel
Jason Viera
Ron Cota
Janis Gordan
Lauren Haskin
Matt Naiman
Carla Peek
Candance Szalay
Terry Treiber
Joy Young
Karen Britt
Daneil Lewis
Cris Harrington
Bridget Kaluzny
Paul Grimes
Sharon Sugar
Robert Burns
Robyn Dunn
Shannon Jones
Geri Beaty
Mallery deMerlier
Brian Hughes
Alexander Pfleger
Carlyn Casey
Michael Couris
Daria Doering

Other Interested Organizations, Groups and Individuals - continued
Rae Newman
Cathie Olson
Supporters Alliance for Environmental Responsibility
SDRide
Sunbelt Investment Holdings, Inc.
Mobility & Environment Coalition
Save our Access

RESULTS OF PUBLIC REVIEW:

☐ No comments were received during the public input period.

☐ Comments were received but did not address the accuracy or completeness of the draft environmental document. No response is necessary and the letters are incorporated herein.

☒ Comments addressing the accuracy or completeness of the draft environmental document were received during the public input period. The letters and responses are incorporated herein.

Copies of the environmental document and associated project-specific technical appendices, if any, may be accessed on the City of San Diego's California Environmental Quality Act (CEQA) webpage at https://www.sandiego.gov/ceqa.

Elizabeth Shearer-Nguyen
Program Manager
Development Services Department

March 24, 2025
Date of Draft Report

September 10, 2025
Date of Final Report

Analyst: A. Jarque

Preface to Final Subsequent EIR
Midway Rising Project
Project No. 110673/SCH 2023120451

This preface introduces the Final Subsequent Environmental Impact Report (SEIR) and summarizes changes made to the text of the Draft SEIR in response to comments and community input received during the public comment period, as well as editorial changes made to correct typographical errors. These changes are reflected with additions shown in underline and deletions shown in ~~strikethrough~~ in the Final SEIR. None of the revisions made constitute significant new information requiring recirculation of the document per the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15088.5.

Table of Contents

- Updated page numbers as necessary in revised sections.

Executive Summary

- Section S.1.2: Updated to remove "widen streets" from Project Objective 4.
- Section S.5.1: Updated to remove "Overlay" from Midway Rising Entertainment Center District.
- Section S.5.2: Updated to remove "Overlay" from Midway Rising Entertainment Center District.
- Section S.5.3: Updated to remove "Overlay" from Midway Rising Entertainment Center District.
- Section S.5.4: Updated to remove "Overlay" from Midway Rising Entertainment Center District.
- Table S-1: Updated MM TRANS 5.2-1: Commercial Shuttle to state that the commercial shuttle would be provided for the "life of the commercial land uses," MM TRANS 5.2-2: Employee Transit Subsidy to state that the employee transit subsidy would be provided for the "life of the entertainment center," and MM HS 5.6-4: Soil Vapor Sampling and Vapor Intrusion Mitigation System Where Indicated to add the missing trigger for the mitigation measure.

Chapter 3.0, Project Description

- Section 3.2: Updated to remove "widen streets" from Project Objective 4.
- Section 3.3.2.2: Updated to remove "Overlay" from Midway Rising Entertainment Center District. "Overlay" was replaced with "District."
- Section 3.3.3.2 under Rosecrans Street: Added technical terminology for the proposed bus and right-turn-only lanes.
- Table 3-4: Added clarification text to the updates proposed for the Community Plan Amendment mobility modifications.
- Section 3.7.8: Removed the section, as a Neighborhood Development Permit is not required since the proposed rezone would remove the Community Plan Implementation

Overlay Zone from the site and a Comprehensive Sign Plan has not been submitted for review with the current Project. Future signage would be required to comply with the San Diego Municipal Code sign regulations and Specific Plan requirements. Renumbered subsequent sections.

Section 5.1, Land Use

- Table 5.1-1: Updated to remove "Overlay" from Midway Rising Entertainment Center District.

Section 5.2, Transportation and Circulation

- Page 5.2-1: Added clarification text to state commercial square footage as opposed to retail.
- Section 5.2.4.1 under 2018 Midway-Pacific Highway Community Plan: Added clarification text to provide more detail on the proposed Kurtz Street/Camino Del Rio West intersection improvements.
- Section 5.2.6.2: Updated MM TRANS 5.2-1: Commercial Shuttle to state that the commercial shuttle would be provided for the "life of the commercial land uses."
- Section 5.2.6.2: Updated MM TRANS 5.2-2: Employee Transit Subsidy to state that the employee transit subsidy would be provided for the "life of the entertainment center."
- Section 5.2.7.2: Updated the second paragraph to state that the commercial shuttle would be provided for the "life of the commercial land uses, satisfactory to the City Engineer."
- Section 5.2.7.2: Updated the third paragraph to state that the employee transit subsidy would be provided for the "life of the entertainment center." Additionally, added clarification text to state that the VMT impact for the entertainment land use would be reduced to a level of **Less than Significant with Implementation of Mitigation Measure TRANS 5.2-2**.

Section 5.3, Historical and Tribal Cultural Resources

- Page 5.3-1: Updated date of Cultural Resources Technical Report (Appendix E1).
- Section 3.2.2 under Senate Bill 18: Updated the status of Tribal consultation pursuant to Senate Bill 18.

Section 5.5, Noise

- Page 5.5-1: Updated date of Noise Technical Report (Appendix G1).
- Page 5.5-1: Added clarification text to state commercial square footage as opposed to retail.
- Section 5.5.4.1: Updated to address a clerical error. Added clarification text regarding the compatibility of the post-Project noise levels on Hancock Street.
- Section 5.5.4.4 under Outdoor Human Activity and Recreational Facilities: Updated to remove "Overlay" from the Midway Rising Entertainment Center District.

Section 5.6, Health and Safety

- Section 5.6.6.4: Updated MM HS 5.6-4: Soil Vapor Sampling and Vapor Intrusion Mitigation System Where Indicated to add the missing trigger for the mitigation measure.

Section 5.9, Air Quality

- Page 5.9-1: Added clarification text to state commercial square footage as opposed to retail.

Section 5.11, Public Services and Facilities

- Section 5.11.4.1 under Fire/Life Safety Protection: Modified the summary conclusions from the Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR).
- Section 5.11.4.1 under Parks and Public Space: Added "Recreational" for clarification.
- Section 5.11.4.1 under Fire/Life Safety Protection: Made minor clerical revisions. Additionally, added clarification text regarding the Midway-Pacific Highway CPU PEIR references to the 2018 Community Plan and Impact Fee Study.
- Section 5.11.5.1 under Fire/Life Safety Protection: Added clarification text regarding Developer Impact Fees.

Chapter 6.0, Cumulative Impacts

- Section 6.1: Removed court case reference.
- Section 6.3.11.2: Added "Recreation" for clarification. Additionally, deleted text about Developer Impact Fees and added clarification text regarding the Midway-Pacific Highway CPU PEIR references to the 2018 Community Plan and Impact Fee Study.

Chapter 8.0, Alternatives

- Page 8-2: Updated numbering to address clerical error and removed "widen streets" from Project Objective 4.
- Section 8.2.1.1: Removed "Overlay" from Midway Rising Entertainment Center District. Section 8.2.1.3: Removed "widen streets."
- Section 8.2.2.1: Removed "Overlay" from Midway Rising Entertainment Center District.
- Section 8.2.2.3: Removed "widen streets."
- Section 8.2.3.3: Removed "widen streets."
- Section 8.2.4.3: Removed "widen streets."
- Table 8-2: Removed "widen streets."

Chapter 9.0, Mitigation Monitoring and Reporting Program

- Table 9-1: Made minor text revisions to reflect the correct section number for the SEIR Noise section. Additionally, updated MM TRANS 5.2-1: Commercial Shuttle to state that the commercial shuttle would be provided for the "life of the commercial land uses," MM

TRANS 5.2-2: Employee Transit Subsidy to state that the employee transit subsidy would be provided for the "life of the entertainment center," and MM HS 5.6-4: Soil Vapor Sampling and Vapor Intrusion Mitigation System Where Indicated to add the missing trigger for the mitigation measure.

Chapter 11.0, Preparers and Individuals and Agencies Consulted

- Under City Planning Department: Corrected spelling of a name.

Appendices

- Appendix C: Midway Rising Specific Plan
  - Cover page: Updated date.
  - Minor text edits made throughout.
- Appendix E1: Cultural Resources Technical Report
  - Cover page and footers: Updated date.
  - Page 29: Minor text edits to reflect correct archaeological site number.
- Appendix G1: Noise Technical Report
  - Cover page and footers: Updated date.
  - Section 3.3.1: Made minor text revision to address a clerical error related to the 2008 City of San Diego General Plan exterior noise limits.
  - Section 6.1.1.2 under Noise Levels at Affected Noise-Sensitive Land Uses (Residences): Made minor text revisions to address a clerical error and to add clarification text regarding the compatibility of the post-Project noise levels on Hancock Street.
  - Section 6.4.1.2 under Outdoor Human Activity and Recreational Facilities: Removed "Overlay" from Midway Rising Entertainment Center District.
  - Appendix B: Replaced to correct a clerical error in Draft SEIR publication.
- Appendix O: Conceptual Site Plan/Draft Vesting Tentative Map
  - Updated revision date.
  - Minor edits made throughout to clearly identify the Business Access & Transit Lanes.
  - Updated reference to this appendix throughout the SEIR.

Comment Letters and Responses

According to the California Environmental Quality Act (CEQA) Guidelines Section 15088(a), "the lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR [Environmental Impact Report] and shall prepare a response." This document provides all written comments received on the Draft Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project) during the 45-day public review period (March 24, 2025, through May 8, 2025) and the City of San Diego's (City's) responses to each comment.

Table RTC-1, List of Commenting Agencies, Organizations, and Individuals, lists the agencies, organizations, and individuals who submitted comments on the Draft SEIR during the public review period. After public review, minor text changes were made to the Draft SEIR text for clarification. These text changes are indicated by ~~strikeout~~ (deleted) and underline (inserted) markings. Many comments did not pertain to the adequacy of the analysis in the Draft SEIR or other aspects pertinent to the potential effects of the Project on the environment pursuant to CEQA. Responses are provided to these comments. Each comment letter is reproduced alongside the corresponding responses to individual comments.

Table RTC-1. List of Commenting Agencies, Organizations, and Individuals

Comment Letter	Agency/Organization/Individual
State Agencies	
S1	California Department of Transportation, District 11
Local/Regional Agencies	
L1	County of San Diego Vector Control Program
L2	County of San Diego Department of Environmental Health and Quality Policy, Outreach and Data
L3	San Diego County Regional Airport Authority
Organizations	
O1	Supporters Alliance for Environmental Responsibility (via Lozeau Drury LLP)
O2	RideSD (1)
O3	San Diego County Archaeological Society, Inc.
O4	Sierra Club, San Diego Chapter
O5	Sunbelt Investment Holdings Inc., on behalf of Mann Enterprises Inc.
O6	Chatten-Brown Law Group, on behalf of J. Behner and Catherine Stiefel
O7	Midway-Pacific Highway Community Planning Group
O8	Mobility Environmental Coalition
O9	Peninsula Community Planning Board
O10	RideSD (2)

Table RTC-1. List of Commenting Agencies, Organizations, and Individuals

Comment Letter	Agency/Organization/Individual
O11	San Diego Bird Alliance
O12	Save Our Access
Individuals	
I1	Albert Perdon
I2	Gary Wonacott
I3	John Ziebarth
I4	Steph Leif
I5	Alex Tahan
I6	Clifford Weiler
I7	Brian Austin
I8	Taco Jones
I9	Tony Veronico
I10	Daniel and Carolyn Weider
I11	Janene Bacica
I12	Sara Hickmann
I13	Eric Law
I14	Jeremy Shields
I15	Ben J. Spiegel
I16	Jason Vieira
I17	Ron Cota*
I18	Janis Gordon*
I19	Lauren Haskin*
I20	Matthew Naiman*
I21	Carla Pekin *
I22	Candace Szalay*
I23	Terry Treiber*
I24	Joy Young*
I25	Karen Britt*
I26	Dan Lewis*
I27	Cris Harrington*
I28	Bridget Kaluzny*
I29	Paul Grimes*
I30	Sharon Sugar*

Table RTC-1. List of Commenting Agencies, Organizations, and Individuals

Comment Letter	Agency/Organization/Individual
I31	Robert Burns*
I32	Robyn Dunn*
I33	Shannon Jones*
I34	Geri Beaty*
I35	Mallary de Merlier*
I36	Brian Hughes*
I37	Alexander Pfleger*
I38	Carolyn Casey*
I39	Michael Couris*
I40	Daria and Michael Doering*
I41	Rae Newman*
I42	Cathie Olson*

Note:

* Late comment letters received after the close of public review, which ended on May 8, 2025.

Thematic Responses

Thematic Response: Cumulative Projects

California Environmental Quality Act (CEQA) Guidelines Section 15130 requires that an Environmental Impact Report discuss the cumulative impacts of a project when a project's incremental effect would potentially be cumulatively considerable. In accordance with CEQA Guidelines Section 15130(b), there are two possible approaches for considering cumulative effects: (1) a list of past, present, and probable future projects or (2) a summary of projections contained in an adopted General Plan or related planning document designed to evaluate regional or area-wide conditions. Additionally, the CEQA Guidelines allow for the use of a combination of these approaches.

As discussed in Chapter 6.0, Cumulative Impacts, of the Final Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project), the Final SEIR uses a hybrid approach blending the "Plan" and "List of Projects" approaches for the Project's cumulative analysis. The Final SEIR cumulative analysis assumed the buildout of the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) together with one development project not included in the 2018 Community Plan, the Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project). The Navy OTC Revitalization Project, also referred to as the NAVWAR redevelopment project and NAVWAR Project in comment letters, was not included in the 2018 Community Plan. However, it is considered a reasonably foreseeable project and, therefore, is included in the cumulative analysis for the Project since the U.S. Navy issued the Draft Environmental

Impact Statement in compliance with the National Environmental Policy Act on May 14, 2021, which is also prior to the Project's Notice of Preparation (NOP) for this SEIR on December 18, 2023.

Furthermore, CEQA Guidelines Section 15125(a)(1) states that a lead agency shall describe the physical environmental conditions as they exist at the time the NOP is published from both a local and regional perspective. As mentioned above, the City published the Project's NOP on December 18, 2023. An additional list of project(s) submitted to the City for review after this NOP date are not required to be included in the cumulative analysis for the Final SEIR consistent with CEQA.

Thematic Response: Height Limit

The Midway Rising Project (Project) proposes mixed-use development in a Transit Priority Area (TPA). Senate Bill (SB) 743, effective on January 1, 2014, added California Public Resources Code (PRC) Section 21099, which provides 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." The Project meets the criteria set forth in SB 743 and PRC Section 21099 because it would be located on an infill site in a City of San Diego (City)-designated TPA based on the adopted San Diego Association of Governments San Diego Forward Regional Plan (2021), within 0.5 mile of several San Diego Metropolitan Transit System bus stops and within 1 mile of the Old Town Transit Center (refer to Figure 2-10, Transit Priority Areas, as described in the Final Subsequent Environmental Impact Report [SEIR]). Consistent with SB 743, the potential aesthetic or visual impacts of the Project are not considered significant environmental impacts for the purposes of compliance with the California Environmental Quality Act (California Environmental Quality Act). The visual analysis was prepared to disclose potential visual changes associated with the Project.

However, to disclose potential visual changes to scenic vistas or views as a result of Project implementation are evaluated in Final SEIR Sections 5.8.4.1, Issue 1: Scenic Vistas or Views, and 5.8.4.2, Issue 2: Neighborhood Character. The analysis of fifteen Kev View Points in the Project area is discussed in Section 5.8.4.1, Issue 1: Scenic Vistas or Views and Appendix J, Visual Analysis. In accordance with SB 743, the potential aesthetic or visual impacts on scenic vistas and views from Project implementation would not be considered a significant impact on the environment because the Project is a residential and mixed-use development in a TPA was prepared to disclose potential visual changes associated with the Project, not to evaluate significant impacts under CEQA. In addition, the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) does not identify any scenic vistas, scenic views, or prominent view corridors on the Project site. Therefore, the Project would not result in a substantial obstruction of a vista or scenic view from a public viewing area as identified in the 2018 Community Plan.

The Project site is within the geographic boundaries of a 1972 citizens' initiative ballot measure that generally limited the height of buildings to 30 feet (Proposition D) in a defined coastal area. On November 3, 2020, City residents voted in favor of Ballot Measure E to amend the San Diego

Municipal Code (SDMC) to remove the Midway-Pacific Highway Community planning area from the existing 30-foot height limit. The Supplemental EIR for the removal of the Midway-Pacific Highway Community planning area from the coastal height limit was certified by San Diego City Council in 2022. The measure was voted on again in 2022 as Measure C. On November 8, 2022, City residents voted in favor of Measure C to again amend the SDMC to remove the 30-foot height limit in the Midway-Pacific Highway Community planning area.

The Project includes a 250-foot high-rise residential building, 105-foot mid-rise mixed-use buildings, and 165-foot entertainment center. Project buildings would be constructed on relatively low ground (10 to 15 feet above mean sea level). These heights would be allowed via the approval of the Midway Rising Specific Plan (Specific Plan). Development on site will be governed by the development regulations in the SDMC and the supplemental development regulations in the Specific Plan. Where development regulations in the SDMC conflict with the Specific Plan, the Specific Plan shall prevail.

The height and scale of Project development would alter the existing character of the area. However, the Project would be consistent with the planned character of the 2018 Community Plan vision to develop a strong public realm and unique districts and villages connected through a system of landscaped streets to Mission Bay, the San Diego River, and San Diego Bay, and to traditional and nontraditional parks within the community to enhance community character and livability and would redevelop the Project site with entertainment, retail, restaurant, residential, recreational, public, and park uses. The 2018 Community Plan envisions the Sports Arena Community Village as a vibrant pedestrian- and transit-oriented entertainment area that is a landmark attraction for the Midway-Pacific Highway Community and surrounding communities. Project improvements would implement the vision of the 2018 Community Plan and enhancing the overall character of the Project site and surrounding neighborhood.

In accordance with SB 743 and PRC Section 21099, the potential aesthetic and visual impacts from the Project would not be considered significant impacts on the environment because the Project is a residential and mixed-use development in a TPA.

Thematic Response: Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) (Transportation)

The U.S. Navy is currently proposing the modernization of Naval Information Warfare Systems Command's (NAVWAR's) facilities on Naval Base Point Loma Old Town Campus (OTC) in San Diego through demolition, construction, and renovation of buildings, utilities, and infrastructure (Draft Environmental Impact Statement [EIS] dated May 2021). The Navy OTC Revitalization Project, also referred to as the NAVWAR redevelopment project and NAVWAR Project in comment letters, is south of the Midway Rising Project (Project) site within the Midway-Pacific Highway Community planning area, and per NAVWAR's document, this redevelopment is expected to occur in phased development

over the next 30 years. NAVWAR issued a Draft EIS for the Navy OTC Revitalization Project on May 14, 2021, pursuant to the requirements of the National Environmental Policy Act (NEPA). As of July 2025, a Final EIS has not been issued. The Draft EIS states the first phase of development is expected to occur in 2030. Therefore, each of the transportation studies prepared for the Midway Rising Project accounted for the Navy OTC Revitalization Project as follows.

The Local Mobility Analysis (Appendix D1 of the Final Subsequent Environmental Impact Report [SEIR]) included the Navy OTC Revitalization Project as a cumulative project in the "base" and "plus project" scenarios for each of the opening years and in the horizon year in the Community Plan Amendment (CPA) analysis to evaluate the potential transportation effects and identify project improvements that the Midway Rising project would construct.

The Vehicle Miles Traveled (VMT) analysis (Appendix D2 of the Final SEIR) similarly included the Navy OTC Revitalization Project in the "base" and "plus project" scenarios for each of the opening years and in the horizon year in the Community Plan Amendment (CPA) analysis in the San Diego Association of Governments Regional Transportation Model (ABM 2+, Base Year 2035 and 2050) to identify significant transportation VMT impacts and mitigation measures.

National Environmental Policy Act versus California Environmental Quality Act

Several comments incorrectly stated that significant impacts identified in the Draft EIS did not also appear in the Midway Rising transportation studies and Final SEIR. As a federal document, NAVWAR's Draft EIS used level of service (LOS) as its primary transportation metric. However, per California Senate Bill 743, California Environmental Quality Act (CEQA) uses VMT and not LOS as the metric to determine potential CEQA transportation impacts.

Additionally, the Navy OTC Revitalization Project transportation study area is appropriately geographically different from the Midway Rising transportation study area. The transportation impacts of the Navy OTC Revitalization Project would be the responsibility of the NAVWAR development applicant to mitigate. To the extent the Navy OTC Revitalization Project has identified a NEPA transportation impact in the Draft EIS, addressing those NEPA impacts is the responsibility of the NAVWAR development applicant.

Thematic Response: Traffic Congestion

The Midway Rising Project (Project) proposes to redevelop an existing 49.23-acre site to provide a new 16,000 seat entertainment center, up to 4,254 multi-family dwelling units, and approximately 130,000 square feet of commercial land uses, including retail and restaurant, in addition to providing parks and green space, paseos, etc. The redevelopment is anticipated to result in more vehicle trips than what currently exists along the roadways in this community as the site will draw residents, businesses, and visitors to all land uses within the development. The Project proposes

implementation of multi-modal improvements (e.g., vehicular, transit, pedestrian) providing a multitude of transportation options intended to balance vehicular traffic across the roadway network in the Midway-Pacific Highway Community.

Traffic congestion and related analyses, such as intersection level of service (LOS), are not used for California Environmental Quality Act (CEQA) determination regarding transportation vehicle miles traveled (VMT) impacts per Senate Bill 743. Nevertheless, traffic operational analyses remain relevant for understanding traffic flow and circulation and this Project evaluated the potential transportation effects on the transportation network by preparing a Local Mobility Analysis (LMA) per the City of San Diego (City) Transportation Study Manual (current version dated September 2022). The LMA also including queuing analyses, discussion on parking facilities and systems, loading areas, multi-modal assessments of existing and planned alternative transportation facilities, and a systemic safety analysis to identify deficiencies and improvement opportunities.

This document was developed using data and information from the City, San Diego Association of Governments, and San Diego Metropolitan Transit System (MTS). The LMA evaluated Project effects related to traffic congestion for vehicular analyses through analysis of:

- Intersections
  - LOS
  - Automobile delay
  - Automobile queuing
- Roadway Segments
  - Capacity
  - LOS

Transportation effects on the network are determined using two key components: trips (i.e., transportation demand for all modes of transportation); and capacity (i.e., ability for the transportation network to serve the trips through intersections, roadway segments, and multi-modal facilities).

The existing transportation network surrounding the Project site experiences high demand at the major intersections leading to high vehicle delays and queues. It also lacks quality pedestrian, bicycle, and transit infrastructure to effectively connect to the Old Town Transit Center and the regional transit network. The lack of quality infrastructure (e.g., sidewalks and bike lanes are often narrow, or located directly adjacent to high-speed travel lanes) discourages the use of non-motorized transportation options for residents and visitors to the Midway area.

Increasing the capacity of roadways and intersections above and beyond what was identified in the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) would be inconsistent with the goals of the City's Climate Action Plan, and could result in unintended significant VMT impacts

under CEQA, as it would encourage people to remain dependent on automobiles as the primary method of travel. The Project would provide a comprehensive set of transportation improvements for all roadway users—including vehicular traffic—to improve the operational effects (e.g., traffic delay) at intersections within the study area. The full scope of these improvements was studied in the LMA.

Consistent with the 2018 Community Plan and address the transportation effects identified in the LMA, the Project would construct improvements at the following intersections, roadway segments, and multi-modal facilities (as listed in Section 5.2.4.1 of the Final Subsequent Environmental Impact Report [SEIR]):

- Intersection Improvements
  - Midway Drive/Sports Arena Boulevard/West Point Loma Boulevard
  - Kemper Street/Sports Arena Boulevard
  - Hancock Street/Kurtz Street
  - Kurtz Street/Camino Del Rio West
  - Camino Del Rio West/Rosecrans Street/Sports Arena Boulevard
  - New roundabout at the intersection of Hancock Street / Kurtz Street
- Roadway Improvements
  - Two new north–south public roadways through the Project site: extension of Kemper Street from Sports Arena Boulevard to Kurtz Street and construct Frontier Drive between Sports Arena Boulevard to Kurtz Street
  - Convert Kurtz Street to two-way traffic from Hancock Street to Sherman Street
  - Increase capacity on Hancock Street (from two lanes to four lanes) between Sports Arena Boulevard and Kurtz Street per its planned classification in the Midway-Pacific Highway Community Plan
- Multi-Modal Improvements
  - Class I multi-use urban paths along Kurtz Street, Frontier Drive, Sports Arena Boulevard, and Rosecrans Street
  - Class IV cycle tracks on Sports Arena Boulevard and Kemper Street
  - Protected intersections on Sports Arena Boulevard at Kemper Street and Frontier Drive
  - Enhanced bus stop amenities, including one future MTS Rapid Bus stop in anticipation of a planned Rapid Route
  - Daily commercial shuttle to/from the Old Town Transit Center
  - Event shuttle service to/from the Old Town Transit Center, off-site business park lot, and off-site Sea World Drive parking lot depending on the number of anticipated spectators

- Reallocate one vehicular travel lane in each direction on Rosecrans Street between Midway Drive and Pacific Highway to a Business Access and Transit (BAT) lane
- Reallocate one vehicular travel lane in each direction on Sports Arena Boulevard between Midway Drive/W Point Loma and Rosecrans Street to a BAT lane
- Curb extensions at all mid-block crossings on Kemper Street and Frontier Drive and a raised crossing at the main crossing on Frontier Drive

Business Access and Transit Lanes

Several letters expressed concern with reallocating two vehicular travel lanes to BAT lanes along Sports Arena Boulevard and Rosecrans Street to provide a more reliable option for residents and visitors to access Old Town Transit Center and the rest of the regional transportation network. The roadway segments were evaluated for LOS in the LMA for operational analyses and queuing purposes that accounted for these future changes.

Final SEIR Appendix D1, Local Mobility Analysis, specifically Table ES-5, summarizes the capacity and demand for the various segments of Sports Arena Boulevard and Rosecrans Street under each analysis scenario. The Project proposes BAT lanes on Sports Arena Boulevard between Kemper Street to Camino Del Rio West. These segments currently operate at LOS A or B, and with the addition of Project trips and the proposed BAT lanes, these segments are anticipated to operate at LOS D or better, which is an acceptable level of traffic operations. The Project proposes BAT lanes on Rosecrans Street between Pacific Highway and Camino Del Rio West; this segment currently operates at LOS A, and with the addition of Project trips and the proposed BAT lanes, this segment is anticipated to operate at LOS D or better, which is an acceptable level of traffic operations. The BAT lanes would help reduce travel times for transit users while maintaining local vehicle access via turning movements Onto the Project site.

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Comment Letter S1: California Department of Transportation, District 11, May 7, 2025

S1

From: Dodson, Kimberly@DOT
To: Jarque, Anne
Cc: [redacted]
Subject: [EXTERNAL] Midway Rising Draft Subsequent EIR SCH#2023120451
Date: Wednesday, May 7, 2025 1:10:52 PM
Attachments: SD_8_1.859 Midway Rising DSEIR 5-7-2025.pdf

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

Dear Ms. Jarque,

Please see the attached comment letter for the Midway Rising Draft Subsequent EIR SCH#2023120451.

Thank you,

Kimberly D. Dodson, GISP, M. Eng.
(pronouns she/her)
LDR/Regional Planning/Modeling/Travel Forecasting Branch Chief
Caltrans District 11
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San Diego, CA 92110
[redacted]

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May 7, 2025

11-SD-8
PM 1.859
Midway Rising
Draft Subsequent EIR/SCH#2023120451

Ms. Anne Jarque
Senior Planner
City of San Diego
1222 1st Avenue, MS 501
San Diego, CA 92101

Dear Ms. Jarque:

S1-1

Thank you for including the California Department of Transportation (Caltrans) in the environmental review of the Draft Subsequent Environmental Impact Report (EIR) for the Midway Rising project located near Interstate 8 (I-8) and Sports Arena Boulevard/West Mission Bay Drive in San Diego. The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the City of San Diego in areas where the City and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

"Improving lives and communities through transportation"

S1-1: The Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) analyzed environmental impacts associated with the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan), including policies and recommendations related to a range of topics in each section of the 2018 Community Plan, such as multi-modal mobility, urban design, environmental conservation, recreation opportunities, neighborhood character, and historic preservation, in accordance with the general goals stated in the 2008 City of San Diego General Plan, as amended (2008 General Plan). As discussed in Chapter 1.0, Introduction, of the Final Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project), pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15152, the Final SEIR "tiers" from the Midway-Pacific Highway CPU PEIR. Therefore, Final SEIR Section 5.2, Transportation and Circulation, provides a summary of the Midway-Pacific Highway CPU PEIR impact analysis before the Project-specific analysis for each threshold. Mitigation Measures TRANS 5.2-17 through TRANS 5.2-24 were identified as transportation improvements for the 2018 Community Plan and are not mitigation measures identified for the Project.

Caltrans has the following comments:

The environmental document refers to the *Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report* dated May 2018. The document states for mitigation measures:

S1-1 cont.

"**TRANS 5.2-17** through **TRANS 5.2-24** would be implemented by Caltrans to reduce impacts to freeway segments and ramp meters; however, impacts to Caltrans facilities would remain significant and unavoidable because the City cannot ensure that the mitigation necessary to avoid or reduce the impacts to a level below significance would be implemented prior to occurrence of the impact."

Caltrans is not responsible for mitigation of development project(s) impacts to state Right-of-Way (R/W). It is the responsibility for the development project to mitigate impacts to state R/W.

Traffic Impact Study

S1-2

- Provide a Queuing Analysis per the "Caltrans Local Development Review Safety Review Practitioner's Guidance Appendix B Freeway Exit-Ramp Queuing Analysis" for the following locations:
  - The I-8 westbound exit to Camino Del Rio West.
  - The I-8 westbound exit to Sports Arena Boulevard.
  - The I-5 southbound exit to Camino Del Rio West.
  - The I-5 southbound exit to Sea World Drive.
- The provided Synchro model does not include the I-5 southbound exit to Camino Del Rio West. There needs to be a queuing analysis per comment #1 above.
- The Synchro link distance for the segment of Camino Del Rio West between Moore Street and the I-5, I-8 exits is modeled incorrectly showing 4009 feet and incorrect lane configurations. Revise accordingly and there needs to be a queuing analysis per comment #1 above.
- The Synchro link distance of 1500 is incorrect for the I-5 southbound exit to Sea World Drive, and there are not two lanes for the full length of the exit ramp. Revise accordingly and there needs to be a queuing analysis per comment #1 above.
- The I-5 northbound ramps and Sea World Drive intersection needs to be included in the Synchro analysis to accurately model the I-5 and Sea World Drive interchange operations, revise accordingly.
- The Synchro link distance of 2600 is incorrect for the I-8 westbound exit to Sports Arena Boulevard, and there are not four lanes for the full length of the exit ramp.

S1-2: The Caltrans Local Development Review Safety Review Practitioner's Guidance (Caltrans Guidance) was published in February 2024, after the Project's Notice of Preparation, which was released in December 2023. Therefore, the Caltrans Guidance would not apply to the Project. Also, the Caltrans Guidance was drafted to serve as an internal document for Caltrans staff use when a proposed project is located within or immediately adjacent to Caltrans right-of-way (ROW) and Caltrans has land use authority over a project. In this instance, no encroachment permits or other entitlements are anticipated from Caltrans. However, the below addresses the specific bullet points in comment S1-2.

The first and second bullet points in this comment request a queuing analysis for four off-ramp locations, and states that the Synchro model does not include the intersection of Interstate (I-)5 Southbound Off-Ramp/Camino Del Rio West. The study area for the Local Mobility Analysis (LMA) (Final SEIR Appendix D1) includes all four off-ramp locations listed. The I-5 Southbound Off-Ramp/Camino Del Rio West exit ramp and I-5 southbound exit ramps to Camino Del Rio West were appropriately combined in the model. There are three southbound lanes at intersection #17 representing the single lane for I-5 southbound and two lanes for I-8 westbound. Queues for the four off-ramp locations were analyzed based on results for the following three intersections:

- **Intersection 1:** West Mission Bay Drive/I-8 Westbound Off-ramp
- **Intersection 17:** Camino Del Rio West/Hancock Street (includes I-8 westbound exit to Camino Del Rio West and I-5 southbound exit to Camino Del Rio West)
- **Intersection 32:** I-5 Southbound On-Ramp/Sea World Drive/I-5 Southbound Off-Ramp

Pursuant to Appendix B of the Caltrans Guidance, the requested analysis for evaluating freeway off-ramps is based on speed differentials and is not required because there is no reliable Performance Measurement System data for the study area, and no other sources of speed data by lane are available. The three intersections within the study area that are located at ramp terminus locations for freeways, as listed previously, operate under conditions where queuing already exists on the freeway exit ramps (refer to Table 3-6 of Final SEIR Appendix D1). While queue lengths for these three locations were identified and provided in the LMA, the specific requested queue analysis was not performed.

Per Appendix B of the Caltrans Guidance, the following strategies are recommended (for a potential safety impact), which the Project has already committed to:

- **Transportation Demand Management –** The Project includes a Transportation Demand Management

program (Final SEIR Appendix D4) with strategies intended to reduce the Project's trip generation.

- **Active Transportation Investments –** The Project includes a network of multi-modal transportation improvements with additional pedestrian, bicycle, and transit improvements that exceed the City's planned facilities as identified in the 2018 Community Plan.

The LMA analyzed alternative lane configurations for the off-ramp intersections, and determined that lane reassignments or other ramp terminal operation modifications would not be necessary, as the intersections operate at acceptable level of service (LOS) and queue lengths similar to existing conditions which are not anticipated to exceed the existing auxiliary lanes. The Project proposes downstream improvements at the intersection of Camino Del Rio West/Rosecrans Street and Sports Arena Boulevard, per the Midway-Pacific Highway Community Plan Amendment (Final SEIR Appendix D3, Section 2.2) to provide network benefits upstream along Camino Del Rio West.

Thus, the Project is consistent with Caltrans' recommendations regarding transportation strategies to provide separated and protected bicycle facilities and pedestrian improvements, and the additional analysis recommended by Caltrans would not result in further improvements.

The third bullet point in this comment raises a concern regarding a Synchro analysis input for Camino Del Rio West and requests a queuing analysis. The Synchro link distance was measured from the Camino del Rio West & Moore Street intersection back to the painted gore point at the I-8 freeway mainline (approximately 4,000 feet). In reality, the ramp storage extends much longer to the point where the exit ramp trap lanes are differentiated from the mainline (over a mile long for both I-8 and I-5 exit ramps), so the link distance provided in the Synchro model is appropriately used to estimate the queue lengths. Please refer to the previous explanation as to why the specific type of queuing analysis requested was not performed.

The fourth bullet point in this comment raises a concern regarding a Synchro analysis input and requests a queuing analysis. The Synchro link distance was measured from the I-5 Southbound On-Ramp/Sea World Drive/I-5 Southbound Off-Ramp intersection to the painted gore at the freeway mainline (approximately 1,500 feet). In reality, the ramp storage length extends much longer to the point where the exit ramp trap lane is differentiated from the mainline (approximately 3,700 feet). The model is representative of the capacity available for the off ramp in lane miles although the two lanes are not present for the full length of the exit ramp. Please refer to the previous explanation as to why the specific type of queuing analysis requested was not performed. The fifth bullet point in this comment

requests the inclusion of the intersection of I-5 Northbound ramp/Sea World Drive in the analysis. The Project study area was defined per the guidelines, which require signalized intersections where a project will add 50 or more peak-hour trips to any turning movement at the intersection to be included in the study area. As described in Final SEIR Appendix D1, to estimate the number of inbound and outbound trips, the Project's trip generation was applied to the study intersections and roadway segments using the trip distribution patterns for their respective peaks. Based on the trip distribution analysis, the Project is not expected to add 50 or more primary AM or PM net new trips at the I-5 northbound ramps and Sea World Drive intersection. Therefore, this intersection was not included in the Project study area.

The sixth bullet point in this comment raises a concern regarding a Synchro analysis input and requests a queuing analysis. The Synchro link distance was measured from the West Mission Bay Drive/I-8 Westbound Off-ramp intersection to the point where the single exit ramp lane opens to two exit ramp lanes (approximately 2,700 feet). In reality, the ramp storage length extends much longer to the point where the exit ramp trap lane is differentiated from the mainline (approximately 4,200 feet). The model is representative of the capacity available for the off ramp in lane miles although the four lanes are not present for the full length of the exit ramp. Please refer to the previous explanation as to why the specific type of queuing analysis

Revise accordingly and there needs to be a queuing analysis per comment #1 above.

S1-2 cont.

- When there is queuing on southbound Camino Del Rio West that reaches the I-5 southbound exit and I-8 westbound exit, provide mitigation to clear out the queue. A potential solution is providing an extended synchronized and coordinated green time for the traffic signals between Hancock Street and Lytton Street. This could be triggered by placing loops at the freeway exits that are connected to the traffic signals to initiate the green time sequence.

S1-3

- Include in the proposed project pedestrian scale lighting and other features on the multi-use path to increase user comfort.

S1-4

- A feasibility study is recommended, including a cost estimate, to construct a Sports Arena to San Diego River Path Class 1 Bridge (over I-8) from San Diego River Trail (south) to Hancock Street to Kurtz Street.

S1-5

Hydrology and Drainage Studies

- Please provide hydraulics studies, drainage and grading plans to Caltrans for review.
- Provide a pre and post-development hydraulics and hydrology study. Show drainage configurations and patterns.
- Provide drainage plans and details. Include detention basin details of inlets/outlet.
- Provide a contour grading plan with legible callouts and minimal building data. Show drainage patterns.
- On all plans, show Caltrans' R/W.
- Early coordination with Caltrans is recommended.
- Caltrans generally does not allow development projects to impact hydraulics within the State's R/W. Any modifications to the existing Caltrans drainage and/or increase in runoff to State facilities will not be allowed.
- Call out Caltrans drainage facilities.

S1-6

Design

- The draft PEIR identified significant impacts to I-5/I-8 Main lanes and interchanges. We recommend partnering with SANDAG and Caltrans to determine appropriate mitigations that includes Multi-modal and Manage Lanes Improvements.
- Please confirm if the City of San Diego will consider revising the Study Area to go beyond the immediate surface streets. As mentioned, we see significant impacts to the state highway system due to the addition of housing and commercial establishments.
- We did not see mention of the SANDAG CMH-CMCP that overlaps with this project. Will there be coordination with that plan/project?

requested was not performed. The seventh bullet point discusses potential queuing on southbound Camino Del Rio West and its effect on the I-5 Southbound exit and I-8 Westbound exit and potential operational strategies to address this queue. Please refer to the previous explanation as to why the specific type of queuing analysis requested was not performed.

S1-3: The Project will install pedestrian scale lighting throughout the Project site; please refer to Appendix O of the Final SEIR, (Sheets 18-20) of the Vesting Tentative Map that identifies the locations of this lighting.

S1-4: The 2018 Community Plan includes recommendations for a Bay-to-Bay multi-use urban path (Class I facility) that crosses I-8 at two locations: along Mission Bay Drive (recently constructed by the City of San Diego [City]) and aligned with the future Kemper Street through the Project site.

The Project's multi-modal facilities proposed on Kemper Street, Frontier Drive, and Kurtz Street do not preclude future connectivity over I-8 via a multi-use path pursuant to the 2018 Community Plan. However, the Project does not include construction of a connection over or under I-8 as it was not identified as a transportation effect or required project improvement.

This comment does not raise an environmental issue related to the adequacy or accuracy of the Final SEIR, and no further response is required.

S1-5: This comment requests to review hydraulic studies, drainage plans, and grading plans associated with the Project. Please refer to Final SEIR Appendix I1, Preliminary Drainage Report, and Final SEIR Appendix O to review these documents.

This comment does not raise a significant environmental issue regarding the adequacy or accuracy of the information provided in the Final SEIR. Therefore, no further response is required.

S1-6: In response to Question 1, CEQA mandates the evaluation of environmental impacts of proposed projects. In 2013, Senate Bill 743 was signed into law with a goal of reducing greenhouse gas emissions, promoting the development of infill land use projects and multi-modal transportation networks, and promoting a diversity of land uses within developments. Per Senate Bill 743, automobile delay and congestion, commonly known as LOS, is no longer a metric for determining significant transportation impacts under CEQA. Instead, the primary metric has shifted from LOS to vehicle miles traveled (VMT).

The Final EIS for Naval Information Warfare Systems Command was developed using the previous metric of LOS

as the primary metric for identifying transportation impacts, while the Final SEIR for the Midway Rising Project was developed using VMT. Therefore, no significant impacts were identified for the I-5/I-8 main lines and interchange, and no mitigation is required.

While LOS is no longer the primary metric under CEQA for determining transportation impacts, it remains relevant for understanding traffic flow and operations for the City. LOS and queues are summarized in Final SEIR Appendix D1, LMA. The LMA was developed in coordination with the City, San Diego Association of Governments (SANDAG), and San Diego Metropolitan Transit System (MTS) and provides a comprehensive set of improvements for all users of the roadway to create a network for vehicle access and distribution of traffic, provide safe and comfortable multi-modal infrastructure, enhance first/last-mile access to transit, and promote connectivity with the neighboring communities. The mixed-use nature of the Project site supports the reduced need for vehicle trips to access local destinations. The robust set of multi-modal improvements and amenities (summarized in Final SEIR Section 13.1) would encourage the use of alternative modes that are more accessible and competitive options, especially with the Project's proximity to the Old Town Transit Center. The roadway and intersection improvements would increase traffic flow and distribute vehicles more evenly to the surrounding roadway network.

In response to the second bullet point, the Project does not intend to expand the study area. Refer to Response to Comment S1-2 from information on how the study area was defined.

The LMA relies on traffic counts taken throughout the study area described in Section 3.2, Traffic Volumes. These counts are presumed to accurately represent the existing traffic conditions within the study area. The Project trip distribution, described in Section 4.3, Trip Distribution, was determined using the Streetlight Insight tool, which provides origin-destination analysis regarding "top routes" that drivers typically use when moving between analysis zones.

In response to the third bullet point, the LMA (Appendix D1) was developed in coordination with the City, SANDAG, and San Diego MTS. The LMA includes mention of the SANDAG Central Mobility Hub Comprehensive Multimodal Corridor Plan, which identifies a future MTS Rapid Route planned with service along the Project's Sports Arena Boulevard frontage. This planned MTS Rapid Route was accounted for in the development of the Project site plan. As mentioned in Appendix D1, the Project would enhance the existing local bus station to a rapid station, and Business Access and Transit (BAT) lanes would be implemented on Sports Arena Boulevard to increase reliability and performance for transit services.

System Planning

S1-7

S1-8

S1-9

S1-10

S1-11

S1-12

S1-13

S1-14

1. Midway Rising Draft Subsequent EIR
    a. Regarding various mitigation measures related to transit such as TRANS 5.2-1: Commercial Shuttle and MM TRANS 5.2-2: Employee Transit Subsidy, Caltrans System Planning Branch is interested in the development of these elements, and we encourage collaboration with the Caltrans Transit Coordinator. Related to MM TRANS 5.2-2: Employee Transit Subsidy, we recommend conducting a feasibility study to analyze the number of employees that will purchase the pass and if the Vehicle Miles Travelled (VMT) mitigation method will be successful.
    b. Section 2.4.7 2022 City of San Diego Climate Action Plan; to further comply with its implementation plan, Strategy 3: Mobility and Land Use, we recommend developing a Safe Routes to Schools safety plan for nearby schools. This also conforms with the California Air Resources Board (CARB) 2022 Scoping Plan for Achieving Carbon Neutrality to reduce VMT impact, ensure equitable access, and increase active transportation choices.
    c. Section 2.4.8 2021 San Diego Forward: The Regional Plan; we recommend that the Draft Proposed 2025 Regional Plan Transportation Network be reviewed for relevance.
    d. Section 3.3.3.2 Frontage and Off-Site Improvement: Sports Arena Boulevard; changing roadway classification for Sports Arena Boulevard from six-lane prime to four-lane prime with bus-only lanes may cause traffic increases on Camino del Rio West impacting the nearby state routes of I-5 and I-8 off and on ramps. Please coordinate with the Caltrans Transit Coordinator and System Planning Branch to discuss bus-only lanes and their potential connection to the state highway system (SHS).
    e. Section 3.3.3.2 Frontage and Off-Site Improvement: Kurtz Street; a single-lane roundabout proposed for the three-way intersection of Kurtz Street and Hancock Street may impact Caltrans' R/W, please coordinate with Caltrans.
    f. Section 3.3.3.5 Transit and Event Shuttles, please include projected shuttle service frequency and expected shuttle size and passenger amount. We encourage implementing a zero emissions vehicle (ZEV) shuttle.
    g. Table 3-3, we suggest including an additional column on the table for the total sum of phases 1 and 2.
    h. Update the map legend on Figure 3-3 to include what the different shades of green represent.
    i. State Route 209 shield is noted on several maps; however, it is no longer active within the Caltrans' State Highway System. Please remove it from all figures where it appears.
    j. Figure 3-20 Transit Diagram Bus Stops, we recommend using a different icon color to represent proposed new local bus stop to avoid confusion with the existing local bus stop.
    k. Section 5.2.2.3 Regional
        i. We recommend including mention of the SANDAG Draft Proposed 2025 Regional Plan Transportation Network. The draft environmental impact report is expected to be released in summer 2025.

S1-7: As discussed in Final SEIR Section 5.2, Transportation and Circulation, the transit subsidy would be offered to all employees at 50 percent of the current monthly pass rate. Parking would not be provided on the site for employees, so employees would be required to pay to park on site or use alternative forms of transportation, including walking, biking, or using transit. Since it is anticipated that many employees may not live within walking or biking distance, transit use would be encouraged and monetarily incentivized for the employees.

In light of the comments submitted for the Final SEIR, Mitigation Measure Trans 5.2-2 has been revised so that the Project Applicant will offer the employee transit subsidy for the life of the entertainment center.

The net increase in average daily VMT for the entertainment center is 2,299, which will be fully mitigated with implementation of the employee transit subsidy as explained in Final SEIR Section 5.2.7.2. The VMT analysis estimated that approximately 50 percent of the employees would use the subsidy. Therefore, with the revised plan to provide Mitigation Measure TRANS 5.2.2 for the operational life of the entertainment center, the entertainment center's transportation VMT impact would be mitigated to a level of less than significance.

S1-8: This comment requests that the Project develops a Safe Routes to Schools plan for nearby schools. As discussed in

Response to Comment S-14, the Project will construct multi-modal facilities internal to the site and along its frontage to promote alternative modes of transportation for pedestrians and bicycle users to local destinations including schools. Safe Routes to Schools plans are typically developed by local school districts and/or municipalities and not private development.

This comment does not raise an environmental issue related to the adequacy or accuracy of the Final SEIR, and no further response is required.

S1-9: The 2021 San Diego Forward: The Regional Plan and the Draft 2025 Regional Plan Transportation Plan were reviewed for relevance as part of preparation of the Project's transportation studies.

S1-10: Table ES-5 of Final SEIR Appendix D1 summarizes the capacity and demand for the various segments of Sports Arena Boulevard under each analysis scenario. The Project proposes BAT lanes on Sports Arena Boulevard Segment IDs 5 (Kemper Street to Frontier Drive), 6 (Frontier Drive to East Drive), and 7 (East Drive to Camino Del Rio West) to provide a more reliable option for residents and visitors to access Old Town Transit Center and the rest of the regional transportation network. Currently, Sports Arena Boulevard currently operates at LOS A or B on these segments. With the addition of Project traffic and the proposed BAT lanes,

the segments are anticipated to operate at LOS D or better, which is an acceptable level of traffic operations.

The Camino Del Rio West/Rosecrans Street/Sports Arena Boulevard intersection would only include BAT lanes on the eastbound and westbound approaches, not the southbound approach of Camino Del Rio West. Instead, the Camino del Rio West approach to this intersection would match the lane geometry proposed as part of the 2018 Community Plan (Figure 3-15). The BAT lanes would help reduce travel times for transit users while maintaining local vehicle access via turning movements into the Project site.

S1-11: The preliminary design of the proposed roundabout at Kurtz Street /Hancock Street anticipates that it would be located within City ROW. However, the Applicant will coordinate with the California Department of Transportation (Caltrans) ROW division regarding all components of its design due to its adjacency to I-8.

S1-12: The parking shuttles may vary in type and are anticipated to operate at a high frequency (5 minutes) with capacity for up to 40 passengers. Zero-emissions vehicles shuttles would be considered when determining the appropriate vehicle type and size to service the need.

S1-13: This comment suggests editorial revisions to Final SEIR Table 3-3, Figure 3-3, and Figure 3-20. Editorial revisions are not required and do not raise a significant environmental issue regarding the adequacy or accuracy of

S1-14 cont.

ii. The SANDAG Board adopted the 2025 Regional Transportation Improvement Plan in 2024. It incrementally implements the SANDAG 2021 Regional Plan.
iii. The City of San Diego began an update in 2024 to its 2013 City of San Diego Bicycle Master Plan
iv. Please consider including a review of the City of San Diego 2025 Mobility Master Plan.

l. Chapter 6, Cumulative Impacts

S1-15

i. 6.3.2.1 Summary of Midway-Pacific Highway Community Plan Update (CPU) PEIR Impact Analysis; we recommend reviewing the California Action Plan for Transportation Impact (CAPTI) and CAPTI 2.0 to find strategies that will help reduce significance on environment impact mitigation measures TRANS 5.2.-17 through TRANS 5.2-24. Examples of those strategies are VMT mitigation banks and exchanges to align infill housing development with state climate policies.

2. Comprehensive Multimodal Corridor Plans (CMCPs)

S1-16

a. The Central Mobility Hub and Connections CMCP includes a general discussion of the redevelopment of the existing Sports Arena facility and related transportation improvements in the main document. Please review Appendix D, Transportation Solution Strategies, for a listing of various proposed strategies relevant to this project.
b. The I-8 Kumeyaay Corridor CMCP includes the Sports Arena and Midway area within its study area. Please review Appendix E, Transportation Solutions, Cost Estimates, and Phasing Results, for a listing of various proposed strategies relevant to this project.

3. Several planning documents frequently utilized by the Caltrans System Planning Branch discuss the importance of transportation and connectivity, land use planning, and safety. These documents may provide further background on state and regional planning in relation to the Midway Rising project. Below are several examples that may be utilized.

S1-17

a. SANDAG 2021 Regional Plan
i. Please see Appendix A. Transportation Projects, Programs, and Phasing, for relevant projects.
- Midway-Pacific Highway
  - Urban Core Mobility Hub
  - Commuter Rail 581 (2050)
  - Commuter Rail 581B (2050)
  - Commuter Rail 583 (2050)
  - Rapid 10 (2025)
  - Rapid 28 (2035)
  - Rapid 640 (2035)
  - Pacific Coast Highway/Central Mobility Bikeway (2035)
- Central Mobility Hub
  - TL23: Rapid 28 (Point Loma to Kearny Mesa via Central Mobility Hub, Linda Vista)
- Interstate 8

the information provided in the Final SEIR. Therefore, no further response is required.

S1-14: The requested additions to the regulatory framework provided in this comment were either approved after the issuance of the Notice of Preparation for the Project (December 2023) or are currently still in draft form and, therefore, not relevant to the following analysis. As discussed in Final SEIR Section 5.1, Land Use, the Project would be consistent with the 2008 General Plan.

S1-15: Consistent with CEQA Guidelines Section 15130(d), this section summarizes and incorporates by reference portions of the cumulative effects analysis in the Midway-Pacific Highway CPU PEIR that adequately address each resource issue area. Mitigation Measures TRANS 5.2.-17 through TRANS 5.2-24 were not required for the Project. Please refer to Thematic Response – Cumulative Projects.

S1-16: The Central Mobility Hub and Connections Comprehensive Multimodal Corridor Plan (CMCP) and the I-8 Kumeyaay Corridor CMCP were reviewed and considered as part of the Project's transportation studies. The Project's LMA (Appendix D1 to the Final SEIR) includes strategies described in the CMCP document including micro-transit (parking and retail shuttles), ride hailing services such as areas for Lyft and Uber, short-term bicycle parking spaces and lockers, bike repair stations, protected bicycle intersections, e-bike chargers, dynamic/flexible parking,

- TL19: Rapid 10 Phase 1 (La Mesa to Ocean Beach via Mid-City, Hillcrest, Old Town- light version of Rapid)
- TL20: Rapid 10 Phase 2 (La Mesa to Ocean Beach via Mid-City, Hillcrest, Central Mobility Hub- full version of Rapid)

b. SANDAG Draft Proposed 2025 Regional Plan Transportation Network
   i. Please see the section on Central & East County Transportation Projects for relevant projects.
      - Rapid 210: La Mesa to Ocean Beach
      - Rapid 229: Downtown to Pacific Beach
      - NEV Service Area: Ocean Beach
      - On-Street Bikeway (2036-2050)
      - Please note, extension of Rapid Bus Route 10 is not listed in the draft 2025 Regional Plan

S1-17 cont.

c. California Transportation Plan (CTP) 2050
   i. Consider looking ahead to potential future travel modes changes such as connected and autonomous vehicles (CAVs). CTP 2050 states automated vehicles, such as automated taxi fleets, could travel 20-95% of U.S. roads by 2030. CAVs could offer congestion relief, less demand for parking, and improve safety and network performance benefits.
   ii. The CTP 2050 discusses improving and expanding airport access. The San Diego International Airport (SDIA) is located 1.8 miles from project site and the North Island Air Station Airport is located 2.8 miles from project site. Please consider encouraging mobility and transportation options near project area to enhance airport access opportunities.

d. Smart Mobility Framework 2010
   i. Consider reviewing parking fee opportunities in project parking areas to decrease single occupant vehicle travel.

4. Other Proposed Improvements
   a. On I-5 at post miles 0.30 to 36.0, Bridge preservation in San Diego County at various locations from Vesta Street undercrossing to Old Town viaduct. The nearest post mile (PM) to the project area is PM 19.7.

S1-18

Complete Streets and Mobility Network

Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network.

S1-19

To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs.

electric vehicle (EV) spaces, dedicated transit lanes, transit improvements, and separate space for persons who bicycle and walk as described in the CMCP's.

S1-17: The Project used planning documents relevant to the Project study area. Strategies for transportation demand management and multi-modal improvements relied on City and regional planning efforts prepared by the City and SANDAG including the adopted documents identified in this comment. This comment does not raise an environmental issue related to the adequacy or accuracy of the Final SEIR, and no further response is required.

S1-18: This comment does not raise an environmental issue related to the adequacy or accuracy of the Final SEIR, and no further response is required.

S1-19: As discussed in Final SEIR Chapter 3.0, Project Description, the Midway Rising Specific Plan identifies a multi-modal transportation network that would include new public streets, modified public streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways. In addition, as discussed in Final SEIR Chapter 3.0, a Construction Management Plan and Traffic Control Plans would be required and implemented during construction by the Project applicant in accordance with City of San Diego standards (San Diego Municipal Code Section 129.0701 et seq.) and the Caltrans California Manual of Uniform Traffic Control Devices (2014

Caltrans looks forward to working with the City to evaluate potential Complete Streets projects.

Bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

S1-19 cont.

Land Use and Smart Growth

Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

The City should continue to coordinate with Caltrans to implement necessary improvements at intersections and interchanges where the agencies have joint jurisdiction.

Noise

S1-20

The applicant must be informed that in accordance with 23 Code of Federal Regulations (CFR) 772, Caltrans is not responsible for existing or future traffic noise impacts associated with the existing configuration of I-8.

Environmental

Caltrans has discretionary authority over any portion of the project that is or will be within Caltrans' R/W. Thus, Caltrans is a Responsible Agency under the California Environmental Quality Act (CEQA). An encroachment permit will be required for any work within the Caltrans' R/W prior to construction. This includes work related to traffic mitigation that is located within Caltrans' R/W. The encroachment permit application should include an Environmental Document that identifies scope of work, potential impacts, and, if needed, mitigation measures within Caltrans' R/W. Supporting technical studies may also be requested.

S1-21

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to fencing, lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's Final Environmental Document.

Revision 8 Edition) as a standard condition of approval. These traffic management controls would include measures determined based on site-specific conditions. These measures would ensure that ingress and egress from the Project site would not interfere with emergency access to areas surrounding the Project site.

This comment does not raise a significant environmental issue regarding the adequacy or accuracy of the information provided in the Final SEIR. Therefore, no further response is required.

S1-20: This comment provides general information and does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

S1-21: This comment provides a summary of Caltrans' role pursuant to CEQA and the Project's potential impacts to Caltrans' ROW.

Furthermore, this comment provides information on Caltrans' role should future projects affect Caltrans' ROW and its role as a CEQA responsible agency. The Project Applicant acknowledges Caltrans' role should coordination and /or an encroachment permit be required during construction.

Right-of-Way

Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.

Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Additional information regarding encroachment permits may be obtained by visiting the website at https://dot.ca.gov/programs/traffic-operations/ep. Projects with the following:

- require a Caltrans Encroachment Permit
- have completed the Caltrans Local Development Review (LDR) process
- have an approved environmental document

need to have documents submitted for Quality Management Assessment Process (QMAP) process via email to D11.QMAP.Permits@dot.ca.gov. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Mark McCumsey, LDR Coordinator, at [redacted]

Sincerely,

Kimberly D. Dodson

KIMBERLY D. DODSON, GISP
Branch Chief
Local Development Review

"Improving lives and communities through transportation"

S1-21 cont.

This comment does not raise a significant environmental issue regarding the adequacy or accuracy of the information provided in the Final SEIR. Therefore, no further response is required.

Comment Letter L1: County of San Diego Vector Control Program, April 1, 2025

L1

AMY HARBERT
DIRECTOR

HEATHER BUONOMO
DIRECTOR OF ENVIRONMENTAL HEALTH

DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY
Vector Control Program
5570 Overland Avenue Suite 102, San Diego, CA 92123
(858) 694-2888
www.sdvector.com

April 15, 2025

Anne B. Jarque
Development Services Center
City of San Diego
1222 First Avenue, MS 501
San Diego, CA 92101

Via e-mail: [redacted]

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MIDWAY RISING SPECIFIC PLAN

Dear Ms. Jarque:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the above referenced project. The County of San Diego Vector Control Program (VCP) is responsible for the protection of public health through the surveillance and control of mosquitoes that are vectors for human disease including West Nile virus (WNV). The VCP has completed their review and has the following comments regarding the proposed project.

L1-1

1. The VCP respectfully requests that the Draft Environmental Impact Report address potential impacts from possible mosquito breeding sources created by the project and that the project be designed and constructed in a manner to minimize those impacts. Specifically, ensure construction-related depressions created by grading activities, vehicle tires, and excavation do not result in depressions that will hold standing water. In addition, ensure drains, BMPs, and other structures do not create a potential mosquito breeding source. Any area that is capable of accumulating and holding at least ½ inch of water for more than 96 hours can support mosquito breeding and development. Finally, if habitat remediation is required for the project, the design should be consistent with guidelines for preventing mosquito habitat creation.

2. Please note, the VCP has the authority pursuant to state law and County Code to order the abatement of any mosquito breeding that does occur either during construction or after the project is completed that is determined to be a vector breeding public nuisance. The VCP will exert that authority as necessary to protect public health if the project is not designed and constructed to prevent such breeding.

3. For your information, the County of San Diego Guidelines for Determining Significance for Vectors can be accessed at

L1-1: As stated in Final Subsequent Environmental Impact Report (SEIR), Section 5.7, Hydrology and Water Quality the Midway Rising Project (Project) would comply with all applicable federal, state, and local regulations, which would include applicable regulations related to vector control. The City of San Diego (City) acknowledges the County of San Diego Department of Environmental Health and Quality Vector Control Program's authority to abate any mosquito breeding during and after Project construction if determined to be a public nuisance.

Final SEIR Section 5.7 addresses hydrology and water quality-related issues, which could create mosquito-breeding sources, and ensures that appropriate best management practices (BMPs) are in place to prevent potential issues. Specifically, to reduce runoff and standing water, a Project-specific Stormwater Pollution Prevention Plan would be prepared in accordance with the City's Stormwater Standards Manual and the City's Grading Ordinance. The plan would include BMPs not limited to solid waste management, spill prevention and control, concrete waste management, water conservation practices, paving and grinding operations, and the designation of material storage and stockpile areas. Runoff controls would include but not be limited to the use of silt fences, fiber rolls, gravel bag berms, sandbag barriers,

Ms. Jarque
April 11, 2025
City of San Diego

L1-1 cont.

http://www.sandiegocounty.gov/content/dam/sdc/pds/docs/vector_guidelines.pdf and the California Department of Public Health Best Management Practices for Mosquito Control in California is available at https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/MosquitoesandMosquitoBorneDiseases.aspx#

The VCP appreciates the opportunity to participate in the environmental review process for this project. If you have any questions regarding these comments, please contact Daniel Valdez at [redacted]

Sincerely,

DANIEL VALDEZ, Registered Environmental Health Specialist
Vector Control Program

"Environmental and public health through leadership, partnership and science"

storm drain inlet protection, stabilized construction entrances, frequent street sweeping, and/or protection of disturbed areas. In addition, as discussed in Final SEIR Section 5.13, Biological Resources, the Project would be required to implement construction BMPs to avoid and minimize potential direct, indirect, and cumulative water quality impacts to off-site downstream biological resources. Additionally, the Project does not include habitat remediation and would not intentionally create mosquito habitat.

Comment Letter L2: County of San Diego Department of Environmental Health and Quality Policy, Outreach and Data, April 29, 2025

L2

From: Raphael, Rita
To: DSD EAS
Cc: Preece, Sharon
Subject: [EXTERNAL] Review – SAP No. 24009733- The City of San Diego – Midway Rising Specific Plan - DUE 05-08-2025
Date: Tuesday, April 29, 2025 11:32:02 AM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
EJN-EIR Midway Rising.docx
NOA draft subsequent environmental impact.pdf

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

Hi,
I hope all is well.
Please find attached the comments from our department—DEHQ/HMD/Hazard Material Division; regarding the Midway Rising project (PRJ-1106734).
Let me know if you have any questions.

Respectfully ,

Rita Raphael, Office Support Specialist
Department of Environmental Health and Quality
Policy, Outreach and Data
SanDiegoCounty.gov | News Updates | Engage

L2-1

COMMENTS: IJN Review - NOP and Draft EIR - The City of San Diego - Midway Rising Specific Plan

Thank you for the opportunity to comment on the project referenced. The County of San Diego Hazardous Materials Division (HMD) is responsible for the protection of public health and the environment by ensuring hazardous materials, hazardous waste, medical waste, aboveground tanks, and underground storage tanks are properly managed. The HMD has completed its review and has the following comments regarding the project.

The proposed project description as stated in the Notice:

GENERAL PLAN and COMMUNITY PLAN AMENDMENT to the Midway-Pacific Community Plan to redesignate the site from Community Commercial-Residential Permitted (0-44 dwelling units/acre (du/ac)) to Community Village (0-72 du/ac), Adoption of a SPECIFIC PLAN, REZONE from CC-3-6 (Community-Commercial) to RMX-2 (Mixed-Use Residential), an ORDINANCE propose the Midway Rising Entertainment Center District overlay, a VESTING TENTATIVE MAP, various EASEMENT VACATIONS, and a SITE DEVELOPMENT PERMIT to adopt the Midway Rising Specific Plan that would establish goals, policies, development standards, and architectural guidelines for a transit-oriented development with a range of land uses. Buildout of the Midway Rising Specific Plan would allow for approximately 4,254 housing units, including up to 2,000 affordable units, public parks and open space, a multi-purpose Entertainment Center, and up to 130,000 square feet of commercial uses. The Project would also include infrastructure improvements on- and off-site, including extensions and/or upgrades of existing water, sewer, storm drain, drainage, roadways, bike paths, transit, mobility and pedestrian facilities. The Specific Plan would encompass the City owned Sports Arena site, which includes other commercial buildings, totaling 49.23-acres located at 3220, 3240, 3250, 3350, and 3500 Sports Arena Boulevard. The site is zoned CC-3-6 and designated for Community Commercial-Residential Permitted (0-44 du/ac) and the Midway-Pacific Highway Community Plan area. Additionally, the site is located in the following overlays: Airport Land Use Compatibility Overlay Zone (San Diego International Airport (SDIA) and NAS North Island); Airport Influence Areas Overlay Zone (SDIA – Review Areas 1 and 2; NAS North Island – Review Area 2); Airport FAA Part 77 Noticing Areas Overlay Zone (SDIA notification threshold at 70 feet through 100 feet AMSL and NAS North Island notification threshold at 181 feet through 206 feet AMSL); Airport Noise Contours (CNEL) Overlay Zone (SDIA 60-65 CNEL – partially within); Community of Concern: Low; Community Plan Implementation Overlay Zone: Type B, Complete Communities Mobility Zone 2; Complete Communities Housing Solutions FAR Tier 2.5 Coastal (2.5 FAR); Parking Standards Transit Priority Areas Overlay Zone; Transit

L2-1: As discussed in Chapter 3.0, Project Description, of the Final Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project), the Project would result in the demolition of 14 structures, including 3580 Sports Arena Boulevard, 3500 Sports Arena Boulevard, 3250 Sports Arene Boulevard, 3500 Sports Arena Boulevard, and 3500 Sports Arena Boulevard. The City of San Diego (City) acknowledges that the County of San Diego's Hazardous Materials Division (HMD) must conduct a visual inspection to close the existing Unified Program Facility Permits for those facilities.

This comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

Priority Area Overlay Zone; Sustainability Development Area; and partially within the Transit Area Overlay Zone.

COMMENTS:

1) The draft Environmental Impact Review (EIR) describes the redevelopment of the Midway District. The Specific Plan would encompass the city-owned Sports Arena site, which includes other commercial buildings, totaling 49.23-acres located at 3220, 3240, 3250, 3350, and 3500 Sports Arena Boulevard.

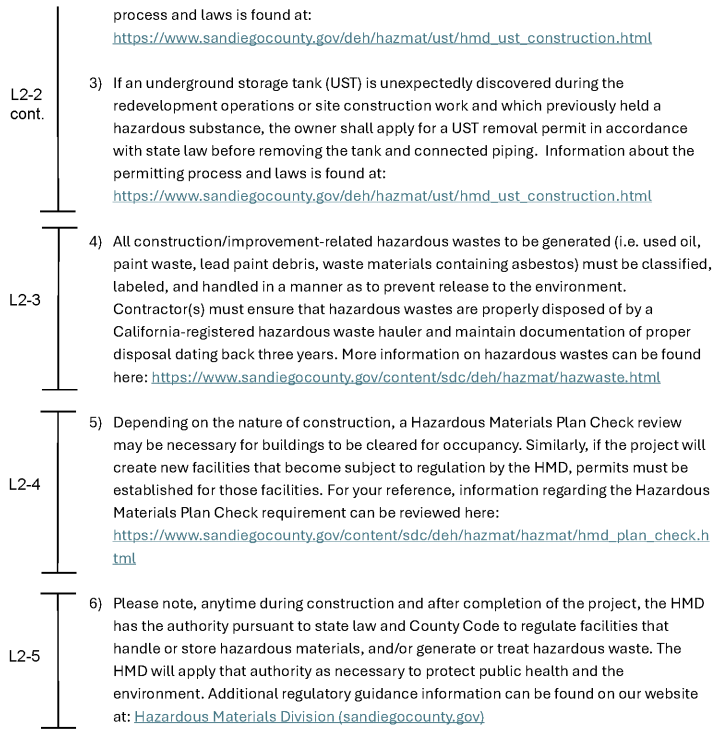
   The County of San Diego's Hazardous Materials Division (HMD) regulates facilities that handle or store hazardous materials in hazardous materials business plan (HMBP) reportable amounts, are part of the California Accidental Release Prevention Program (CalARP), generate or treat hazardous waste in any amount, generate or treat medical waste in any amount, are subject to the Aboveground Petroleum Storage Act (APSA), or own or operate Underground Storage Tanks (UST). L2-1 cont.

   HMD has identified the following facilities at the project location that have a permit for one or more CUPA programs:
   a) Summit Gasoline of San Diego | DEH2003-HUPFP-201381
      i) 3580 Sports Arena Blvd, San Diego, CA 92110
   b) Verizon Wireless: Sports Arena | DEH2003-HUPFP-201737
      i) 3500 Sports Arena Blvd, San Diego, CA 92110
   c) BFS Group of California LLC – SDIECAHC | DEH2004-HUPFP-203017
      i) 3250 SPORTS ARENA BLVD, San Diego, CA 92110
   d) Pechanga Arena San Diego | DEH2009-HUPFP-211563
      i) 3500 SPORTS ARENA BLVD, San Diego, CA 92110
   e) AT&T Mobility - SPORTS ARENA (USID15198) | DEH2014-HUPFP-001012
      i) 3500 SPORTS ARENA BLVD, San Diego, CA 92110

   If regulated activities continue at these sites, a Unified Program Facility Permit must be maintained with HMD. If permitted activities cease, then HMD must conduct a visual inspection to determine if the permit may be closed.

2) If the USTs at Summit Gasoline of San Diego are to be closed or removed as part of this project, the owner shall apply for a UST removal permit in accordance with state law before removing the tank and connected piping. Information about the permitting L2-2

L2-2: As discussed in Final SEIR Section 5.6, Health and Safety, Project construction has the potential to encounter known or previously unknown underground storage tanks (USTs). In accordance with Mitigation Measure HS 5.6-3, Removal of Underground Storage Tanks, prior to the issuance of a grading permit for the area where a UST was encountered on the Project site, the Owner/Permittee shall provide a verification letter to the City Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements related to the removal of USTs have been met. This includes applying for a UST removal permit in accordance with state law before removal of USTs have been met. This includes applying for a UST removal permit in accordance with state law before removing a UST and connected piping. Therefore, this issue is adequately addressed in the Final SEIR, and no further response is required.



L2-3: Comment noted. As discussed in Final SEIR Section 5.6, Project construction would include the handling of hazardous materials, substances, and waste. Construction contractors would be required to comply with all applicable federal, state, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited to requirements imposed by the U.S. Environmental Protection Agency, California Department of Toxic Substances Control, and San Diego Regional Water Quality Control Board.

L2-4: Comment noted. A Hazardous Materials Plan check review may be necessary for buildings to be cleared for occupancy permits issued by the HMD and may be required for future facilities.

L2-5: As discussed in Final SEIR Section 5.6, the HMD's authority pursuant to state law and County Code is to regulate facilities that handle or store hazardous materials and/or generate or treat hazardous waste.

This comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

THE CITY OF SAN DIEGO

DATE OF NOTICE: March 24, 2025

NOTICE OF AVAILABILITY
DRAFT SUBSEQUENT
ENVIRONMENTAL IMPACT REPORT

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24009733

The City of San Diego (City), as the Lead Agency, has prepared a draft Environmental Impact Report (EIR) for the following proposed project and is inviting your comments regarding the adequacy of the document. The draft EIR and associated technical appendices have been placed on the City's California Environmental Quality Act (CEQA) website at http://www.sandiego.gov/ceqa/draft.

HOW TO SUBMIT COMMENTS: Comments on this draft EIR must be received by close of business on May 8, 2025 to be included in the final document considered by the decision-making body. When submitting comments, please reference the project name and number, Midway Rising / PRJ-1106734, in the subject line. The City requests that all comments be provided electronically via email at: DSDEAS@sandiego.gov. However, if a hard copy submittal is necessary, it may be submitted to: **Anne B. Jarque, City of San Diego Development Services Center, 1222 First Avenue, MS 501, San Diego, CA 92101.**

GENERAL PROJECT INFORMATION:

- Project Name: Midway Rising Specific Plan
- Project No.: PRJ-1106734
- SCH No.: 2023120451
- Community Plan Area: Midway-Pacific Highway
- Council District: 2

PROJECT DESCRIPTION: GENERAL PLAN and COMMUNITY PLAN AMENDMENT to the Midway-Pacific Community Plan to redesignate the site from Community Commercial-Residential Permitted (0-44 dwelling units/acre (du/ac)) to Mixed Community Village (0-72 du/ac), Adoption of a SPECIFIC PLAN, REZONE from CC-3-6 (Community-Commercial) to RMX-2 (Mixed-Use Residential), an ORDINANCE propose the Midway Rising Entertainment Center District overlay, a VESTING TENTATIVE MAP, various EASEMENT VACATIONS, and a SITE DEVELOPMENT PERMIT to adopt the Midway Rising Specific Plan that would establish goals, policies, development standards, and architectural guidelines for a transit-oriented development with a range of land uses. Buildout of the Midway Rising Specific Plan would allow for approximately 4,254 housing units, including up to 2,000

affordable units, public parks and open space, a multi-purpose Entertainment Center, and up to 130,000 square feet of commercial uses. The Project would also include infrastructure improvements on- and off-site, including extensions and/or upgrades of existing water, sewer, storm drain, drainage, roadways, bike paths, transit, mobility and pedestrian facilities. The Specific Plan would encompass the City-owned Sports Arena site, which includes other commercial buildings, totaling 49.23-acres located at 3220, 3240, 3250, 3350, and 3500 Sports Arena Boulevard. The site is zoned CC-3-6 and designated for Community Commercial-Residential Permitted (0-44 du/ac) and the Midway-Pacific Highway Community Plan area. Additionally, the site is located in the following overlays: Airport Land Use Compatibility Overlay Zone (San Diego International Airport (SDIA) and NAS North Island); Airport Influence Areas Overlay Zone (SDIA – Review Areas 1 and 2; NAS North Island – Review Area 2); Airport FAA Part 77 Noticing Areas Overlay Zone (SDIA notification threshold at 70 feet through 100 feet AMSL and NAS North Island notification threshold at 181 feet through 206 feet AMSL); Airport Noise Contours (CNEL) Overlay Zone (SDIA 60-65 CNEL – partially within); Community of Concern: Low; Community Plan Implementation Overlay Zone: Type B, Complete Communities Mobility Zone 2; Complete Communities Housing Solutions FAR Tier 2.5 Coastal (2.5 FAR); Parking Standards Transit Priority Areas Overlay Zone; Transit Priority Area Overlay Zone; Sustainability Development Area; and partially within the Transit Area Overlay Zone. **The site is included on a list compiled pursuant to California Government Code, Section 65962.5, for hazardous waste sites.** (Assessor Parcel Number: 441-590-04.)

APPLICANT: Midway Rising, LLC.

RECOMMENDED FINDING: The draft EIR determined the proposed project would result in significant environmental effects in the following areas: **Land Use, Transportation and Circulation, Historical and Tribal Cultural Resources, Noise, Health and Safety, and Air Quality.**

AVAILABILITY IN ALTERNATIVE FORMAT: To request this Notice, the draft EIR, and/or supporting documents in an alternative format, please email the Development Services Department at DSDEASNoticing@sandiego.gov. Your request should include the suggested recommended format that will assist with the review of documents.

Additional Information: For environmental review information, contact Anne B. Jarque at (619) 557-9753. For information regarding public meetings/hearings on this project, contact Development Project Manager Martha Blake, at (619) 446-5375. This Notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on March 24, 2025.

Raynard Abalos
Deputy Director
Development Services Department

Comment Letter L3: San Diego County Regional Airport Authority, May 8, 2025

L3

From: Tamura Lynda
To: DSD EAS
Cc: Anasis Ted; Knack Siohnna
Subject: [EXTERNAL] Midway Rising / PRJ-1106734 Comments
Date: Thursday, May 8, 2025 10:00:02 AM
Attachments: image001.png
Midway Rising SDCRAA Comment Ltr 2025-05-08.pdf

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

Dear Ms. Jarque:

The San Diego County Regional Airport Authority (SDCRAA) plans and operates San Diego International Airport. In addition, the SDCRAA serves as the Airport Land Use Commission for San Diego County. The SDCRAA appreciates the opportunity to provide the attached letter of comments on the Midway Rising Specific Plan Draft Subsequent EIR.

Please let me know if you have any questions.

Thank you,

Ted Anasis, AICP
Manager | Airport Planning
[redacted]
SAN.ORG

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

Submitted via email to [redacted]

May 8, 2025

Ms. Anne B. Jarque
Senior Planner
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101

RE: Midway Rising Specific Plan / PRJ-1106734
Notice of Availability of Draft Subsequent Environmental Impact Report

Dear Ms. Jarque:

The San Diego County Regional Airport Authority (SDCRAA) plans and operates San Diego International Airport. In addition, the SDCRAA serves as the Airport Land Use Commission for San Diego County. The SDCRAA appreciates the opportunity to provide the following comments on the project indicated above.

L3-1

SEIR Legal Authority, Section 1.2.2.3, San Diego County Regional Airport Authority:
Review by the Airport Land Use Commission. As acknowledged by the Draft EIR, the project must be submitted to the Airport Land Use Commission (ALUC) for a determination of consistency with the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP) because the project involves a general and community plan amendment and rezone, pursuant to California Public Utilities Code §21676(b). Any project land uses proposed within the 60-65 decibel Community Noise Equivalent Level (dB CNEL) noise contour that include residential or lodging sleeping rooms, assembly uses, adult or children's schools, or medical care facilities would be subject to the SDIA ALUCP interior sound level reduction to a 45 dB CNEL performance standard. All residential land uses would further be required to provide a means of overflight notification to each unit, and any new construction in the project site would be subject to notification and review by the Federal Aviation Administration (FAA) for both buildings and construction cranes to ensure that SDIA airspace protection is maintained, with obstruction marking and/or lighting required, as applicable and determined by the FAA.

L3-2

Transportation and Circulation, Section 5.2.1.4, Transit:
San Diego Flyer from Old Town Transit Center. Since 2021, the SDCRAA has operated a free electric shuttle bus called the San Diego Flyer between the Old Town Transit Center and San Diego International Airport available for all airport users. It would be beneficial

SAN DIEGO INTERNATIONAL AIRPORT LET'S GO.

Page 1 of 2

L3-1: As discussed in the Final Subsequent Environmental Impact Report (SEIR) Section 5.6, Health and Safety, for the Midway Rising Project (Project), the Project applicant is in the process of submitting an application for consistency review to the San Diego County Regional Airport Authority for compatibility with the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan in accordance with the San Diego Municipal Code. Future development is required to comply with any applicable Airport Land Use Compatibility Overlay Zone regulations outlined in San Diego Municipal Code Chapter 13, Article 2, Division 15, which includes but is not limited to regulations related to noise compatibility, airspace protection compatibility, aircraft overflight notification, and avigation easements. The construction of multi-family residential buildings would require the recording of an overflight notification agreement due to the Project site's location within the SDIA Overflight Boundary Area. As discussed in Final SEIR Section 5.6, before obtaining building permits, the Project applicant would be required to notify the Federal Aviation Administration (FAA) and obtain an FAA determination of no hazard to air navigation in accordance with the SDIA Airport Influence Area and the Naval Air Station North Island Airspace Protection Boundary. Therefore, this issue is adequately addressed in the Final SEIR, and no further response is required.

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

L3-2 cont.

to consider residents and visitors to the Midway Rising may use the San Diego Flyer to access San Diego International Airport.

L3-3

Noise, Section 5.5:
Airport Departure Curfew. This section states: "The Project site is subject to aircraft overflight from the SDIA, which prohibits most late-night takeoffs to limit noise impacts (City of San Diego 2018a)." Please note that San Diego International Airport has a departure curfew from 11:30 pm to 6:30 am, but aircraft arrivals are permitted at all hours.

Sincerely,

Ted Anasis, AICP
Manager, Airport Planning
San Diego County Regional Airport Authority
[redacted]

TNA/ljt

SAN DIEGO INTERNATIONAL AIRPORT LET'S GO.

Page 2 of 2

L3-2: Comment noted. This comment provides information about the existing San Diego Flyer free electric shuttle bus and its service between the Old Town Transit Center and SDIA. It does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

L3-3: Comment noted. This comment provides general information regarding SDIA operations and curfews. It does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

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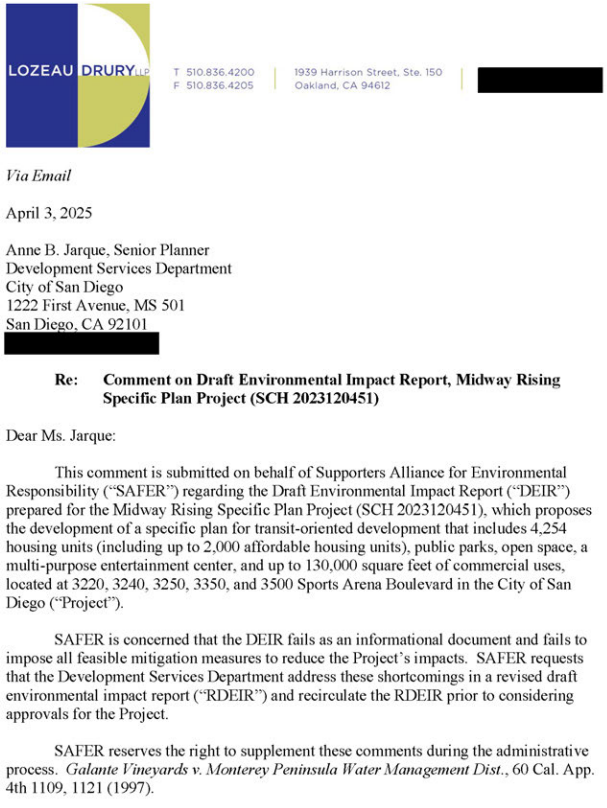
Comment Letter O1: Supporters Alliance for Environmental Responsibility (via Lozeau Drury LLP), April 3, 2025

O1



LOZEAU DRURY LLP

T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

[redacted]

Via Email

April 3, 2025

Anne B. Jarque, Senior Planner
Development Services Department
City of San Diego
1222 First Avenue, MS 501
San Diego, CA 92101
[redacted]

Re: Comment on Draft Environmental Impact Report, Midway Rising Specific Plan Project (SCH 2023120451)

Dear Ms. Jarque:

This comment is submitted on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Draft Environmental Impact Report ("DEIR") prepared for the Midway Rising Specific Plan Project (SCH 2023120451), which proposes the development of a specific plan for transit-oriented development that includes 4,254 housing units (including up to 2,000 affordable housing units), public parks, open space, a multi-purpose entertainment center, and up to 130,000 square feet of commercial uses, located at 3220, 3240, 3250, 3350, and 3500 Sports Arena Boulevard in the City of San Diego ("Project").

O1-1

SAFER is concerned that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. SAFER requests that the Development Services Department address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project.

SAFER reserves the right to supplement these comments during the administrative process. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

O1-1: Impacts associated with the implementation of the Midway Rising Project (Project) have been adequately analyzed in the Final Subsequent Environmental Impact Report (SEIR). This comment does not identify specific concerns with the information provided in the Final SEIR. Please refer to Final SEIR Sections 5.1, Land Use; 5.2, Transportation and Circulation; 5.3, Historical and Tribal Cultural Resources; 5.5, Noise; 5.6, Health and Safety; and 5.9, Air Quality, for a discussion of the Project's potential significant impacts and associated mitigation measures. Recirculation is not required where new information added to an EIR merely clarifies, amplifies, or makes insignificant modifications to an adequate environmental document (California Environmental Quality Act Guidelines Section 15088.5[b]). None of the revisions made to the Final SEIR necessitate recirculation.

Sincerely,

Brian B. Flynn
Lozeau Drury LLP

Comment Letter O2: RideSD (1), April 30, 2025

O2

From: Manny Rodriguez
To: DSD EAS
Cc: [redacted]
Subject: [EXTERNAL] Midway Rising EIR Comment Letter - RideSD | PRJ-1106734
Date: Wednesday, April 30, 2025 7:47:41 PM
Attachments: Midway Rising - PRJ-1106734 RideSD Comment Letter.pdf

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

Hello,

RideSD is a public education and advocacy organization representing transit riders across San Diego. In June 2024 we presented a dedicated bus-lane concept for Midway Rising to the Midway-Pacific Community Planning Group; the same lanes now appear in the Draft EIR and Community Plan Amendment.

We strongly support the project and urge that the bus lanes on Rosecrans Street and Sports Arena Boulevard be delivered in Phase 1, not Phase 2.

A brief letter detailing our support and request is attached for the record.

Thank you for your work on this transformative project that will serve to improve the neighborhood, public transit, and our dire housing shortage.

Regards,

Manny Rodriguez
Executive Director
www.RideSD.org

RIDESD

www.ridesd.org
contact@ridesd.org

April 30, 2025

City of San Diego
Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101.

RE: Midway Rising / PRJ-1106734 – Support for Project and Request to Move Bus Lanes to Phase 1

Dear Development Services Department,

RideSD is a public education and advocacy nonprofit that represents transit riders across San Diego. In June 2024 we delivered a detailed transit lane proposal to the Midway-Pacific Community Planning Group,[1] highlighting the feasibility and urgency of dedicated bus lanes linking Old Town Transit Center to the future Midway Rising site. We appreciate that the Midway Rising Draft EIR, Community Plan Amendment, Specific Plan, and Transportation Demand Management Plan embrace our proposed bus lanes on Rosecrans Street and Sports Arena Boulevard, and **we respectfully request the City and Council to approve the project and urge the bus lanes be implemented in Phase 1 (2030) rather than Phase 2 (2035)**.

O2-1

Given the scale of Midway Rising—over 4,200 homes, a 16,000-seat arena, over 130,000 square feet of commercial space, and nearly 15 acres of parks & public spaces—it will result in some of the largest traffic impacts the City has ever permitted. The Vehicle Miles Traveled report flags significant impacts that require mitigation. Bus lanes will be an effective mitigation measure for the following reasons:

1. **Faster and Reliable Transit Reduces Congestion**
   Faster, more reliable service is known to attract transit riders and reduce cars on the road. Arterial bus lanes have reduced bus travel times by up to 43% in New York City and 39% in San Francisco, and have provided reliability improvements of up to 27% in Los Angeles.[2] The bus lane treatments will attract riders to use the transit,[3] especially on arena event days in which the general purpose lanes will experience gridlock traffic.

2. **Old Town Transit Center Connectivity**
   Old Town Transit Center functions as a major mobility hub—served by the Coaster,

[1] Midway-Pacific Community Planning Group Agenda, June 2024.
https://www.sandiego.gov/sites/default/files/2024-06/mphcpg-meeting-agenda-2024.06.26.pdf
[2] Danaher, Alan R. *Bus and Rail Transit Preferential Treatments in Mixed Traffic: A Synthesis of Transit Practice*. Transit Cooperative Research Program Synthesis 83. Washington, DC: Transportation Research Board of the National Academies, 2010.
https://nacto.org/wp-content/uploads/1-5_Danaher-Bus-and-Rail-Transit-Preferential-Treatments-in-Mixed-Traffic-TCRP-Synthesis-83_2010-sm.pdf, 65.
[3] Federal Transit Administration. 2018. *The Case for Business Investment in Bus Rapid Transit*. U.S. Department of Transportation. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/CBRT.pdf, 4-18.

O2-1: This comment letter was re-sent on May 8, 2025, with a corrected footnote. Please refer to Response to Comment Letter O-10.

RIDESD
www.ridesd.org
contact@ridesd.org

Amtrak, three Trolley lines, and numerous regional and Rapid bus routes—so riders across San Diego County can reach it with a single fare. The convenience of one seamless transfer to Midway Rising and the visible appeal of "zooming" past stalled cars while on bus lanes will reinforce transit as the easiest, fastest, and most attractive way to reach the project, sparing surrounding streets from thousands of additional vehicle trips.

3. **Reduced Car Ownership and Economic Benefits**
   The average annual expense of owning and operating a new vehicle is more than $12,000,[4] a burden that falls heaviest on lower-income households. By delivering a seamless, congestion-free bus service from Midway Rising to the region's mobility hub at Old Town Transit Center, residents—particularly those occupying the affordable homes—will be empowered to forgo car ownership altogether. Households will make this decision to free up their income, and that choice will simultaneously lower VMT and emissions while channeling more spending into the local economy.

O2-1 cont.

The Midway Rising EIR correctly recognizes bus lanes as essential infrastructure to mitigate traffic impacts. We request the City work to **advance the bus lanes to Phase 1** in order to align the mitigation with the impact and to ensure the City's new arena-residential district opens with a credible, climate-forward mobility network rather than gridlock. RideSD stands ready to assist City staff in supporting these efforts.

Thank you for working on this transformative project; it will revitalize Midway and meaningfully address San Diego's dire housing shortage.

Sincerely,

MR

Manny Rodriguez
Executive Director
RideSD

CC:
Elyse Lowe, Director, Development Services Department
Chris Ackerman-Avila, Senior Policy Advisor, Office of Mayor Todd Gloria
Randy Wilde, Senior Policy Advisor, Office of Mayor Todd Gloria
Sharon Cooney, Chief Executive Officer, San Diego Metropolitan Transit System
Mario Orso, Chief Executive Officer, San Diego Association of Governments

[4] AAA. 2024. Breaking Down the Cost of Car Ownership. Accessed April 29, 2025. https://www.aaa.com/autorepair/articles/breaking-down-the-cost-of-car-ownership.

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Comment Letter O3: San Diego County Archaeological Society, Inc., April 30, 2025

O3

San Diego County Archaeological Society, Inc.

Environmental Review Committee

April 30, 2025

To: Ms. Anne B. Jarque
Development Services Department
City of San Diego
1222 First Avenue, Mail Station 501
San Diego, California 92101

Subject: Draft Subsequent Environmental Impact Report
Midway Rising Specific Plan
Project No. PRJ-1106734

Dear Ms. Jarque:

I have reviewed cultural resources aspects of the subject DSEIR on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the project documents posted of the City's website, we have the following comments:

We have no comments regarding the impact analysis and mitigation measures for the existing San Diego International Sports Arena.

O3-1

As to the treatment of archaeological resources, the Cultural Resources Technical Report is incomplete. The report indicates that aerial photographs from 1953 and later were inspected, leaving gap of 45 years, during which time the Frontier development took place. The authors failed to check the 1928-29 Tax Factor maps, which are publicly available at the County's Department of Public Works office in Kearny Mesa and at several other locations, including SCIC. Frame 59B4 and adjacent frames cover the project location.

In addition, a 1941 aerial photo covering the project area is publicly available from https://mil.library.ucsb.edu/ap_indexes/FrameFinder. As with the Tax Factor photos, this precedes the Frontier housing development and shows agricultural activity on some of the site.

An update to the Report is necessary to fill in that 45-year gap, including researching the land use and ownership during that period.

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

O3-1: The Cultural Resources Technical Report (CRTR) prepared for the Midway Rising Project (Project) adequately addresses the site history and does not leave a 45-year gap in research. Section 3.1, Survey Methods, of the CRTR, included as Appendix E1 to the Final Subsequent Environmental Impact Report (SEIR) for the Project, states that historical maps, including historical topographic maps from 1872 through 2021, from the South Coastal Information Center were reviewed. In addition, a historical road map for 1769 through 1885 and historical aerials for 1953 through 2020 were also reviewed. The maps are provided in the Confidential Cultural Appendix D, California Historical Resources Information System Background Data. In addition, CRTR Section 2.4.3, Historical Period (Post-AD 1542), and Section 4.2, Project Site and Off-Site Improvements Areas, describe the history and land use of the Project site beginning in 1899. Both the West Point Loma Dump or Pueblo Lands Dump (City Dump) and the Frontier Housing Project land uses are accurately described. Revisions to the CRTR are not required.

O3-2

Besides overlooking those photos, the report writes off any potential for encountering any significant historical material in the process of implementing the Midway Rising Project, not calling for archaeological monitoring as a mitigation measure. It says, on page 29, that the portion of the City Dump site in the project APE "is not a significant resource because it has been disturbed and is out of context." But since the site was only used as a dump from 1899 until 1908, any material recovered is known within an unusually narrow time frame and source, even if it has been "disturbed".

To that point, the next paragraph on page 29 dismisses the archaeological deposit as not significant under Criterion A because "CA-SDI-10530 was the City Dump for less than 10 years (1899-1908)." On the contrary, having been the dump for such a short time makes it *more* significant because anything recovered can only have been used and discarded in an unusually brief window of time. The City Dump provides a focused snapshot of the lives of the citizens of San Diego at the turn of the 20th Century.

Page 29 states that "The percentage of CA-SDI-10530 within the Project APE is minor and includes only 9 percent (5.2 acres) of the overall archaeological site." It is apparent that development outside the APE has already consumed a substantial portion of the rest of the site. The issue is not what portion of the original site area is in the APE but what portion of the likely remaining resource is in the APE. The unmonitored loss of that 5.2 acres would constitute an unmitigated cumulative impact to the site.

O3-3

As an editorial comment, for some reason the site number for the City Dump is given as CA-SDI-12530 in three places on page 29, rather than CA-SDI-10530. This should have been picked up when the report was proofread, and it should be corrected when the report is revised to address the overlooked aerial photos, etc.

O3-4

Adding the necessary archaeological monitoring program should utilize the City's standard mitigation measures. While it is obvious that any archaeological material would have been destroyed in and immediately adjacent to the existing Sports Arena, it is not at all clear why that would be the case in the parking lots. The monitoring program could possibly be restricted to those areas and/or guided by the results of the geotechnical testing—which should also be monitored by the project archaeologist.

And, of course, the mitigation measures in the DSEIR will need to be revised to reflect the revisions made in the Cultural Resources Technical Report.

Thank you for the opportunity to offer our comments on the environmental documents for this important project.

Sincerely,

James W. Royle, Jr., Chairperson
Environmental Review Committee

P.O. Box 81106 • San Diego, CA 92138-1106 • (858) 538-0935

O3-2: The City Dump has been impacted by existing development. As identified in CRTR Section 4.2, geotechnical investigations, historical topographic maps, and historical aerials were evaluated, and it was determined that the portion of the City Dump within the Project area of potential effects (APE) has been impacted by the removal of native soils and the replacement of fill soils that range in depth from 7 to 13 feet. As such, the on-site portion of the City Dump is out of context and does not contain an in-situ deposit. The significance of an archaeological site includes not only meeting one of the four California Environmental Quality Act (CEQA) criteria (CEQA Guidelines, Appendix G) and the City's CEQA Significance Determination Thresholds for Historical Resources, but the resource must also demonstrate that it retains integrity. For the portion of the City Dump within the Project APE, integrity is not retained due to the lack of an in-situ deposit. The lack of significance determination was not based on the time that the City Dump was in operation or the percentage of the resource within the Project APE; it was based on the lack of events that have made a significant contribution to the broad patterns of California's history and cultural heritage and lack of integrity. What is known about this portion of the site does not provide evidence that the resource is significant under the CEQA criteria. Therefore, this resource was adequately evaluated in the CRTR and Final SEIR Section 5.3, Historical

cc: Harris & Associates
SDCAS President
File

P.O. Box 81106 • San Diego, CA 92138-1106 • (858) 538-0935

and Tribal and Cultural Resources. No significant impacts were identified, and no mitigation is required.

O3-3: The CRTR has been revised where the site number was mistakenly written as CA-SDI-12530 instead of CA-SDI-10530.

O3-4: Please refer to Response to Comment O3-2. Based on the disturbed nature of the resource and the lack of significance, a monitoring program is not required.

San Diego County
Archaeological Society
P.O. Box 81106
San Diego, CA 92138-1106

SAN DIEGO CA 920
1 MAY 2025 PM 3 L

Ms. Anne B. Jarque
Development Services Department
City of San Diego
1222 First Ave., Mail Station 501
San Diego, CA 92101

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DEVELOPMENT SERVICES

92101-415299

Comment Letter O4: Sierra Club, San Diego Chapter, May 6, 2025

O4

From: Peter Andersen
To: Jarque, Anne
Cc: Joe LaCava; Lisa Ross; Charles Rilli; Ron Askeland; Nicole Capretz; Serena Pelka
Subject: [EXTERNAL] Sierra Club Letter on Midway Rising
Date: Tuesday, May 6, 2025 3:53:44 PM
Attachments: Sierra Club Midway Rising Final.docx

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

Dear Ms Jarque,

Please find attached a letter from Sierra Club San Diego in response to the EIR for the Midway Rising Project.

Sincerely

Dr. Peter Andersen
Vice Chair, Conservation Committee
Sierra Club San Diego

SIERRA CLUB
SAN DIEGO CHAPTER

Sierra Club San Diego Chapter

4241 Jutland Dr., Ste 303, San Diego CA 92117

May 6, 2025
Sent Via Email

Anne B. Jarque
[redacted]

Dear MS Jarque:

O4-1 Sierra Club San Diego is generally supportive of the Midway Rising project because it provides much needed housing relief in an infill area. That said, Sierra Club is concerned about many aspects of this project and urges the developers and the city to make needed improvements to improve the project in terms of mitigating Vehicle Miles Travelled (VMT), mitigating the substantial increase in Greenhouse Gas (GHG) as a result of the project, by reconsidering the height of the project, by improving transportation that will be impacted by the project, by planting more native trees, by better ameliorating the effects of stormwater, and by more carefully analyzing the cumulative impacts of other project along with Midway Rising.

VMT

O4-2 Sierra Club applauds the location of the project in a low VMT area in the center of the city near jobs and recreation. Midway Rising will have comparatively low residential VMT (below 15%) so no mitigation is required for this type of VMT for the residential aspect of the project.

O4-1: This is an introductory comment summarizing the issues addressed in the comment letter. Please refer to Responses to Comments O4-2 through 04-8.

O4-2: Refer to Response to Comment S1-7 regarding implementation of the transportation mitigation measures. Both Mitigation Measures TRANS 5.2-1 and 5.2-2 have been revised to occur for the life of the commercial land uses and for the life of the entertainment center, respectively. As discussed in Section 5.2, Transportation and Circulation, of the Final Subsequent Environmental Impact Report (SEIR) prepared for the Midway Rising Project (Project), the Project would cause a net increase in vehicles miles traveled (VMT) for entertainment and commercial land uses.

As described in the Vehicle Miles Traveled Memorandum (Final SEIR Appendix D2), the entire Project was coded into the San Diego Association of Governments (SANDAG) ABM2+ Series 14.3.0 model for the "Plus Project" scenarios: residential component measured by household units, retail/commercial component measure by retail/restaurant employees, and the entertainment component measured by entertainment center/amusement employees.

Mitigation Measure TRANS 5.2-2 would provide an employee transit subsidy to offset the net VMT increase. As shown in Final SEIR Table 5.2-8, Project Vehicle Miles Traveled Mitigation – Entertainment Land Use, if 50

O4-2 cont.

However, the EIR found that "both the commercial and entertainment aspects of the project would result in; "Significant Impact Mitigated to the extent feasible." Sierra Club is troubles by the vagueness of the phrase, "mitigated to the extent feasible. How will such feasibility be determined and who will determine it? A revised EIR should contain clear, quantifiable VMT measures for the commercial and the entertainments aspects of the project as well as quantifiable measures to mitigate those types of VMT.

The EIR also claimed that: "The analysis resulted in a significant transportation VMT impact for the commercial land use. As a result, the project will implement a retail shuttle for visitors to run between a stop on Frontier Drive within the project site and the Old Town Transit Center to encourage use of transit for accessing the site. More details regarding the implementation timeline and shuttle headways are provided in Section 7.1 of this report. The retail shuttle is expected to mitigate the VMT impact for the commercial land use to the extent feasible." Again, this analysis is vague and unquantified. How is this expected to mitigate the VMT for commercial aspects of the project and where are the quantifiable measures rather than the ambiguous phases "to the extent possible."

In the EIR it was stated: "The analysis resulted in a significant transportation VMT impact for the entertainment land use. As a result, the project will extend transit subsidy passes to entertainment land use employees to help offset the net increase in trips. More details regarding the implementation timeline and details of the subsidy are provided in Section 7.2 of this report. The transit subsidy is anticipated to mitigate the VMT impact for the entertainment land use to the extent feasible." While the provision of a transit subsidy pass for employees is a creative measure that is supported by the Sierra Club. There are two sources of shortfall for the VMT for entertainment use. First, this measure only attempts to mitigate VMT for employees, not guests. It leave unclear how the VMT will be mitigated for the 16,000 to 20,000 guests that will attend over 100 events per year. Second, there is no estimate of the amount of VMT that will be reduced by providing free or discounted transit passes for employees.

percent of employees use the transit subsidy, an estimated reduction of 6,124 daily VMT is expected to occur. The methodology and calculations are provided in Final SEIR Appendix D2, Vehicle Miles Traveled Memorandum.

Additionally, as discussed in Final SEIR Section 5.2, Mitigation Measure TRANS 5.2-1 would implement a daily commercial shuttle between Frontier Drive and the Old Town Transit Center starting with Opening Year Phase 1, which is anticipated to occur in 2030. The shuttle would operate between 12:00 p.m. and 10:00 p.m. using one vehicle at 20- or 30-minute headways. This shuttle, in combination with the 10-minute combined bus headways for the existing local bus routes, would incentivize visitors to use transit to access the Project site. The mitigation measure has been revised to state that the Project would implement the commercial shuttle for the life of the commercial land uses. As discussed in Final SEIR Section 5.2, the VMT impact for the entertainment land use would be reduced to a less than significant level with Implementation of Mitigation Measure TRANS 5.2-2.

O4-2 cont. Given that both commercial VMT and entertainment VMT is significant and not fully mitigated, we request mitigation payment be made to the Greenhouse Gas (GHG) fund that is more fully discussed in the next section.

GHG

The developers of the project are aware of the GHG that the project will generate and is taking some good steps to reduce GHG. The EIR states: "As detailed in Specific Plan Appendix A, Climate Action Plan Consistency, Project energy demand would be met through on-site renewable energy generation (solar) and provision of renewable energy through participation in San Diego Community Power. San Diego Community Power is a Community Choice Aggregate program that serves the Project site. San Diego Community Power partners with San Diego Gas & Electric to deliver purchased electricity from renewable energy sources. As such, the Project would be consistent with this 2022 CAP strategy." Sierra Club is thankful that the project will employ on-site solar and obtain renewable energy from San Diego Community Power. Likewise, the EIR states: ""the Project would include 353 EV charging stations, 1,700 EV capable spaces, and 1,138 EV-ready spaces." The Sierra Club applauds these measures.

O4-3 Despite these good provisions in the EIR, substantial improvements need to be made to fully mitigate the GHG generated by this project.

First, there was no apparent provision in the EIR to subscribe to Power 100 through San Diego Community Power, like Petco Park and the San Diego Padres. A revised EIR should subscribe to Power 100 and obtain 100% renewable energy to reduce GHG.

Second, the EIR states the for, "Climate Action Plan Consistency, buildings would be all-electric except for emergency generators and commercial kitchen equipment at eating and drinking establishments." We commend the project for being nearly all electric. However, kitchens in the eating and drinking establishments should be all electric as well. The Sierra Club strongly recommends that no natural gas connections be used for eating and drinking establishments or anywhere else on the project. Natural gas is a potent greenhouse gas when it is burned and when it leaks. It is also a carcinogen, an air pollutant, and a cause of fire ignitions. We propose that plans be revised to eliminate natural gas entirely Midway Rising. We applaud the project for being

O4-3: The significance of the Project's greenhouse gas (GHG) emissions was determined based on the City of San Diego (City) 2022 Climate Action Plan (2022 CAP) consistency, as outlined in the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds and the CAP Consistency Regulations. The commenter does not identify any inaccuracies or inadequacies related to the Project's GHG emissions analysis. The Project would not result in a significant impact related to GHG emissions, and no mitigation measures are required. As such, the commenter's suggested mitigation measures have not been incorporated into the Final SEIR.

As discussed in Final SEIR Section 5.10, Greenhouse Gas Emissions, the City's CAP is a qualified CAP for the purposes of the requirements of CEQA Guidelines Section 15183.5. As explained in detail in Final SEIR Section 5.10, the Project is consistent with the CAP growth projections because it would result in increased residential density within a Transit Priority Area (TPA) (CAP Consistency Step 1). As discussed in Final EIR Section 5.10, TPAs are areas that reduce GHG emissions by facilitating residents, employees, and visitors to safely, conveniently, and enjoyably travel as a pedestrian or by biking or transit. The Project would also be consistent with applicable portions of the 2008 City of San Diego General Plan (2008 General Plan), as amended; 2022 CAP; and CAP Consistency Regulations (CAP Consistency Step 2).

mostly electric but it could be much better with the elimination of natural gas. Nowhere in the EIR and/or the appendices is a rationale provided for the need for natural gas in the amenity building. According CAL Next (ET22SWE0010 All-Electric-Commercial-Kitchen-Electrical-Requirements-Study_Final-Report.pdf) large scale commercial kitchens are fully capable of using electric rather than natural gas for cooking. Sierra Club requests that cooking with natural gas be removed from the amenity building.

Third, emergency generators should not burn natural gas, diesel or any other petroleum-based products. Backup power can be provided by erecting electric batteries or powerwalls that are fully electric. Powerwalls will have the co-benefit of saving money in the long term by storing power during the day and using battery power during the expensive, late afternoon hours.

O4-3 cont.

Fourth, while Sierra Club supports LED lighting and the installation of solar panels on buildings, the EIR does not attempt to estimate the amount or percentage of solar power generated on the site. The EIR states, "Specific Plan Appendix A, Climate Action Plan Consistency, also includes photovoltaic cells on all buildings with the exception of the entertainment center, renewable energy service from San Diego Community Power, and LED lighting for traffic lights included in Project roadway improvements, which would reduce the Project's use of fossil fuels." The EIR should be revised with estimates of the solar power generated so the public has a better understanding of the carbon footprint of the project and the degree to which electricity in generated on-site.

Fifth, no explanation is provided why the large roof on the entertainment center which can hold 20,000 guest should not be covered with solar panels. Other large structures such as parking lots, factory roofs, and warehouses, are covered by solar panels; the revised EIR needs to explain why this is not planned for the entertainment center or modify the project by adding solar panels to the entertainment center roof.

Sixth, substantial, dangerous GHG emissions would occur during the construction of the project. The EIR states: "During construction, the Project would result in temporary GHG emissions from the operation of heavy construction equipment, worker vehicle trips, and truck trips bringing materials to and from the site.

All-electric kitchens and emergency generators may ultimately be installed on the Project site. However, installation of such equipment is currently not required. Therefore, the Final SEIR conservatively assumes the use of natural gas and petroleum products. Nevertheless, the commitment to all-electric kitchen and emergency equipment is not necessary to achieve 2022 CAP consistency.

Similarly, the specifications of future solar photovoltaic systems are not currently known; therefore, generation capacity cannot be quantified as requested. Currently, rooftop-mounted solar photovoltaic cells are not identified in the Midway Rising Specific Plan (Specific Plan) for the entertainment center because the rooftop is anticipated to include sponsor information that would be obscured by solar panel installation. The entertainment center would be required to demonstrate compliance with California Green Building Standards Code requirements related to on-site renewable energy for residential and non-residential development to obtain a building permit. Additionally, specific solar generation capacity and locations are not necessary to demonstrate Project consistency with the 2022 CAP. As detailed in Final SEIR Table 5.10-2, General Plan and Climate Action Plan Consistency, related to 2022 CAP Strategy 2, the Project is committed, as a Project feature, to meeting Project electricity demand with renewable energy. The demand would be met through a

During operation, the buildout of the Project would result in direct and indirect emissions from energy consumption, water and wastewater transport, and solid waste generation. GHG emissions from electricity consumed on site by the Project would be generated off site by fuel combustion at the electricity provider."

Sierra Club recommends mitigating these emissions by utilizing as many low-emitting, ZE, or hybrid operating vehicles as possible. Also, limiting idling during operations and utilizing low-emission standards, including limiting embodied carbon, would help to mitigate emissions during the construction phase.

As shown in Table 5.10-1 of the EIR, the project would result in an increase in GHG emissions of 707 million Tons of CO2e per year when compared to the emissions that would occur under the adopted Community Plan. The Sierra Club requests a clear statement of the tons of CO2 emitted by the project, broken down by sources of emissions.

O4-3 cont.

Additionally, the EIR states "Implementation of the Project would result in operational emissions exceeding SDAPCD thresholds for maximum daily emissions of VOCs."

To mitigate this issue, the EIR states ": Zero-Emissions Landscape Equipment. Prior to issuance of the first certificate of occupancy, the Owner/Permittee shall submit verification that landscaping equipment operated on the Project site shall be zero-emissions, satisfactory to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff. This measure shall be incorporated into all contracts to provide landscape services on the Project site."

Although the Sierra Club applauds the efforts to mitigate air quality issues with zero-emission landscape equipment, we also request additional mitigation measures for the full project, including the greenhouse gas mitigation fund.

Construction Emissions

Substantial, troublesome GHG emissions are emitted during several phases of the project. Total Construction Emissions of approximately 16,409 metric tons of CO_2 are generated during the construction period.

Operational Emissions

combination of on-site renewable energy demand and San Diego Community Power's renewable energy sources, although the proportion of energy from each cannot be determined at this time. Specific Plan Appendix A, Climate Action Plan Consistency, states that 100 percent renewable power from San Diego Community Power would be used, consistent with the commenter's request related to San Diego Community Power's Power 100 option.

It is unclear what the commenter is referring to as a comparison of Project construction emissions to the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) or where the estimated emissions of 707 million tons of carbon dioxide equivalent (CO_2e) per year was obtained. The referenced Final SEIR Table 5.10-1, 2019 Greenhouse Gas Emissions Sources in the City of San Diego, provides a summary of the City-wide emissions inventory from the 2022 CAP, not the Project site or 2018 Community Plan emissions. As outlined in Final SEIR Section 5.10, the significance of Project emissions is determined qualitatively based on consistency with the 2022 CAP. Therefore, an inventory of Project GHG emissions is not required and has not been added to the Final SEIR.

The commenter accurately summarizes the Final SEIR conclusion and mitigation measures related to volatile organic compound (VOC) emissions during operation. As

In the future, the EIR projects that annual operational emissions of approximately 9,320 metric tons of CO_2 per year once the project is fully operational.

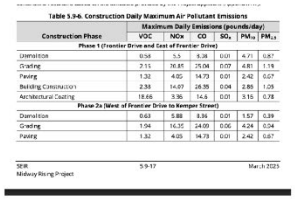

Table 5.9-6. Construction Daily Maximum Air Pollutant Emissions

Construction Phase	Maximum Daily Emissions (pounds/day)					
	VOC	NOx	CO	SO_x	PM_{10}	$PM_{2.5}$
Phase 1 (Frontier Drive and East of Frontier Drive)						
Demolition	0.58	5.5	5.28	0.01	4.71	0.87
Grading	2.15	20.85	25.04	0.07	4.81	1.19
Paving	1.32	4.05	14.73	0.01	2.42	0.67
Building Construction	2.38	14.07	26.39	0.04	2.88	1.05
Architectural Coating	18.66	3.36	14.6	0.01	3.15	0.78
Phase 2a (West of Frontier Drive to Kemper Street)						
Demolition	0.63	5.88	8.94	0.01	1.57	0.39
Grading	1.94	16.35	24.09	0.06	4.24	0.94
Paving	1.32	4.05	14.73	0.01	2.42	0.67

Table 5.9-6. Construction Daily Maximum Air Pollutant Emissions

Construction Phase	Maximum Daily Emissions (pounds/day)					
	VOC	NOx	CO	SO_x	PM_{10}	$PM_{2.5}$
Building Construction	1.88	11.94	21.46	0.05	3.75	0.68
Architectural Coating	8.12	2.05	3.35	0.01	1.74	0.43
Phase 3b (West of Kemper Street)						
Demolition	0.23	2.35	3.57	<0.005	15.16	2.36
Grading	1.49	12.75	18.31	0.06	6.48	0.93
Paving	1.32	4.05	14.73	0.01	2.42	0.67
Building Construction	1.54	8.3	16.17	0.04	1.71	0.58
Architectural Coating	11.12	2.29	7.52	0.01	2.43	0.59
Worst-Case Individual Phase	18.66	20.85	26.39	0.07	15.16	2.36
Worst-Case Simultaneous Construction[a]	19.28	55.72	132.38	0.28	17.64	4.39
Significance Threshold	**137**	**250**	**550**	**250**	**100**	**100**
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod, version 2022.1. See Appendix K1 for model output.

Table 5.9-7. Operational Daily Maximum Air Pollutant Emissions

Emission Source	Maximum Daily Emissions (pounds/day)					
	VOC	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Natural Gas	0.13	2.42	2.03	0.01	0.18	0.18
Landscape	46.6	3.67	489	0.02	0.38	0.29
Consumer Products[a]	98.4	0	0	0	0	0
Architectural Coatings	8.31	0	0	0	0	0
Stationary	1.64	7.14	4.16	0.01	0.24	0.24
Total On-Site Operational Emissions	**155.08**	**13.43**	**495.21**	**0.04**	**0.8**	**0.71**
Total Existing Emissions Year 2019	15.37	9.81	25.52	0.02	8.45	0.45
Net Change	**139.71**	**3.62**	**389.69**	**0.02**	**0.35**	**0.26**
Citywide Mobile Emissions with Project (2035)	8,420.16	5,823.52	68,764.6 4	280.67	2,905.84	701.68
Citywide Mobile Emissions without Project (2035)	8,406.17	9,837.2	68,650.4 2	280.23	2,901.54	700.51
Net Change (Mobile)	**13.99**	**16.32**	**114.22**	**0.46**	**3.5**	**1.17**
Total Net Change Attributable to Project	***153.7***	***19.94***	***503.91***	***0.48***	***3.85***	***1.43***
Significance Threshold	**137**	**250**	**550**	**250**	**100**	**100**
Significant Impact?	Yes	No	No	No	No	No

Source: CalEEMod, Version 2022.1.23. See Appendix K1 for model output.
Notes: CO = carbon monoxide; NO_x = nitrogen oxides; PM_{10} = respirable particulate matter; $PM_{2.5}$ = fine particulate matter; SO_2 = sulfur dioxide; VOC = volatile organic compound

Table 5.9-5. San Diego County Air Pollution Control District Pollutant Thresholds

Pollutant[a]	Pounds/Day
CO	550
NO_x	250
PM_{10}	100
$PM_{2.5}$	100
SO_x	250
VOC (1)	137

Source: Appendix K1.

The EIR states: "Gas and electric service will be extended to serve the site within the extension of Kemper Street and Frontier Drive, which fronts the Specific Plan Area." Sierra Club does not support any use of gas on the project for the reasons elucidated above.

Sierra Club does support the statement in the EIR that: "All electric distribution facilities serving the project will be underground."

Sierra Club does not concur with this conclusion in the EIR regarding GHG: "Thus, the contribution of the project to the existing cumulative impact would be less

O4-3 cont.

demonstrated in Final SEIR Table 5.9-9, Mitigated Operational Daily Maximum Air Pollutant Emissions, no additional mitigation is required to reduce VOC emissions to a less than significant level.

It is unclear how the commenter's estimated Project construction and operational GHG emissions estimates were obtained. The tables provided are from Final SEIR Section 5.9, Air Quality, and summarize criteria air pollutant emissions rather than GHG emissions. As previously stated, the significance of Project GHG emissions was determined qualitatively based on consistency with the 2022 CAP.

than cumulatively considerable. Therefore, cumulative impacts related to GHGs would be less than significant." We believe they are significant and steps need to be taken to mitigate the substantial excess GHG produced by Midway Rising.

O4-3 cont.

We believe that the considerable excess GHG should be mitigated with contributions to the Greenhouse Gas Fund at the San Diego Foundation. Proceeds from this fund will be utilized to reduce air pollution and GHG in other parts of the city.

Housing

O4-4

Sierra Club has supported tens of thousands of housing units when it is in the right location. Just in the past few weeks, we have approved settlements with developers for thousands of new housing units. Midway Rising is clearly an infill project on already developed, and somewhat blighted land so the location is favorable. Moreover, the Sierra Club is supportive of the 2,000 income-restricted housing units and up to 2,254 market-rate apartments; so, 40% of the housing is income restricted. Affordable housing is even more critical that increases in housing per se. Thus, in general Sierra Club is supportive of a project such as Midway Rising that provides substantial, income-restricted housing for San Diego.

High Rise Buildings

Sierra Club is concerned that the height of buildings exceeds the zoning requirements for the area that regulates the project, even with the passage of Measure E and C. We would prefer that the project conform to the height limits required through zoning.

O4-5

Sierra Club generally opposes high-rise housing in the coastal zone. However, this concern is mitigated by two factors. First, Midway rising is not immediately on the coast, it is approximately one mile inland. It does not wall off the coast like project immediately on the coastline. Second, high rise housing in the Midway area was approved by a city-wide referendum of voters, so this type of project has been approved by a narrow majority of voters. Nonetheless, the City should revisit that height limits and reduce the height appropriately.

O4-4: This comment supports the Project's proposed affordable housing. This comment does not raise an environmental issue related to the adequacy or accuracy of the Final SEIR, and no further response is required.

O4-5: Building height is analyzed in Final SEIR Section 5.8, Visual Effects and Neighborhood Character. Please refer to Thematic Response: Height Limit. As discussed in Final SEIR Section 5.8, Project buildings (including a 250-foot high-rise building, 105-foot mid-rise mixed-use buildings, and 165-foot entertainment center) would be constructed on relatively low ground (10 to 15 feet above mean sea level). This would be allowable through the approval of the Specific Plan. As discussed in Final SEIR Section 5.8, building heights would affect the scenic quality of the surrounding area, including views from public areas. Further, the 2018 Community Plan does not identify any scenic vistas, scenic views, or prominent view corridors on or over the Project site. Nevertheless, in accordance with Senate Bill 743, the potential aesthetic or visual impacts on scenic vistas and views from Project implementation would not be considered a significant impact on the environment because the Project is a residential and mixed-use development in a Transportation Priority Area. Therefore, this issue is adequately addressed in the Final SEIR, and no further response is required.

O4-5 cont.

The housing project is expected to reach 105 feet, far exceeding the 65 zoning limit in the CC-3-6.

"The entertainment center would reach a maximum height of 165 feet and replace the existing San Diego International Sports Arena." This is almost 2.5 times the height of the current stadium and exceeds what was agreed on by voters and the city.

Sierra Club recommends adhering to the zoning requirements set forth by the City of San Diego and the requirement that voters believed would be followed when they voted to remove the 30-foot coastal height limit.

Transportation

One of Sierra Club's greatest concerns is transportation in the Midway area. Car traffic is already jammed in the Midway and Point Loma area and is often gridlocked at peak times. Adding more cars is a great concern that will only exacerbate the existing traffic problems.

O4-6

We recognize that Midway Rising is located in a Transit Priority Area (TPA). Despite the fact that transit is available nearby, the EIR still concludes that: "impacts to roadway segments, intersections, freeway segments, and freeway ramp meters under the proposed CPU would result in a significant cumulative impact." Also, the EIR states that: "the project would have a cumulative impact on six of the 48 roadway segments within the study area."

The EIR also indicates that there would be significant impacts on the following streets that are already at service level E service:

- Lytton Street & Rosecrans Street (LOS E – AM peak)
- West Mission Bay Drive & I-8 WB Off-Ramp (LOS E – PM peak)
- Lowell Street/Nimitz Boulevard & Rosecrans Street (LOS E – PM peak)'" hour:
- I-5 Northbound (NB), between Sea World Drive and I-8 (LOS E – PM peak)
- I-5 Southbound (SB), between I-8 and Old Town Avenue (LOS E – PM peak)
- I-5 NB, between Old Town Avenue and Washington Street (LOS E – PM peak)"

Automobile traffic is already excessive in the Midway vicinity and the additional several thousand residents will substantially exacerbate the problem. Worse, the

O4-6: Per the CEQA Guidelines, transportation impacts are evaluated using VMT and not level of service (LOS) as the metric. Therefore, mitigation for an intersection that previously operated at LOS D and is projected to operate at LOS E would not be considered a transportation impact per CEQA, and no mitigation is required. A Local Mobility Analysis (LMA) was prepared and included as Appendix D1 to the Final SEIR, which provides an operational analysis of intersections and roadway segments. Based on this analysis, the Project would provide vehicular improvements and an extensive network of multi-modal improvements for access to the site, the benefits of which would be realized by the neighboring businesses and residents. In addition, during and after construction, vehicular and multi-modal access to neighboring businesses would be maintained at all times, consistent with City ordinances.

In addition, please refer to Thematic Response: Traffic Congestion for a discussion of the traffic improvements the Project is undertaking. In addition, the 20,000-spectator event (maximum event scenario) is only expected to occur up to two times per year, as stated in the LMA (Final SEIR Appendix D1).

The comment expresses concern regarding shuttles experiencing delays in traffic in the study area including on Rosecrans Street. Per information cited in Final SEIR

Section 3.3.3.2, the Project would provide Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street along the shuttle route. Therefore, the shuttle would only share a lane with other shuttles and buses to improve the reliability of the shuttle.

As stated in Final SEIR Chapter 1.0, Introduction, pursuant to CEQA Guidelines Section 15152, the SEIR will "tier" from the Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR). The Final SEIR provides a summary of the impacts from the implementation of the Midway-Pacific Highway CPU and then provides impacts related to the Project. The impacts identified in the comment are from the Midway-Pacific Highway CPU PEIR and were not identified for the Project in Final SEIR Section 5.2. Per the CEQA Guidelines, transportation impacts are related to VMT only—operational degradation at intersection and roadway segments are not considered CEQA impacts, and no mitigation is required.

As discussed in Final SEIR Chapter 3.0, Project Description, the Project identifies a multi-modal transportation network that would include new public streets, improvements along existing public streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian improvements.

The comment also recommends the construction of a high-speed rail connection, pedestrian sidewalk with

large 16,000-seat indoor stadium that is part of the Midway Rising project will create even greater problems. The stadium, which is projected to host 166 events per year (or about one every other day), each with up to 20,000 people in attendance, will create almost continuous traffic problems.

These are substantial impacts the need to be mitigated.

However, the EIR also states that: "There are two LRT (Trolley) stations in the proposed Midway-Pacific Highway CPU area, the Washington Street Trolley Station and the Middletown Trolley Station." The EIR also states that "the Old Town Transit Center is located just outside the community and provides additional access to LRT, bus transit, and passenger rail service. The San Diego Trolley connects the Midway-Pacific Highway community to Downtown, Mission Valley, San Diego State University, El Cajon, Santee, National City, Chula Vista, and San Ysidro."

O4-6 cont.

So how can these substantial traffic impacts be mitigated? **Sierra Club recommends a high-speed rail connection or people mover should be constructed as part of the project**. Such a light-rail or monorail connection would substantially mitigate the significant traffic impacts mentioned above.

The other mitigation measures mentioned in the EIR would be **insufficient** to mitigate these major traffic impacts.

- Multiuse Paths. The EIR states that: "Class I multiuse paths will be constructed for the project." This measure is laudable but insufficient to mitigate the major aforementioned traffic impacts. Few people will walk or take their bikes from their home to the new event center or the Midway Rising neighborhood.
- Shuttle to the Old Town Transit Center. The proposed shuttle is inefficient and will be stuck in on Rosecrans and Midway area traffic jams. The shuttle will be slowed and the existing high levels of traffic would be exacerbated. The statement in the EIR regarding transportation improvements is vague and incomplete: "transportation improvements, including a connection to Old Town Transit Center." The project needs to demonstrate that the shuttle

overpasses, or people-mover as part of the Project. The future construction of the high-speed rail facilities and their locations are speculative and beyond the scope of this Project and do not address the adequacy of the Final SEIR. However, the Project would provide a pedestrian connection from the Project site to Old Town Transit Center via Kurts Street and Rosecrans Street.

Please refer to the Conceptual Site Plan/Draft Vesting Tentative Map (Appendix O to the Final SEIR), which shows in addition to pedestrian improvements located within the site and along Sports Arena Boulevard, the Project would construct a multi-use urban path along Kurtz Street, with marked crosswalks across Camino Del Rio West and Rosecrans Street, and a multi-use urban path along the northbound side of Rosecrans Street to connect pedestrians to the Old Town Transit Center.

Please refer to Response to Comment O4-2 regarding proposed transportation mitigation measures for the Project.

as a mitigation measure will ameliorate traffic congestion and provide quick reliable transportation.

In a multimillion-dollar project, the developer and the city could surely construct a one-mile people mover or light rail that would connect Midway rising to the nearby MTS Green Line the MTS UC San Diego Blue Line and the Old Town Transit Center all of which are within one mile of the proposed project.

O4-6 cont.

Pedestrians

The Sierra Club recommends a projected **pedestrian sidewalk with overpasses** should be constructed between Midway Rising and the Old Town Transit Center which is approximately one mile from the project.

Without overpasses pedestrians would be caught in the substantial automobile traffic that permeates the Sports Arena/Midway/Rosecrans area.

Stormwater and Trees

The Sierra Club strongly encourages a project design to substantially increase water recycling and on-site use through conduits, swales, cisterns, and other features that would utilize storm water on-site and reduce run-off. The present project site is mostly asphalt and provides very substantial stormwater runoff.

Unfortunately, the EIR states: "Additionally, the Project would reduce impervious surfaces on the site by approximately 7% compared to existing conditions and install best management." The Sierra Club is disappointed that the impervious surfaces would be reduced by just 7%. Surely the use of the above-mentioned irrigation devices could reduce the runoff by more than 7%.

O4-7

Sierra Club is gratified that the EIR recommended that, "the landscape plan for the site identifies 1,075 trees on the Project site and an additional 355 trees in roadway ROW." This is a great start, but on a project of this size even more trees could be planted.

Sierra Club notes that the EIR identifies many native trees that would be planted on site such as Chilopsis linearis - Desert Willow, Quercus spp. - Oak species, Platanus racemosa - California Sycamore, Pinus torreyana - Torrey Pine, as well as

O4-7: Harvesting and use of rainwater was deemed infeasible based on the City's Stormwater Manual Harvest and Use Feasibility Checklist, Worksheet B.3-1, Form I-7 (Final SEIR Appendix I2, Priority Development Project Storm Water Quality Management Plan). During the final engineering phase, more detailed estimates of the water use demand will be provided based on project population estimates. Rainwater harvesting in San Diego is generally considered infeasible due to low rainfall, seasonal variability, and high infrastructure costs. Final SEIR Section 5.7, Hydrology and Water Quality, discusses the post-construction (or permanent) site design, source control, and treatment control best management practices that would be implemented on the Project site in accordance with the City's Stormwater Standards Manual.

As discussed in Final SEIR Chapter 3.0, the Project landscape plan would comply with all City standards and regulations, including the City's Land Development Manual, Street Tree Selection Guide, and Landscape Regulations. As discussed in Final SEIR Section 5.10, the Specific Plan identifies tree planting zones and an accompanying tree palette consistent with the Green Streets identified in the 2018 Community Plan. Native and adaptive trees with the following characteristics were selected for the palette: abundant shade canopy, drought tolerance, low maintenance, and seasonal interest. Currently, the landscape plan for the Project site identifies 1,075 trees on

O4-7 cont.

a number of none-native trees. Non-natives are generally not as fireproof as natives; moreover, non-natives risk spreading their seeds offsite via wind and runoff. The EIR equivocates as to what percentage of trees will be natives and non-natives which is a cause for concern. Sierra Club recommends that the final EIR commit to greater that 90% of trees being native species leaving some discretion of certain species in particular locations. We also note that some of the artists' sketches include palm trees as landscaping. We recommend that palm trees not be included in the mix of landscaping trees.

Cumulative Impacts

The California Environmental Quality Act (CEQA) requires that the cumulative impact of a project be considered for impacts such traffic, air quality, GHG, VMT, water quality and such.

O4-8

The EIR admits that: "The project would have a cumulative impact on six of the 48 roadway segments within the study area," and that "the project would have a cumulative impact at ten of the 53 study intersections" in the area. Yet the Sierra Club sees no detailed analysis of other proposed or impending projects for cumulative impacts. In particular a revised EIR should study the project impacts in combination with the thousands of daily trips generating from the Naval Base Point Loma on the southern end of Rosecrans impacting many streets such as Lytton, Harbor Drive, Barnett, Rosecrans, and Midway as well as interstates 5 and 8. Traffic studies in a revised EIR need to examine these cumulative traffic impacts.

The Midway area of San Diego is heavily impact by traffic. Sierra Club notes there is no evacuation plan in the EIR in the event of an emergency such as a Tsunami, wildfire, or severe storm. A revised EIR should include an emergency evacuation plan.

Additionally, a revised Midway Rising SEIR should thoroughly analyze the cumulative impacts associated with other reasonably probable projects, especially the proposed 70.3-acre NAVWAR project that is currently planned with a developer already being selected. Such a cumulative analysis must fully examine the impacts and synergistic effects of such projects as well as mitigation measures for their combined effects.

the Project site and an additional 355 trees in roadway rights-of-way. The Conceptual Site Plan/Draft Vesting Tentative Map (Final SEIR Appendix O) for the Project identifies tree coverage that would exceed the currently calculated 858-tree requirement per the City's Landscape Regulations. The plans are conceptual and may be subject to change; however, the Project would comply with applicable City requirements, including tree requirements. Furthermore, as discussed in Final SEIR Section 5.6, Health and Safety, the Project site is within an urbanized area of the City surrounded by commercial uses. It is not adjacent to wildland areas, is not in an area identified as a Very High Fire Hazard Severity Zone, and is not subject to brush management. Therefore, this issue is adequately addressed in the Final SEIR, and no changes are required.

O4-8: This comment states that the Final SEIR should thoroughly analyze the cumulative impacts associated with other reasonably probable projects, including the Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project), for impacts to traffic, air quality, GHG, vehicle miles traveled, and water quality. Please refer to Final SEIR Chapter 6.0, Cumulative Impacts, for an analysis of cumulative impacts for each issue area and Thematic Response: Cumulative Projects, related to how cumulative impacts were analyzed for the Project. In addition, please refer to Thematic Response: Navy Old Town Campus Revitalization at the

Sincerely,

Peter Andersen, Vice Chairperson
Conservation Committee
Sierra Club San Diego

Charles Rilli
Conservation Organizing Manager
Sierra Club San Diego

Ron Askeland, Chairperson
Conservation Committee
Sierra Club San Diego

Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) (Transportation) for a discussion of how the redevelopment of the Navy OTC sites was incorporated into the Project transportation studies. Therefore, this issue is adequately addressed in the Final SEIR, and no changes are required.

Comment Letter O5: Sunbelt Investment Holdings Inc., on behalf of Mann Enterprises Inc., May 7, 2025

O5

From: Stacey Hudson
To: DSD EAS
Cc: Mary Toscano
Subject: [EXTERNAL] Mann Enterprises Inc. (Sports Arena Shopping Center) Comments on Midway Rising Specific Plan / Project No. PRJ-1106734 / SCH No. 2023120451
Date: Thursday, May 8, 2025 4:07:46 PM
Attachments: SIHI_Midway Rising Draft SEIR Summary_Comment Letter_5-7-25 (002).pdf

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

Attached are comments, questions, and concerns regarding the proposed Midway Rising SEIR.

Regards,

Stacey Hudson, CSM, CLS
Senior Vice President

SIHI
Sunbelt Investment Holdings Inc.
8095 Othello Avenue
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May 7, 2025

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Anne B. Jarque
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1222 First Avenue, MS 501
San Diego, CA 92101
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Subject: Mann Enterprises Inc. (Sports Arena Shopping Center) Comments on Midway Rising Specific Plan / Project No. PRJ-1106734 / SCH No. 2023120451

O5-1

Mann Enterprises Inc. is the owner of the Sports Arena Shopping Center at APNs 441-650-13, 14, 15, 16, 17, 18 & 20, across Sports Arena Boulevard to the south of the Midway Rising Specific Plan (Project) area. This letter serves to comment on the Midway Rising Specific Plan Draft Subsequent EIR (Draft SEIR). There are impacts and issues associated with the Project on the neighboring properties, including the property across Sports Arena Boulevard to the south of the Project. The Draft SEIR includes mitigation and improvements that do not mitigate impacts to the extent feasible.

Transportation and Circulation Significant and Unavoidable Impacts
Per the Environmental Impacts in Table S-1 of the Draft SEIR, "the Project would result in vehicle miles traveled exceeding thresholds identified in the City of San Diego Transportation Study Manual for the regionally serving commercial and entertainment land use components of the Project." The Draft SEIR includes mitigation and improvements that do not mitigate these significant and unavoidable impacts to the extent feasible.

The MM TRANS 5.2-2 includes an Employee Transit Subsidy which "shall be offered to all employees at 50 percent off the San Diego Metropolitan Transit System's current monthly pass rate for the first 10 years of the Project Opening Phase 1, which is anticipated to occur in 2030." The draft document fails to explain by how much the transit subsidy would reduce VMT and provide evidence that it is mitigation to the extent feasible. The environmental document should include evidence in the record to demonstrate why an increased subsidy for a longer timeframe would not more fully mitigate the impact even if not below a level of significance.

The MM Trans 5.2-1 includes a Commercial Shuttle which "shall implement a daily shuttle between Frontier Drive and the Old Town Transit Center for the first 10 years of the Project Opening Phase 1, which is anticipated to occur in 2030." This mitigation measure does not mitigate impacts to the extent feasible. The draft document fails to include details regarding the time and frequency of the shuttle and further fails to document why its operation should be limited to the first 10 years to meet the standard of mitigation to the extent feasible.

O5-1: The introductory portion of this comment re-states Mitigation Measures (MM) TRANS 5.2-1 and TRANS 5.2-2 and identifies concerns with how each mitigation measure addresses the significant transportation vehicle miles traveled (VMT) impact. It also references Appendix T: Mobility Choices Regulations of the City of San Diego Land Use Development Manual and suggests these measures for additional VMT mitigation measures. Regarding MM TRANS 5.2-1 and 5.2-2, please refer to responses for the subsequent Questions 1 and 2.

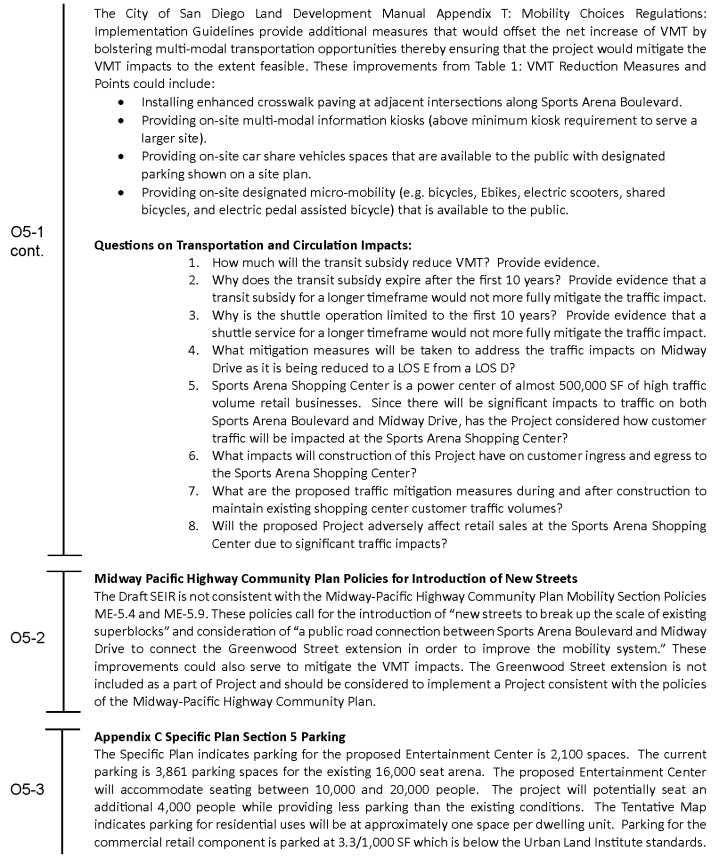
Please refer to the Project's Vesting Tentative Map (VTTM) (Appendix O to the Final SEIR) that shows that the Project would stripe continental crosswalks at the intersections along its Sports Arena Boulevard frontage and provide transit and rideshare information in kiosks within the site, the latter of which is part of its VMT Reduction Measures. As listed on the cover sheet for the VTTM, the Project proposes several VMT Reduction Measures throughout the site.

Regarding Question 1, please refer to Response to Comment O4-2.

Regarding Question 2, refer to Response to Comment S1-7. MM TRANS 5.2-1 has been revised to state that the Owner/Permittee shall implement a daily shuttle between Frontier Drive and the Old Town Transit Center for the life of the commercial land uses. However, as discussed in Section 5.2, Transportation and Circulation, of the Final

Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project), implementation of the MM TRANS 5.2-1 commercial shuttle would only mitigate the VMT impact for the regionally serving commercial land use to the extent feasible, and the impact would be partially mitigated and remain significant and unavoidable.

Regarding Question 3, the VMT analysis for the retail component of the Project provides an annualized and daily result, and mitigation for VMT is on an annual basis. Additional years of implementation would not reduce the annual VMT any further than what is reported in Final SEIR Appendix D2, Vehicle Miles Traveled Memorandum. Additionally, as discussed in Final SEIR Section 5.2, Mitigation Measure TRANS 5.2-1 would implement a daily commercial shuttle between Frontier Drive and the Old Town Transit Center. The shuttle would operate between 12:00 p.m. and 10:00 p.m. using one vehicle at 20- or 30-minute headways. This shuttle, in combination with the 10-minute combined bus headways for the existing local bus routes, would incentivize visitors to use transit to access the Project site. As stated previously, MM TRANS 5.2-1 has been revised to state that the Owner/Permittee shall implement a daily shuttle between Frontier Drive and the Old Town Transit Center for the life of the commercial land uses. Regarding Question 4, please refer to Response to Comment O4-6, which discusses the use of level of service versus VMT to evaluate transportation impacts under the



The City of San Diego Land Development Manual Appendix T: Mobility Choices Regulations: Implementation Guidelines provide additional measures that would offset the net increase of VMT by bolstering multi-modal transportation opportunities thereby ensuring that the project would mitigate the VMT impacts to the extent feasible. These improvements from Table 1: VMT Reduction Measures and Points could include:

- Installing enhanced crosswalk paving at adjacent intersections along Sports Arena Boulevard.
- Providing on-site multi-modal information kiosks (above minimum kiosk requirement to serve a larger site).
- Providing on-site car share vehicles spaces that are available to the public with designated parking shown on a site plan.
- Providing on-site designated micro-mobility (e.g. bicycles, Ebikes, electric scooters, shared bicycles, and electric pedal assisted bicycle) that is available to the public.

O5-1 cont.

Questions on Transportation and Circulation Impacts:

1. How much will the transit subsidy reduce VMT? Provide evidence.
2. Why does the transit subsidy expire after the first 10 years? Provide evidence that a transit subsidy for a longer timeframe would not more fully mitigate the traffic impact.
3. Why is the shuttle operation limited to the first 10 years? Provide evidence that a shuttle service for a longer timeframe would not more fully mitigate the traffic impact.
4. What mitigation measures will be taken to address the traffic impacts on Midway Drive as it is being reduced to a LOS E from a LOS D?
5. Sports Arena Shopping Center is a power center of almost 500,000 SF of high traffic volume retail businesses. Since there will be significant impacts to traffic on both Sports Arena Boulevard and Midway Drive, has the Project considered how customer traffic will be impacted at the Sports Arena Shopping Center?
6. What impacts will construction of this Project have on customer ingress and egress to the Sports Arena Shopping Center?
7. What are the proposed traffic mitigation measures during and after construction to maintain existing shopping center customer traffic volumes?
8. Will the proposed Project adversely affect retail sales at the Sports Arena Shopping Center due to significant traffic impacts?

O5-2

Midway Pacific Highway Community Plan Policies for Introduction of New Streets

The Draft SEIR is not consistent with the Midway-Pacific Highway Community Plan Mobility Section Policies ME-5.4 and ME-5.9. These policies call for the introduction of "new streets to break up the scale of existing superblocks" and consideration of "a public road connection between Sports Arena Boulevard and Midway Drive to connect the Greenwood Street extension in order to improve the mobility system." These improvements could also serve to mitigate the VMT impacts. The Greenwood Street extension is not included as a part of Project and should be considered to implement a Project consistent with the policies of the Midway-Pacific Highway Community Plan.

O5-3

Appendix C Specific Plan Section 5 Parking

The Specific Plan indicates parking for the proposed Entertainment Center is 2,100 spaces. The current parking is 3,861 parking spaces for the existing 16,000 seat arena. The proposed Entertainment Center will accommodate seating between 10,000 and 20,000 people. The project will potentially seat an additional 4,000 people while providing less parking than the existing conditions. The Tentative Map indicates parking for residential uses will be at approximately one space per dwelling unit. Parking for the commercial retail component is parked at 3.3/1,000 SF which is below the Urban Land Institute standards.

California Environmental Quality Act (CEQA). Regarding Questions 5 through 8, these comments raise economic, social, or political issues that do not relate to any physical effect on the environment under CEQA. No further response is required.

O5-2: The Project would construct planned Frontier Drive and the extension of Kemper Street, identified in the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan), consistent with Policy ME-5.4 to reduce superblocks. In lieu of constructing Greenwood Street as a vehicular roadway, a north–south connection between Sports Arena Boulevard and Kurtz Street would be provided as a Class I path for bicycles and pedestrians through the site, but would be aligned to the west with Sherman Street rather than Greenwood Street. This path would reduce the scale of the existing superblocks as intended by the 2018 Community Plan policies and support VMT reduction goals.

The proposed location of the new entertainment center would preclude the construction of the planned extension of Greenwood Street between Kurtz Street and Sports Arena Boulevard/East Drive per the 2018 Community Plan Mobility Element. The repurposing of the planned Greenwood Street extension and its effect on study intersections and roadways were evaluated in the transportation analysis prepared for the Community Plan Amendment Report, included as Appendix D3 to the Final SEIR.

O5-3 cont.

The Sports Arena Shopping Center parking lot is for shopping center customers only and will not provide any additional parking for the Project.

Questions on Parking:

1. What mitigation measures will the Project take to ensure patrons of the Entertainment Center do not park within the Sports Arena Shopping Center parking lot?
2. What mitigation measures will the Project take to ensure patrons of the Commercial/Retail component do not park within the Sports Arena Shopping Center parking lot?
3. What mitigation measures will the Project take to ensure Residents of the Project do not park within the Sports Arena Shopping Center parking lot?
4. Are there any self-help rights that the Sports Arena Shopping Center would be granted to control potential parking impacts to the shopping center?
5. Where will resident guests park?

This letter serves to represent the concerns of the Sports Arena Shopping Center owner about impacts to Traffic and Circulation and Parking in the vicinity of the Project and the need of the Project to mitigate those impacts to the extent feasible.

Sincerely,

Stacey Hudson

Stacey Hudson
Senior Vice President
Sunbelt Investment Holdings, Inc.
On behalf of Mann Enterprises Inc.

O5-3: The introductory information in this comment summarizes the proposed number of parking spaces for the project for each land use and compares it to the number of parking spaces for the current land use. Please refer to Final SEIR Chapter 3.0, Project Description, and the Local Mobility Analysis (LMA) (Final SEIR Appendix D1) for information regarding the number of parking spaces for residential, commercial, and entertainment land use, as well as the proposed shuttle service to and from the Old Town Transit Center. Regarding Question 1, parking is not considered an issue under CEQA, and no mitigation for the proposed number of vehicular parking spaces is required. The Project does not request to use parking spaces within the Sports Arena Shopping Center. The Sports Arena Shopping Center retains the right to manage the Sports Arena Shopping Center parking lot as it sees fit within the confines of the relevant laws and ordinances currently in place.

The existing San Diego International Sports Arena currently has a 16,000-seat capacity for sporting events and a 10,500-seat capacity for concerts. The entertainment center would maintain a 16,000-seat capacity for sporting events and increase the concert capacity to 14,500 seats.

As discussed in Final SEIR Section 5.2, typical sporting events that occur at the existing arena, and are similarly planned at the proposed entertainment center, were determined to have an average attendance of 8,500

spectators. Full-capacity concerts are planned to take place 25 days per year, meaning that out of the other 340 days per year, the entertainment center is not expected to exceed 10,000 spectators.

The LMA (Final SEIR Appendix D1) details why a 20,000-spectator event is expected to occur only on certain days when the combined maximum capacity of the entertainment center and the outdoor event space is reached at the same time. This type of event is expected to occur no more than twice per year.

As discussed in Final SEIR Section 5.2, the Project would provide a shuttle service to and from the site for the following scenarios for parking management:

- For events with greater than 7,500 spectators, an event shuttle would provide access between the site and Old Town Transit Center from 5:00 p.m. to 1:00 a.m.
- For events with greater than 10,500 spectators, the Old Town Transit Center shuttle would still be provided. Additionally, an event shuttle would provide access to an off-site business park overflow lot. This lot would provide an additional 500 parking spaces.
- For events with greater than 12,000 spectators, the Old Town Transit Center and business park shuttles would still be provided, plus an event shuttle would provide access to off-site parking at the SeaWorld San Diego theme park. This lot would provide an additional 7,000 spaces.

In addition, the LMA (Final SEIR Appendix D1) describes the proposed rideshare access accommodations, which are also expected to decrease parking demand on event days.

Finally, the LMA (Final SEIR Appendix D1) provides a discussion regarding the "right-size" of parking facilities for the entertainment center, aiming to reduce empty parking on most days of the year when large events do not occur. This analysis encourages higher vehicle occupancy, alternative transportation options, rideshare access, and the use of overflow parking lots.

In summary, the provisions listed previously are expected to address the parking demands of the entertainment center and reduce the incentive for use of nearby off-site parking areas such as the Sports Arena Shopping Center parking lot.

Regarding Question 2, there is no minimum vehicular commercial parking requirement for developments in a Parking Standards Transit Priority Area (TPA).

In addition, the VMT reduction measures identified in Final SEIR Table 5.2-2, Commercial Land Use – Vehicle Miles Traveled Reduction Measures, are expected to reduce the commercial parking demands of the site by providing a daily retail shuttle between the site and Old Town Transit Center, encouraging the use of alternative modes of transportation to access the site for retail.

Regarding Question 3, there is no minimum vehicular parking requirement for residential developments in a Parking Standards TPA. However, the Project proposes 4,550 parking spaces for the residential land use. The mixed-use nature of the Project, as well as the Project site's proximity to the Old Town Transit Center, would reduce demand for residential parking and encourage use of alternative modes of transportation.

In summary, the proposed vehicular parking spaces, which is greater than the minimum requirement for all uses, is expected to address the parking needs of the commercial and residential land uses.

Regarding Question 5, guest parking would be provided on Kemper Street and Frontier Drive and within the parking structures on non-event days. The Project site is within a TPA and within proximity to the Old Town Transit Center and other local bus routes. As such, similar to residents and event spectators, guests of residents would be encouraged to use alternative modes of transportation to access the site. That use would be supported by the comprehensive set of improvements provided by the Project to provide safe and comfortable multi-modal infrastructure and enhance first/last-mile access to transit.

Comment Letter O6: Chatten-Brown Law Group, on behalf of J. Behner and Catherine Stiefel, May 8, 2025

O6

From: Katie Pettit
To: DSD EAS
Cc: Isabella Cove; Josh Chatten-Brown
Subject: [EXTERNAL] Comments Regarding the Proposed Midway Rising Development Draft Subsequent Environmental Impact Report
Date: Thursday, May 8, 2025 3:38:13 PM
Attachments: 2025-5-8 Midway Rising SEIR Letter.pdf

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

Dear Ms. Jarque:

On behalf of our clients, J. Keith Behner and Catherine M. Stiefel, we provide the attached comments on the proposed Midway Rising Project and the associated Draft Subsequent Environmental Impact Report published on March 24, 2025 by the City of San Diego.

We respectfully request that you confirm receipt of these comments. Thank you for your consideration.

Sincerely,
Kathryn Pettit

--

Picture

Kathryn Pettit
Associate
[redacted]

CHATTEN-BROWN LAW GROUP

Chatten-Brown Law Group, APC
Isabella Coye | Associate
325 W. Washington Street, Suite 2193
San Diego, CA 92103
[redacted]

May 8, 2025

Via email to [redacted]

Anne B. Jarque
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101

Re: Comments Regarding the Proposed Midway Rising Development Draft Subsequent Environmental Impact Report

Dear Ms. Jarque:

O6-1

On behalf of our clients, J. Keith Behner and Catherine M. Stiefel, we provide the following comments on the proposed Midway Rising Project ("Project"), and the associated Draft Subsequent Environmental Impact Report ("SEIR") published on March 24, 2025 by the City of San Diego ("City").

The California Environmental Quality Act ("CEQA") serves two key purposes. First, CEQA requires the incorporation of all feasible measures to mitigate the Project's significant impacts. Development can proceed, but there must be an effort to improve the Project for the benefit of the greater community, as well as the environment.

Additionally, CEQA requires public accountability from our elected decision-makers. If the City Council wishes to approve the Project in its current form, and decides to *not* require additional mitigation measures from a developer, it must disclose the resulting impacts of this decision to the electorate. The SEIR undermines both of these key principals of CEQA.

As our clients emphasized in their January 17, 2024 letter to the City in response to the Project's Notice of Preparation of the SEIR ("Scoping Comments"), redevelopment of the Sports Arena will bring welcome change to the district, if done reasonably with adequate investments to infrastructure and public services.

Our clients' Scoping Comments requested the analysis and mitigation of the following specific impacts, which the SEIR failed to address:

> **Cumulative Transportation Impacts:** The Navy's proposed NAVWAR redevelopment project ("NAVWAR") would add up to an additional 10,000 units only 0.5 miles from the Project, resulting in a combined total addition of over 14,000 units along the same roadways, in an already congested area. (SEIR

O6-1: This comment is an introduction to the comments in the letter. Please refer to Responses to Comments O6-2 through O6-18 for specific responses. In addition, please refer to Thematic Response: Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) (Transportation) Thematic Response: Traffic Congestion, and Chapter 6.0, Cumulative Impacts, of the Final Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project) for additional information. The Surplus Land Act is not a California Environmental Quality Act (CEQA) issue and does not raise an issue related to the adequacy or accuracy of the Final SEIR.

Appendix A, Scoping Comments, p. 2.) Our clients provided data from the NAVWAR Environmental Impact Statement ("EIS"), disclosing impacts of over 90 minute delays at certain freeway on-ramps. The Midway Project EIR not only failed to address the data we provided, but it also omitted the key intersection that will face 90 minute delays from its analysis.

Additional Cumulative Impacts: Our client had requested the analysis of specific cumulative impacts, including the following three impacts:

1. Visual impacts given the NAVWAR's proposal of over 100 buildings up to 350 feet tall. (Scoping Comments, p. 3.) The Project proposes additional 105 to 250-feet-tall buildings. We requested a visual rendering of both projects together, which was not provided.
2. Impacts to coastal access corridors, given that the California Coastal Commission raised concerns about NAVWAR's impact to local coastal access. (Scoping Comments, p. 5.) We incorporate the request from our Scoping Comments, and ask why this analysis was not included.
3. Impacts to public services, given the City's elimination of localized Development Impact Fees ("DIFs"), $5 billion shortfall in funding for needed infrastructure and services, and NAVWAR's planned reliance on the City's now-eliminated localized DIF scheme to mitigate the NAVWAR project's impacts. (Scoping Comments, p. 10.)

O6-1
cont.

Surplus Lands Act: Our client requested that the SEIR consider the Project's consistency with the Surplus Lands Act. (Scoping Comments, pp. 11-12.) The City selected the Project for development of the City-owned Sports Arena over other bidders. Since then, the developer of the Project has removed 250 promised middle-income units and reduced the promised parks and public spaces by 35%.[1] Despite these Project changes and our request, the SEIR did not include any discussion of the Surplus Lands Act.

In addition to failing to address the issues raised in our Scoping Comments, the SEIR failed to adequately analyze, disclose, and mitigate impacts to vehicle miles travelled, as detailed below.

The SEIR must be revised to address these identified deficiencies.

[1] See the Original Exclusive Negotiating Agreement, p. 38, 47-48 ["20+ acres of new public parks"]. (Available at: https://www.sandiego.gov/sites/default/files/final-midway-rising-ena-signed221205.pdf.)

I. The SEIR's Level of Service Analysis Reveals Significant Impacts, Though Offers Minimal or No Improvements

a. The SEIR Identifies Severe Impacts and Fails to Consider Feasible Mitigation Measures

A Local Mobility Analysis ("LMA") was completed for the Project to assess impacts to the Level of Service ("LOS") of the surrounding road network. The LMA identified numerous road segments and intersections where LOS would be severely degraded by the Project, resulting in substantial delays in an area already heavily burdened by traffic.

Assuming full Project buildout in 2035 on the day of a full capacity event, the Project would cause a significant effect at seven road segments:

O6-2

Road Segment	Base LOS	LOS After Project Implementation
Sports Arena Boulevard between I-8 EB On Ramp and W Point Loma Boulevard	C	E
Sports Arena Boulevard between W Point Loma Boulevard and Hancock St	C	F
Camino Del Rio W between Hancock Street and Kurtz Street	D	E
Kurtz Street between Kemper Street and Frontier Drive	A	F
Kurtz Street between Frontier Drive and Sherman Street	A	F
Hancock Street between Sports Arena Boulevard and Channel Way	C	F
Hancock Street between Channel Way and Kurtz Street	A	F

(SEIR, App'x D1, pp. 167, 169.)

Three road segments will decrease from LOS A to LOS F with Project implementation, yet the LMA admits that the Project will **not improve any of these road segments** beyond the classifications already provided for in the Midway-Pacific Highway Community Plan. (SEIR, App'x D1, p. ES-33.) Nor does the Project propose meaningful transit infrastructure as mitigation, as discussed in Section II.

Thus, the Project's significant impacts to these road segments will not be mitigated, and congestion in this area will only continue to be exacerbated.

O6-2: Please refer to Thematic Response: Traffic Congestion. Per Senate Bill 743, automobile delay and congestion, commonly expressed in terms of level of service (LOS), is no longer a metric for determining significant transportation impacts under CEQA. Instead, the primary metric has shifted from LOS to vehicle miles traveled (VMT).

Per the City of San Diego's (City's) Transportation Study Manual (TSM), LOS was required to be evaluated in a Local Mobility Analysis (LMA) for the Project, included as Appendix D1 to the Final SEIR. The purpose of this document is to evaluate traffic operations and identify the project's potential transportation effects for which the Project would provide project improvements.

The Project would provide the improvements identified in the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) as described in the LMA. However, widening roadways and increasing automobile capacity without pedestrian, bicycle, and transit infrastructure (in support of multi-modal travel) is discouraged per CEQA, as it does not align with the City's Climate Action Plan (CAP) goals of reducing VMT.

Therefore, the Project would construct multi-modal improvements to the transportation network that are consistent with the City's transportation policies. The Project's transportation analysis and subsequent recommendations consider both recommendations in the

Similarly, of the forty intersections studied, the LMA identified eleven that would face significant effects due to the Project's buildout. (*Id.* at pp. 158-159.) At the intersection of Sherman Street and Hancock Street, LOS is projected to decrease from B to E. (*Ibid.*) Yet, most of the "mitigation" offered by Midway Rising is limited to optimizing signal timing, utilizing traffic control flaggers for events, or modifying ore restriping existing lanes. (*Id.* at ES-30–ES-32.) At some intersections, the Project will make **no** improvements.

One intersection that will remain unimproved is Camino Del Rio West and Moore Street, where the LOS E is predicted during weekday evening commute and during pre-event weekdays, and LOS F is predicted at midday during weekdays. (*Id.* at 158.) The LMA asserts that "[n]o reasonable improvements can be made to increase operations" and dismisses the severity of this impact by citing an issue with the modelling. (*Id.* at ES-30.)

O6-2 cont.

Despite admitting to the severity of the impacts to transportation and circulation, the LMA offered minimal enhancements which would offer speculative improvement to the road network at best. We retained a Professional Traffic Engineer, Tom Brohard, to review the Project SEIR and provide comments. See **Exhibit A** for the comment letter in its entirety, as well as Mr. Brohard's qualifications. Mr. Brohard identified that the improvements to be made to the intersections were negligible compared to the scale of the Project's impacts. (*Ibid.*)

The Project will cause significant impacts to the entire street system in the surrounding area, and while some improvements will be made to the impacted intersections, the Project proposes *no* improvements to the impacted road segments.

As Mr. Brohard concluded, "The SEIR acknowledges significant impacts, in particular that the massive Proposed Project would result in numerous transportation and circulation impacts, but many of these are dismissed without further mitigation or consideration of more significant downsizing to reduce the significance of those environmental impacts." (**Exhibit A**.)

b. The SEIR Omits a Key Significantly Impacted On-Ramp From its Analysis

O6-3

Our Scoping Comments specifically requested analysis of the Moore Street / North Bound I-5 ramp that was found to be impacted by over an hour from the NAVWAR project, resulting in 90 minute delays. (Scoping Comments, p. 7.) We provided the data to the City to conduct this analysis. (Ibid.)

Despite having access to this data, and being alerted to this already acknowledged significant cumulative impact, the Midway Project EIR selectively omitted this intersection from its study area, without providing any rationale for this decision.

2018 Midway-Pacific Highway Community Plan Update (Midway-Pacific Highway CPU), as well as the Project's transportation effects, and considers a balanced approach for all modes of travel. Transportation impacts are adequately addressed in the Final SEIR in the Vehicle Miles Traveled Analysis (Appendix D2 of the Final SEIR).

O6-3: Please refer to Thematic Response: Traffic Congestion and Thematic Response: Navy OTC Revitalization Project (Transportation). Please refer to Response to Comment O6-2 regarding the evaluation of transportation impacts using the VMT metric per CEQA.

As discussed in Final SEIR Section 5.2, Transportation and Circulation, an LMA, provided as Final SEIR Appendix D1, was conducted to evaluate the potential transportation effects associated with the Project per the City's TSM.

The Project study area was defined per the TSM guidelines, which require signalized intersections where a project will add 50 or more peak-hour trips to any turning movement at the intersection to be included in the study area. As described in Final SEIR Appendix D1, to estimate the number of inbound and outbound trips, the Project's trip generation was applied to the study intersections and roadway segments using the trip distribution patterns for their respective peaks. Based on the trip distribution analysis, the Project is not expected to add 50 or more

Jarque
May 8, 2025
Page 5

O6-3 cont.

(LMA, Figure 4 ES-4, "Study Area Map")

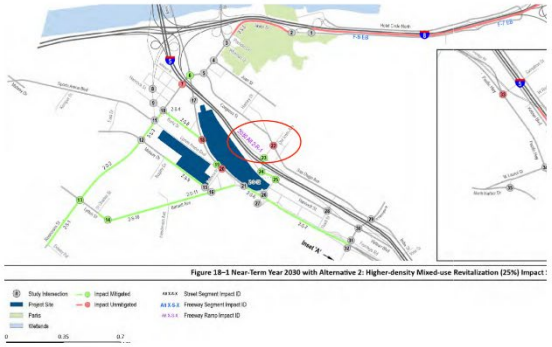
In contrast, the NAVWAR EIS included the Old Town Avenue/Moore Street Northbound I-5 on-ramp in its study area. (NAVWAR EIS, Appendix E, p. 14 ["STUDY METERED FREEWAY ON RAMPS 1. Old Town Avenue/Moore Street to Northbound I-5"].)

primary AM or PM net new trips at the Old Town Avenue/Moore Street northbound Interstate (I-) 5 on-ramp. Therefore, this intersection was not included in the Project study area.

In addition, please refer to Thematic Response: Navy OTC Revitalization Project (Transportation) for a discussion of how the Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) was incorporated into the Project's transportation studies.

No revisions to the Final SEIR are required.

O6-3
cont.



(NAVWAR EIS, Appendix E, p. 367 [red overlay added to omitted on-ramp])

(Satellite Imagery of Omitted On-Ramp, NAVAR site and Midway Project site in background)

O6-3 cont.

The NAVWAR EIS admitted the following severe, significant impacts to this on-ramp:[2]

TABLE 15-5
YEAR 2050 WITH ALTERNATIVE 4
RAMP METER OPERATIONS

Location / Condition	Peak Hour	Peak Hour Flow (D) (veh/hr/ln) [a]	Calculated (Most Restrictive)				
			Discharge Rate (R) (veh/hr/ln) [b]	Excess Demand (E) (veh/hr/ln) [c]	Delay (min/hr) [d]	Queue [e]	
						Feet	Vehicles
1. Moore Street / NB I-5 On-Ramp							
Year 2050 No-Action Alternative including an APM							2 SOV
	AM	501	335	166	30	4,150	166
	PM	538	318	220	42	5,500	220
Year 2050 with Alternative 4							2 SOV
	AM	844	335	509	91	12,725	509
	PM	822	318	504	95	12,588	504
Δ	**AM**			**343**	**61**	**8,575**	**343**
	PM			**284**	**53**	**7,088**	**284**

Footnotes:

a. Peak Hour Flow "D" is the traffic that desires to enter the freeway at this on-ramp during the peak hour.
b. Discharge Rate "R" is the *most restrictive* rate at which the ramp meter (signal) discharges traffic on to the freeway (See *Appendix B* for the ramp meter data obtained from Caltrans).
c. Excess Demand "E" is the difference between the Peak Hour Flow and the Discharge Rate.
d. Delay in minutes per lane experienced by each vehicle, calculated as the ratio of the Excess Demand and the Peak Hour Flow in one minute.
e. Queue per lane is reported in feet and is calculated as 25 feet per vehicle.

General Note:

1. SOV – Single Occupancy Vehicle Lane
2. Δ – Increase in delay and queue length due to the Proposed Action.
3. **Bold** typeface and shading represent a significant impact.

(NAVWAR EIS, Appendix E, p. 219; see also Scoping Comments, p. 8.)

[2] The NAVWAR EIS then notes the existence of a SANDAG "concept" plan to reconstruct this interchange and concludes there would be adequate mitigation. (EIS, p. 3-109.) The draft EIS is available at the following link: https://navwarrevitalization.com/assets/uploads/47%20%20Navy%20OTC%20Draft%20EIS%20MAY%202021.pdf

O6-3 cont.

The SEIR's failure to analyze this freeway ramp is a material omission. (See also Exhibit A.) And where the SEIR fails to study an impact such as this, it also fails to mitigate it.

The Midway LMA even states, "All freeway ramp terminal intersections where a project adds 50 or more peak hour final primary (cumulative) (AM or PM) net new trips on any approach must be analyzed *regardless of their distance from the project site*." (LMA, p. 16 [emphasis added].)

The SEIR must be revised to include this on-ramp in its analysis, and to incorporate feasible mitigation to address both individual and cumulative impacts of the Project.

c. The SEIR Failed to Analyze the Potential Impacts Detailed in Scoping Comments

As identified in our Scoping Comments, "Residents, including our client, have experienced traffic becoming increasingly gridlocked in the Project area, with drivers diverting to other roadways to access I-8 West and I-5 North in the mornings, and vice versa in the evenings." Our clients identified and requested analysis of the following potential significant impacts:

O6-4

- Production of heavy traffic in the Rosecrans corridor, that will cause drivers to divert to Harbor Drive and Lytton Street, as well as Nimitz Boulevard to Sea World Drive. We request the SEIR analyze the impacts on these streets that will become alternative routes to the I-8 and I-5.
- Impacts to Pacific Coast Highway ("PCH") and Lytton Street, which is used to access PCH by drivers seeking alternative routes to Rosecrans Street during the morning commute and the I-8 and I-5 during the evening commute.
- Project impacts in conjunction with the thousands of daily trips generating from the Naval Base Point Loma on the southern end of Rosecrans. Drivers heading to or from the naval base rely on the gridlocked Midway District to access the rest of the City, and will seek alternative routes to access freeways away from gridlocked Rosecrans via Lytton, Harbor Drive and Midway eastbound to PCH and other freeway access alternatives.
- Project impacts in conjunction with drivers seeking to access the coastal beaches, Mission Bay, Sea World, and Old Town.
- Impacts to Harbor Drive, which grants ingress and egress to the San Diego International Airport. The intersection where Harbor Drive meets Laurel Street, just south of the airport, has already been evaluated as LOS C during peak travel hours. (NAVWAR EIS, p. 3-69.) This intersection is predicted to degrade to LOS F by 2050. (NAVWAR EIS, p. 3-78–3-89.) The roadways within the Midway District are overburdened with traffic, which is projected to intensify with the planned development in the Midway.

(Scoping Comments, p. 5.)

O6-4: Please refer to Thematic Response: Traffic Congestion and Response to Comment O6-2 regarding the evaluation of transportation impacts using the VMT metric. Please refer to Response to Comment O6-3 regarding the purpose and scope of the LMA per the TSM, particularly the development of the Project study area. Please also refer to Thematic Response: Navy OTC Revitalization Project (Transportation).

Final SEIR Section 5.2 describes Project improvements intended to decrease reliance on vehicular travel within the study area. These additional facilities are intended to improve multi-modal access to the Project site and to community destinations within the study area, which would decrease the area's reliance on cars and support the City's efforts to improve current traffic conditions in the area.

O6-4 cont.

Despite providing these comments almost 18 months ago, the SEIR did not analyze these impacts. The SEIR must analyze these impacts.

II. The SEIR's Proposed Mitigation Measures Fail to Adequately Address the Project's Impacts

CEQA requires the SEIR to "describe feasible measures which could minimize significant adverse impacts . . . This discussion shall identify mitigation measures for each significant environmental effect identified in the EIR." (CEQA Guidelines, § 15126.4(a)(1)(A).) "Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments." (CEQA Guidelines, § 15126.4(a)(2).)

The SEIR's proposed mitigation measures fail to achieve the objective of minimizing the Project's impacts. On a day when a full-capacity event will be held in the Sports Arena, the entertainment component of the Project alone is expected to generate **32,401 new daily trips**, in addition to existing trips in the area.[3] Combined with the NAVWAR Project, this results in up to 100,000 new daily trips. (Scoping Comments, p. 6.)

O6-5

Yet, the SEIR offers only two mitigation measures to address the Project's significant impacts:

- MM TRANS 5.2-1, Commercial Shuttle: "Owner/Permittee shall implement a daily shuttle between Frontier Drive and the Old Town Transit Center for the first 10 years of the Project Opening Phase 1… satisfactory to the City Engineer. The shuttle shall operate between 12:00 p.m. and 10:00 p.m. using one vehicle at 20- or 30-minute headways." (EIR p. 5.2-35.)
- MM TRANS 5.2-2, Employee Transit Subsidy: "Owner/Permittee shall implement an employee transit subsidy for the entertainment center employees to offset the net increase in vehicle miles traveled for the Project, satisfactory to the City Engineer. The employee transit subsidy shall be offered to all employees at 50 percent off the San Diego Metropolitan Transit System's current monthly pass rate for the first 10 years of the Project Opening Phase 1, which is anticipated to occur in 2030." (Ibid.)

With respect to MM TRANS 5.2-1, the SEIR does not explain why the shuttle would only be offered for the first ten years of the Project's operation. This arbitrary timeframe means that the Project's VMT impacts would only be mitigated for a decade, when the Project itself will far outlast that period of time.[4] MM TRANS 5.2-2 will also only provide the employee transit subsidy for ten years, despite the fact that the Project will require employees throughout its

[3] Assuming full project buildout in 2035. (SEIR, App'x D1, p. ES-12.)
[4] To provide additional context, the existing Sports Arena was built nearly 60 years ago.

O6-5: Please refer to Thematic Response: Traffic Congestion and Response to Comment O6-2. Final SEIR Appendix D1 studies non-CEQA-related transportation effects related to LOS. Final SEIR Appendix D2, Vehicle Miles Traveled Memorandum, determined transportation impacts under CEQA and analyzed in Final SEIR Appendix D1. The mitigation measures identified in this comment address the transportation VMT impacts per CEQA and the City's Significance Determination Thresholds that were identified in the VMT analysis. Mitigation Measures TRANS 5.2-1 and TRANS 5.2-2 are not intended to address project effects on intersection LOS and delay.

The comment letter misstates the transportation impact. The 32,401 trips cited in the comment relate to a full-capacity event (maximum event scenario) with 20,000 spectators, which is expected to occur only two times per year, as discussed in Final SEIR Appendix D1. This total includes all net new trips for the entire site, not just the entertainment center.

The comment mischaracterizes the Project's transportation mitigation measures meant to address potential CEQA transportation impacts and project features required as a condition of approval were developed to address non-CEQA issues. Specifically, the Project includes the following:

lifetime. The VMT impacts that these measures aim to offset will last well beyond ten years from the Project's construction.

Accordingly, these mitigation measures must be modified so that they actually mitigate the Project's impacts for the duration of the impacts.

As Professional Traffic Engineer Tom Brohard identified, MM TRANS 5.2-1 also fails to disclose how many seats would be available on this shuttle. (**Exhibit A**.) The SEIR must clarify how many people this shuttle will hold, as a shuttle with a 10-person capacity would be dramatically less effective than a bus-sized shuttle that could hold 50 persons. The SEIR also notes that only *one* shuttle will operate on the route. (SEIR, p. 5.2-35.) Even if the shuttle has a large capacity, the operation of a single vehicle is unlikely to mitigate the VMT impacts of a project that could see over 32,000 new trips in one day just for entertainment uses.

O6-5 cont.

The SEIR states that additional shuttles will be provided for event days and that the number of shuttles will depend on the size of the event. (SEIR, p. 3-10.) However, these event shuttles are not incorporated as a binding, enforceable mitigation measure, and are vulnerable to being removed as a Project feature. Similarly, the Project would relocate and enhance two bus stops and add one new bus stop. (SEIR, p. 3-9.) These improvements are also not incorporated as true mitigation measures, nor are any of the improvements to the impacted intersections discussed in the LMA.

The Applicant must formalize its intention to renovate and add bus stops, improve the community's intersections, and provide event shuttles as binding and enforceable mitigation measures. Measures already incorporated, such as measures 5.2-1 and 5.2-2, must be promised for the lifetime of the Project, or at least for a period of time deemed reasonable in light of the scale of the Project. Providing two transit mitigation measures for a mere ten years each is plainly inadequate to offset this Project's enormous impacts to transportation.

Rather, the SEIR must provide permanent mitigation for the Project's significant transportation impacts. The SEIR must analyze and require provision of permanent transit infrastructure.

III. The SEIR's Sparse Cumulative Impacts Analysis Violates CEQA

O6-6

The lead agency "shall find that a project may have a significant effect on the environment . . . where there is substantial evidence, in light of the whole record, that any of the following conditions may occur . . . The project has possible environmental effects that are individually limited but cumulatively considerable. 'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." (CEQA

MM-TRANS 5.2-1 requires a commercial shuttle to reduce the VMT impact associated with the commercial component of the Project.

Event shuttles, required as a condition of approval, would offset the non-CEQA effects of event day operations of the entertainment center; and transit stop improvements to comply with the 2018 Community Plan.

Please refer to Response to Comment O5-1 for a discussion on the VMT analysis methodology, which was used to identify the need for Mitigation Measure TRANS 5.2-1 for a commercial shuttle to reduce the VMT impact associated with the commercial component of the Project. The commercial shuttle, which shall operate between 12:00 p.m. and 10:00 p.m., may vary in frequency and vehicle capacity based on demand. Refer to Response to Comment O5-2.

Please refer to Response to Comment O5-3 for a discussion on the event shuttles that would be provided for each level of attendance as a result of non-CEQA effects that may occur because of the entertainment center's daily operations.

In addition, the Project would make transit improvements to three bus stops. As discussed in Final SEIR Section 5.2, San Diego Metropolitan Transit System (MTS) Bus Routes 8 and 9 currently serve the Project site along Sports Arena

Guidelines, § 15065(a)(3).) Where a project's incremental effects are found to be cumulatively considerable, the EIR shall discuss those impacts. (CEQA Guidelines, § 15130(a).)

"The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence." (CEQA Guidelines, § 15130(b).) Thus, a severe impact shall be discussed with enough detail to adequately convey that severity. Our clients' Scoping Comments identified specific, severe, significant cumulative transportation impacts from the NAVWAR project, and provided the data from the NAVWAR EIS.

Yet, the SEIR provides sparse discussion of the NAVWAR project and its cumulative impacts, especially to transportation impacts.

Assuming the most intensive proposed alternative is selected, the NAVWAR Project spans 13,593,968 square feet, would be nearly 240 feet tall, and includes 10,000 residential units, 1,000,000 square feet of office space, 2 high-rise hotels with 400 total rooms, and 180,000 square feet of retail space. (Appendix A, Scoping Comments, Exhibit A.) At the outset, we question why the SEIR only analyzed a smaller scaled NAVWAR project alternative of 6,000 units. (SEIR, pp. 6-3–6-4.)

O6-6 cont.

The NAVWAR project would have significant impacts to transportation (SEIR, p. 6-3), and would create up to 70,000 new daily trips. (NAVWAR EIS, App'x E, p. ii.) This will result in delays of over 60 minutes to nearby freeway ramp operations, resulting in a **total delay of over 90 minutes**. (NAVWAR EIS, App'x E, p. 219 [Table 15-5].) The NAVWAR EIS admitted the project's significant cumulative impacts **to 53 different street segments**, freeway segments, ramps, and intersections, 28 of which would remain significant and unavoidable even with mitigation. (NAVWAR EIS, p. 4-33, 4-41.)

The Midway Rising SEIR fails to identify these impacts. Rather, the SEIR summarily states that the NAVWAR project would result in a significant transportation impact and fails to disclose the severity of the cumulative impacts, preventing the public and decision-makers from understanding the true extent of the Project's impacts.

In evaluating cumulative impacts to transportation and circulation, the SEIR relies on the same four significance thresholds use to evaluate the Project's individual impacts. (SEIR, pp. 5.2-12, 6-8–6-9.)[5] The discussion of VMT impacts under threshold two does not mention NAVWAR at all. (SEIR, p. 6-8.) Additionally, the SEIR shifts the onus to mitigate these impacts onto

[5] **Threshold 1**: Conflict with an adopted program, plan, ordinance, or policy addressing the transportation system… **Threshold 2**: Result in [VMT] exceeding thresholds identified in the City of San Diego Transportation Study Manual; **Threshold 3**: Increase hazards due to a design feature… **Threshold 4:** Result in inadequate emergency access.

Boulevard with two stops (ID: 13344 and 13345), providing transit users direct access to the Project site. The Project would relocate and provide enhancements to these two existing local bus stops along the Project frontage on Sports Arena Boulevard, which include installing transit shelters and benches. The Project would improve MTS Bus Stop ID 13345 to a Rapid bus stop for the planned extension of Rapid Bus Route 10 that would connect the Project site to the Old Town Transit Center, Mission Bay, and the community of Clairemont. The Project would also construct a new third bus stop on the western side of the Sports Arena Boulevard/Kemper Street intersection on Sports Arena Boulevard. In addition, the Project would install exclusive bus/right-turn only lanes in each direction on Sports Arena Boulevard between West Point Loma Boulevard and Camino Del Rio West and on Rosecrans Street between Sports Arena Boulevard and Pacific Highway.

O6-6: Please refer to Thematic Response: Navy OTC Revitalization Project (Transportation) and Thematic Response: Cumulative Projects.

Typically, when calculating opening year traffic volumes, either a growth rate is applied directly to existing volumes, or project trips from nearby cumulative projects are added to existing volumes. The Project's traffic analysis applied both a growth rate (which accounts for nearby cumulative projects) and the Navy OTC Revitalization Project

NAVWAR and other nearby projects: "[t]o reduce VMT impacts from other development, cumulative projects would be mitigated *on an individual basis*." (*Ibid.*) Yet the SEIR fails to quantify these impacts or study them in a meaningful way.[6] As such, the SEIR's role as an informational document is unfulfilled. To entirely omit NAVWAR from the discussion of cumulative VMT impacts is to obscure these impacts and preclude public participation in the review process. It also precludes meaningful analysis and incorporation of feasible mitigation measures.

In fact, within the entire transportation-specific analysis, NAVWAR is only discussed in relation to inadequate emergency access. There is **no** discussion of NAVWAR in the cumulative impact analysis for threshold one, threshold two, or threshold three. (SEIR, p. 6-9.)

O6-6 cont.

Even with respect to the discussion of threshold four and NAVWAR, there appears to be no substantive analysis. The SEIR states, "[c]onstruction and operation associated with future development under 2018 Community Plan Buildout and the Navy OTC Revitalization Project could result in activities that could interfere with emergency access, such as temporary construction barricades or other design obstructions that could impede emergency access." (EIR, p. 6-9.) The SEIR then concludes that there are no cumulative impacts to emergency access given procedures for traffic control and the provision of an easement for emergency access vehicles. (*Ibid.*) This assertion seems to focus entirely on access points to the Project site and falls short of analyzing the increased traffic from NAVWAR on the road system and associated delays in accessing the Project. NAVWAR admitted to 90-minute delays at certain locations—traffic of this magnitude would certainly affect response times and emergency access.[7]

The SEIR's cumulative impact analysis fails to consider NAVWAR in its discussion of three of four significance thresholds and fails to substantively analyze NAVWAR even in its limited discussion of emergency access. In light of NAVWAR's admittedly significant transportation impacts, this omission renders the entire cumulative impact analysis incomplete.

In fact, the SEIR's cumulative impact analysis is devoid of *any* scrutinous analysis of transportation impacts or feasible mitigation measures.

[6] The Project's VMT analysis notes that NAVWAR was included in the modelling assumptions. (SEIR, App'x D2, p. 9.) However, the SEIR fails entirely to address NAVWAR within the *discussion* of cumulative VMT impacts, including the analysis of feasible mitigation.
[7] Furthermore, the estimated response times to the Project site provided by the San Diego Fire Department do not appear to factor in cumulative impacts—or even the Project's *own traffic*—at all. (*See* SEIR, App'x I.1.) The Fire Department's estimates only reflect the estimated response times for various engines and trucks to the Project site as conditions currently exist.

cumulative project volumes due to the size and nature of the Navy OTC Revitalization Project. As described in Final SEIR Appendix D1, Opening Year (2030) Base traffic conditions were developed by applying a 0.55 percent annual growth rate to the existing (2023) traffic volumes and adding the Navy OTC Revitalization Project trips for future year 2030 to study intersections contained within the Navy OTC Revitalization Project study area. Similarly, the Opening Year (2035) Base traffic conditions were developed by applying a 0.55 percent annual growth rate to the existing (2023) traffic volumes and adding the Navy OTC Revitalization Project trips for the future year 2035.

In its discussion of VMT, the SEIR merely restates its findings regarding the Project-specific analysis before concluding:

> To reduce VMT impacts from other development, cumulative projects would be mitigated on an individual basis. However, it is unknown if mitigation would effectively reduce impacts for all cumulative projects. Therefore, a significant cumulative VMT impact could occur, and the Project's contribution to a cumulative VMT impact would be **Potentially Cumulatively Considerable**.

(SEIR, pp. 6-8–6-9.)

As described in our Scoping Comments, the NAVWAR EIS relies on the City to mitigate much of the NAVWAR Project's impacts. (**Exhibit B**.) Meanwhile, the City points to the NAVWAR Project as needing to mitigate its own impacts. (See, e.g., Appx'D1, p. ES-31 ["**Midway Rising will not make improvements to this intersection**. A majority of the trips assigned to this intersection are from the redevelopment of the NAVWAR facility and are unrelated to the Midway Rising project."]; p. ES-32.)

O6-6 cont.

We have provided the full list of NAVWAR EIS "mitigation measures" that rely on the City and other agencies for mitigation of the NAVWAR Project, as well as its list of potential feasible mitigation measures. (Exhibit B.) Several of these measures rely on planned improvements in the Midway-Pacific Highway Community Plan. Yet, as discussed in Section VII, the City faces an enormous funding deficit for crucial infrastructure projects. The SEIR must include these impacts and assumptions from the NAVWAR EIS, as well as the listed potential mitigation measures, into its analysis and mitigation.

The Midway Rising Project's impacts, including its cumulative impacts, cannot be adequately mitigated if they were never properly studied. Furthermore, such a sparse analysis precludes the public from engaging in meaningful review. CEQA requires that the detail of analysis reflect the severity of the impact. (CEQA Guidelines, § 15130(b).) The SEIR falls short of this standard, and therefore, violates CEQA. The cumulative impacts analysis must be revised and expanded upon, with a particular emphasis on the transportation impacts caused by both the Project and NAVWAR.

IV. The VMT Analysis Relied on Improper Screening and Unsound Assumptions

O6-7

The EIR considered four significance determination thresholds in its evaluation of impacts to transportation and circulation:

1. Threshold 1: Conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities; or

O6-7: Please refer to Response to Comment O6-2 related to transportation impacts. Since the adoption of the 2018 Community Plan, the City has updated its CEQA Significance Determination Thresholds (in 2022) to reflect the implementation of its new transportation VMT metric, consistent with Senate Bill 743. Given this statewide change, the metrics used in Final SEIR Section 5.2 Issue 2 to evaluate potential transportation and circulation impacts are based on the City's 2022 CEQA Significance Determination Thresholds and not on the prior LOS metric used in the Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR). For Final SEIR Section 5.2 Issue 1, the LMA prepared for the Project (Final SEIR Appendix D1), which includes an LOS analysis, was used. Because the Midway-Pacific Highway CPU PEIR addressed transportation impacts at a program level, Issue 3 and Issue 4 were not specifically addressed in that CEQA analysis. Therefore, a summary of impacts for the Midway-Pacific Highway CPU PEIR is not provided for Final SEIR Section 5.2 Issue 3 and Issue 4.

2. Threshold 2: Result in vehicle miles traveled (VMT) exceeding thresholds identified in the City of San Diego Transportation Study Manual; or
3. Issue 3: Increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
4. Issue 4: Result in inadequate emergency access.

O6-7 cont.

(EIR, p. 5.2-12.)

The 2018 EIR for the Midway Pacific Highway Community Plan ("MPHCP"), the plan from which this EIR tiers, considered two significance thresholds: (1) whether the project increase in traffic was substantial in relation to existing traffic load, which is analyzed using Level of Service ("LOS"), and (2) whether the project would conflict with adopted plans and policies. (MPHCP EIR, p. 5.2-11.) Despite the fact that the Midway Rising EIR included an LOS analysis as an appendix, the EIR did not consider LOS to be a threshold of significance and did not use the analysis conducted to inform discussions related to significance thresholds.

A. The VMT Screening Analysis for Threshold Two is Procedurally Flawed

The EIR asserted that the following Vehicle Miles Travelled ("VMT") thresholds are applicable to the Project: residential uses that are not 15% below the regional mean, commercial uses that result in an increase to VMT above net zero, and entertainment uses that result in an increase to VMT above net zero. (EIR, App'x D2, p. 5.) Per the City's Transportation Study Manual ("TSM") these thresholds are accurate with the exception that commercial and entertainment should not be considered as separate categories, but one "retail" category. (TSM, p. 23.)

O6-8

The Applicant categorizes shopping and restaurant uses as "commercial" and the arena and similar uses as "entertainment. However, the City's TSM does not recognize entertainment as a distinct category. Rather, it defines all of the following entertainment-centric uses as "regional retail (includes recreational uses)": the marina, the San Diego Zoo, Sea World, and golf courses. (TSM, App'x B, p. 2-3.) Similarly, movie theaters, bowling alleys, and sports facilities are also considered "retail." (Ibid.) Thus, the arena and the Project's other entertainment uses would be considered under the larger umbrella of "retail," alongside the Project's shopping and restaurant uses.

In evaluating the "commercial" uses separately, the Applicant also erred by screening out 100,000 square feet of "locally serving" commercial uses and only analyzing the remaining 40,000 square feet of "regionally serving" commercial uses. (EIR, App'x D2, p. iii.) The City's TSM does allow agencies to screen out locally serving commercial uses if they are 100,000 square feet or less, but to prove the "local" nature of the uses, the agency must also demonstrate through a market area study that the market capture area is three miles or less and serves a population of 25,000 people or less. (TSM, p. 20.) The EIR states that this study was completed

O6-8: As described in the Vehicle Miles Traveled Memorandum (Final SEIR Appendix D2), the entire Project was coded into the San Diego Association of Governments (SANDAG) ABM2+ Series 14.3.0 model for the "Plus Project" scenarios: residential component measured by household units, retail/commercial component measure by retail/restaurant employees, and the entertainment component measured by entertainment center/amusement employees.

Recognizing that travel demand models may not fully capture behavioral changes related to new entertainment (i.e., recreational) or retail/commercial uses, a subsequent approach using off-model techniques was applied. This method estimated VMT based on anticipated visitor and employee trips while still demonstrating a net regional increase in VMT.

Consistent with the City's CEQA Significance Determination Thresholds, which align with the Governor's Office of Planning and Research (as of July 1, 2024, called the Governor's Office of Land Use and Climate Innovation), a range of tools, including travel demand models, sketch models, spreadsheets, and empirical data, can be considered appropriate for VMT estimation in this context.

Therefore, due to the limitations of the model (i.e., measuring retail/commercial and entertainment center VMT per employees) only, off-model post-processing was performed for these two components in the context of the

but does not provide the study for public review. (EIR, App'x D2, p. 6.) For transparency's sake, the Applicant must provide this study.

Moreover, screening out the locally serving uses was impermissible here, because the total retail uses amounted to more than 100,000 square feet. The City's TSM states, "**[i]f multiple retail land uses are provided as one development, the sizes for all retail uses must be summed and considered together as a shopping center to determine whether the project qualifies for screening.**" (TSM, App'x B, p. 3, emphasis added.) Accordingly, the Applicant was not permitted to evaluate the locally serving uses, regionally serving uses, and entertainment uses separately for the purposes of screening. Rather, the TSM requires the analysis to consider *all* of these uses together as one development. Because the size of this Project's retail uses exceeds 100,000 square feet, the Applicant was not entitled to screen out any retail uses.

O6-8 cont.

The EIR was flawed in its determination that "local" retail uses could be screened out. When those uses are considered with all the retail and entertainment uses on-site, *none* of it qualified for screening, and must be evaluated altogether against the thresholds of significance.

B. The VMT Calculations for the Non-Screened Uses are Unsound

Even after improperly screening out the 100,00 square feet of "locally serving" uses, the EIR admits that the "regionally serving commercial land use (i.e., quality restaurant) would result in a net increase in VMT and would result in a **Potentially Significant** transportation VMT impact." (EIR, p. 5.2-30.) Similarly, the EIR continues, "the entertainment land use would result in a net increase in VMT and would result in a **Potentially Significant** transportation VMT impact." (EIR, p. 5.2-31.) As established above, impacts related to entertainment, local commercial, and regional commercial uses are not independent categories, and should not be evaluated as such.

O6-9

Additionally, the Applicant availed themselves of two off-model adjustments to calculate VMT for the Project. For example, "[t]he model does not account for quality restaurant trips that were already planned by the visitors regardless of the new restaurant. Therefore, a 10 percent reduction in VMT was applied to account for trips that were already planned for a quality restaurant, and with the Project, the quality restaurant land uses would be located closer to home." (EIR, p. 5.2-29.) No further information is provided, and it remains unclear how the Applicant arrived at 10% as the proper adjustment. The EIR must elaborate and explain how it arrived at the conclusion that 10% of future patrons for the Project's larger restaurants would have driven even farther for similar dining opportunities.

Furthermore, the EIR's analysis relies on another off-model adjustment to account for the fact that some patrons will visit the Project for both its entertainment and commercial uses:

Project as a whole, including residential, commercial, and entertainment center uses:

- For the entertainment center component, the net VMT increase was calculated based on the number of events and anticipated spectators over the course of a year.
- For the retail/commercial component, a full Project model (including residential and entertainment center land uses) was run twice: once with 100,000 square feet of retail/commercial and then a second time with 140,000 square feet of retail/commercial. The VMT impacts of the entire Project were assessed by comparing the net change in VMT between these scenarios.

Per the City's Trip Generation Manual of the Land Development Code (May 2003), the proposed retail/commercial aspect of the Project includes 1) 100,000 square feet of locally serving retail/commercial uses, and 2) 40,000 square feet of regionally serving restaurant uses.

First, 100,000 square feet of community/event-supportive commercial space would be anticipated to be made up of smaller retail/restaurant spaces. Per the Specific Plan, provided as Final SEIR Appendix C, most commercial land uses "…such as restaurants, shops, and supporting neighborhood retail…will front Frontier Drive, creating a 'Main Street,' with cafes that spill out to the street …" As shown in the Final SEIR Appendix D1, the retail spaces are

> [A] 13 percent adjustment in VMT was applied to address the internal capture trips between entertainment and regionally serving quality restaurant uses. The 13 percent is based on the assumption that 98 out of 365 days would have a higher number of attendees and have 50 percent of commercial trips linked to entertainment trips. This adjustment assumes that 50 percent of trips going to the regionally serving quality restaurant uses on site are also attendees of the event on these 98 high-attendance event days.

O6-9 cont. (EIR, p. 5.2-30.)

While the EIR provides at least some detail for this off-model adjustment, the adjustment is still largely theoretical and unproven. Had the Applicant studied the entertainment and commercial uses as one "retail" use, as required, the Applicant would not have had to rely on speculative off-model adjustments such as this.

In fragmenting its review of VMT into regional commercial and entertainment—and screening out local commercial uses entirely—the Applicant failed to comply with the City's TSM, obscured the Project's true impacts by studying them under arbitrary subcategories, and availed itself of unproven off-model adjustments, one of which would not have been necessary had the Applicant studied retail uses as one category.

V. The SEIR Fails to Disclose and Mitigate Carbon Monoxide Hotspots

O6-10 Areas with high vehicle density, such as congested intersections and parking garages, have the potential to create high concentrations of CO, known as "CO hotspots." (SEIR, p. 5.9-22.) The SEIR concludes there are no significant impacts from creation of carbon hotspots. However, the SEIR relied on the LMA for this finding. (EIR, App'x K, p. 40.)

As discussed in Sections I(b) and III, the LMA omits a severely impacted intersection and fails to adequately analyze the cumulative impacts of the NAVWAR project. The NAVWAR EIS forecasted vehicle delays of up to 90 minutes—congestion and idling cars are factors in the creation of CO hotspots. (SEIR 5.9-22.) The SEIR's CO hotspot analysis must be redone based on a corrected LMA.

VI. The SEIR Fails to Analyze Impacts to Coastal Access Corridors

O6-11 We reiterate the concerns raised in our Scoping Comments, which the SEIR failed to address. (Scoping Comments, p. 9.) The California Coastal Commission ("CCC") has already raised concerns with the NAVWAR development project, in part because the related traffic would impede coastal access: "PCH and both interstates function as important coastal access corridors, providing accessways for vehicles traveling to northern San Diego County Beaches and Mission

oriented and distributed to provide neighborhood oriented retail frontages on pedestrian spaces (e.g., promenades, streetscapes) as defined in the Specific Plan.

Second, up to 40,000 square feet of quality restaurant space was identified as potentially regionally serving and therefore evaluated as regionally serving.

As discussed previously, VMT impacts are adequately addressed in the Final SEIR. No revisions are required.

O6-9: Please refer to Response to Comment O6-8 regarding the VMT analysis and how the commercial/entertainment land uses were appropriately modeled. As discussed in Final SEIR Section 5.2, the SANDAG ABM2+ Series 14 (version 14.3.0) was the model used to analyze the Project's VMT impact. As discussed in VMT Memo (Final SEIR Appendix D2), there are two limitations of the SANDAG model that have been accounted for using post-processing adjustment factors: (1) the model does not account for quality restaurant trips that would occur regardless of the distance from the VMT point of origin; and (2) the model is not sensitive to the directly linked trips between commercial and entertainment land uses.

First, the VMT Memo explains that the SANDAG model does not account for quality restaurant trips because (a) the model does not differentiate between Quality Restaurant and High-Turn Over Restaurant and (b) when the Restaurant land use is added to the model, the trips will always show as

Bay, west to Ocean Beach, and south to San Diego Bay and the downtown shoreline. A network of offramps and streets such as Camino Del Rio, Rosecrans and Sports Arena Boulevard assist in connecting travelers from PCH and the interstate highways to local coastal access areas." (CCC Staff Report, p. 20.) The CCC further asserted that if a project's construction or operation "would create detours, worsen traffic conditions, or exceed the capacity of the portions of the existing transportation network used for coastal access, the project would have an adverse spillover effect on coastal access." (Id.).

O6-11 cont.

These impacts will be exacerbated by the Project. Because these projects neighbor each other and the coastline, the cumulative impacts to coastal access will be substantial. The Coastal Act requires maximum coastal access be provided to the public, consistent with public safety needs and public rights. (Coastal Act §30210.) In particular, the SEIR should review and address the concerns and findings in the CCC Staff Report, attached to our Scoping Comments and included in the SEIR Appendix A, as Exhibit A

VII. The SEIR Fails to Mitigate Significant Impacts to Public Services

Despite the massive size of the Project, and the significant amount of cumulative development planned for the community, the SEIR requires zero mitigation measures for impacts to public services. (SEIR, S-31.)

In fact, the San Diego Police Department sent a letter to the Applicant, stating, "Police response times in this community will continue to increase with the build-out of community plans and the increase of traffic generated by new growth. A Crime Prevention through Environmental Design Review (CPTED) is recommended by the police department to address general security concerns." (SEIR, App'x L2). Yet, no CPTED was required as a mitigation measure.

O6-12

In relation to fire services, the SEIR admits that there will be cumulative demand for fire protection services beyond what was forecasted in the Midway-Pacific Highway Community Plan. (SEIR, p. 6-25.) The SEIR concludes, "Development impact fees ("DIFs") would be required prior to the issuance of building permits to fund the Project's fair share toward ongoing operational costs." (SEIR 6-25). Yet, the City has eliminated localized development fees in favor of citywide fees. Ultimately, no mitigation is required.

Project proponents in San Diego were previously able to rely on mitigation of their projects' impacts though payment of DIFs. For example, the Complete Communities EIR premised its analysis and findings on continued collections of DIFs, stating that DIF fee plans are intended to offset the impacts of a given development and meet community-specific infrastructure needs. (Complete Communities PEIR, pp. 4.12-3, RTC-39.) Similarly, in evaluating NAVWAR, the Navy admits that there will be an increased need for public services under four of the five alternatives: 2, 3, 4, and 5. For each admission of increased need for these services, the Navy

an increase compared to the No Project scenario. These two characteristics of the model means the model assumes that all trips to the restaurant land use are "new" and not a mixture of "new" and "existing restaurant trips"—thereby double counting restaurant trips. It is reasonable to anticipate that a portion of the proposed quality restaurant trips would occur regardless of the distance from the start of the subject trip. Therefore, a 10 percent reduction in VMT was applied to account for quality restaurant trips that were "already planned," which would now be located closer to the start of the subject trip and remove the duplicate VMT associated with these trips. This reduction is based on the expertise and engineering judgment of City staff, informed by their experience with regionally serving commercial uses.

Second, as also explained in the VMT Memo, the SANDAG model is not sensitive to the directly linked trips between commercial and entertainment land uses because the model treats both trip types separately in the analysis and cannot recognize the entertainment center attendee (i.e., trip maker) likely utilizing the quality restaurant prior to (or after) the entertainment center event; this results in double counting the VMT between commercial and entertainment land uses on event days. To recognize the anticipated behavior of event attendees (e.g., having a meal prior/after the entertainment center show/event), the analysis estimated half of the commercial trips would be directly

dismisses cost-related concerns by stating that the funding will be derived from taxes and city and state development impact fees. (NAVWAR EIS, p. 3-373–3-381.) This assumption is no longer supported, given the transition away from community- or project-specific DIFs. Additionally, the City of San Diego already faces an enormous funding deficit: one recent audit estimates a "$5 billion shortfall in funding for crucial infrastructure projects over the next five years."[8]

Therefore, the SEIR must address the City's elimination of community-based DIFs and consider the NAVWAR EIS and Complete Communities EIR's planned reliance on the outdated community-based DIF scheme to mitigate impacts, in its analysis of the Project's cumulative impacts.

O6-12 cont.

We ask the SEIR to clarify: **Are the development fees referenced in the SEIR specifically required to be used on mitigation in the Midway community?**

In light of NAVWAR's reliance on development impact fees that will no longer be guaranteed to support that project, it becomes even more important for Midway Rising to ensure adequate funding for the increased demand on public services, and require these investments as binding, enforceable mitigation measures.

VIII. Conclusion

Thank you for your consideration of these comments.

Sincerely,

Isabella Coye
Josh Chatten-Brown
Kathryn Pettit

[8] David Garrick, Audit: San Diego OKs Infrastructure Projects Without Proper Vetting, Increasing Costs and Delaying Completion, SAN DIEGO UNION-TRIBUNE (June 2, 2023), https://www.sandiegouniontribune.com/news/politics/story/2023-06-02/audit-san-diego-infrastructure-vetting-costsdelaying-completion.

linked to entertainment center attendees for entertainment center events over 5000 attendees (i.e., 98 events per year). Recognition of event attendee behavior results in a 13 percent reduction in VMT to account for trips that involve a "meal and show" for patrons going to an event and utilizing on-site quality restaurant uses.[1] This reduction is based on the expertise and engineering judgment of City staff, informed by their experience with regionally serving commercial uses adjacent to entertainment land uses.

O6-10: Please refer to Responses to Comments O6-2 through O6-5, which address the commenter's concerns regarding the LMA, explain the difference between LOS and VMT, and provide a discussion on the Project's transportation analysis. Please also refer to Response to Comment O6-6, Thematic Response: Navy OTC Revitalization Project (Transportation), and Thematic Response: Traffic Congestion for additional information. As such, no deficiency occurs in the carbon monoxide hot spot analysis. Therefore, this issue is adequately addressed in the Final SEIR, and no further response is required.

O6-11: Please refer to Thematic Response: Cumulative Projects, Thematic Response: Traffic Congestion, Thematic Response: Navy OTC Revitalization Project (Transportation) and Response to Comment O6-2 for more information.

[1] 98 events / 365 days * 50% commercial trips directly linked to events = 13% Adjustment

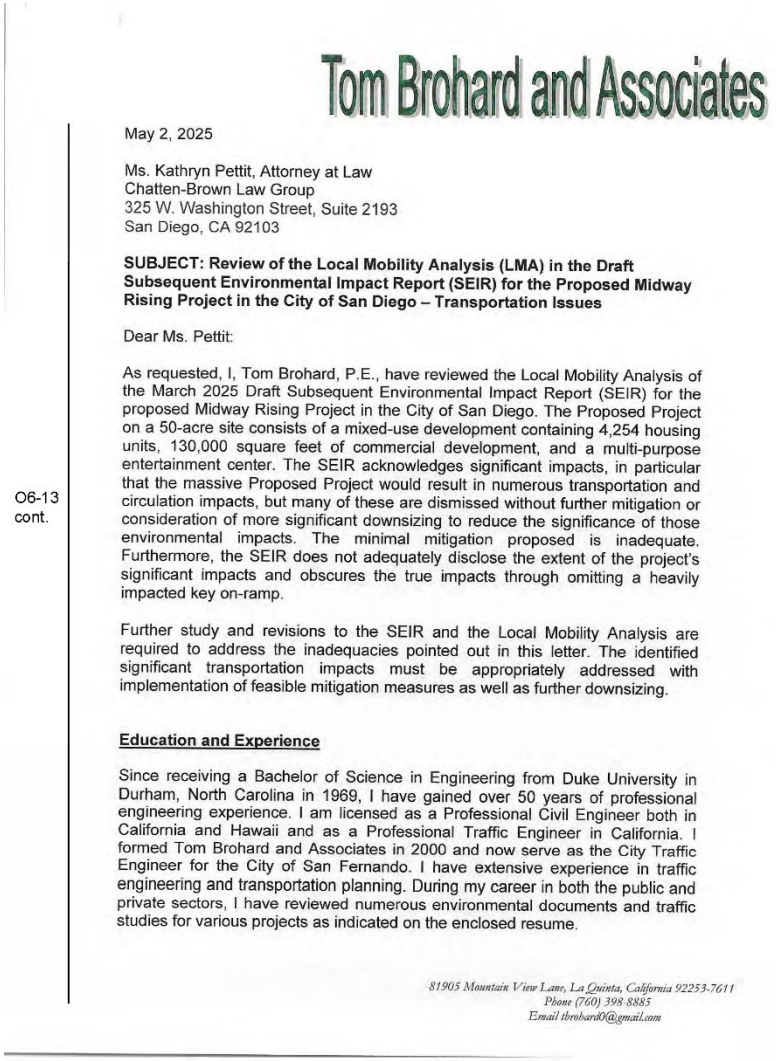
EXHIBIT A

O6-13

Comments provided by the California Coastal Commission on the adequacy of the Navy OTC Revitalization Project development's environmental analysis do not raise an issue regarding the adequacy or accuracy of the Final SEIR.

O6-12: Final SEIR Section 5.11, Public Services and Facilities, concludes that existing police facilities would continue to serve the Project site and that implementation of the Project would not require the construction of new or expanded facilities or improvements to existing facilities. Impacts would be less than significant, and mitigation is not required. Nevertheless, as noted by the comment, Final SEIR Section 5.11, Public Services and Facilities, states that a Crime Prevention Through Environmental Design Review was recommended by the San Diego Police Department to address general security concerns (Final SEIR Appendix L2, City of San Diego Police Department Findings Letter) in line with the City of Villages strategy. The applicant has agreed to participate in this process.

In 2022, the City Council adopted Citywide Development Impact Fees (DIFs) in accordance with the Mitigation Fee Act, as set forth in California Government Code Section 66001. The Citywide DIFs are based on Citywide Nexus Studies, which establish standardized methodologies for identifying the public facilities necessary to support new development and provide the flexibility to allocate funding



Tom Brohard and Associates

May 2, 2025

Ms. Kathryn Pettit, Attorney at Law
Chatten-Brown Law Group
325 W. Washington Street, Suite 2193
San Diego, CA 92103

SUBJECT: Review of the Local Mobility Analysis (LMA) in the Draft Subsequent Environmental Impact Report (SEIR) for the Proposed Midway Rising Project in the City of San Diego – Transportation Issues

Dear Ms. Pettit:

As requested, I, Tom Brohard, P.E., have reviewed the Local Mobility Analysis of the March 2025 Draft Subsequent Environmental Impact Report (SEIR) for the proposed Midway Rising Project in the City of San Diego. The Proposed Project on a 50-acre site consists of a mixed-use development containing 4,254 housing units, 130,000 square feet of commercial development, and a multi-purpose entertainment center. The SEIR acknowledges significant impacts, in particular that the massive Proposed Project would result in numerous transportation and circulation impacts, but many of these are dismissed without further mitigation or consideration of more significant downsizing to reduce the significance of those environmental impacts. The minimal mitigation proposed is inadequate. Furthermore, the SEIR does not adequately disclose the extent of the project's significant impacts and obscures the true impacts through omitting a heavily impacted key on-ramp.

O6-13 cont.

Further study and revisions to the SEIR and the Local Mobility Analysis are required to address the inadequacies pointed out in this letter. The identified significant transportation impacts must be appropriately addressed with implementation of feasible mitigation measures as well as further downsizing.

Education and Experience

Since receiving a Bachelor of Science in Engineering from Duke University in Durham, North Carolina in 1969, I have gained over 50 years of professional engineering experience. I am licensed as a Professional Civil Engineer both in California and Hawaii and as a Professional Traffic Engineer in California. I formed Tom Brohard and Associates in 2000 and now serve as the City Traffic Engineer for the City of San Fernando. I have extensive experience in traffic engineering and transportation planning. During my career in both the public and private sectors, I have reviewed numerous environmental documents and traffic studies for various projects as indicated on the enclosed resume.

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where infrastructure needs are most critical due to growth-related impacts. The Citywide DIFs are applied to new development. Citywide DIFs can be used to provide infrastructure to meet the fire and safety standards as identified in the Citywide Nexus Studies and supplement Community DIF when needed to provide infrastructure identified in the impact fee studies. For the purposes of CEQA, the relevant analysis is whether the Project will result in physical impacts to the environment. As discussed above, the Project would not result in any additional physical impacts related to the provision of public facilities not previously identified in the Midway Impact Fee Study covered by the Midway-Pacific Highway CPU PEIR.

O6-13: This comment provides the qualifications of Mr. Tom Brohard, outlines the City's TSM procedures, and questions why the City's Project Information Form was not included in the Final SEIR. Please refer to Thematic Response: Traffic Congestion and Responses to Comments O6-2 and O6-6 for information regarding the City's TSM as it relates to the Project's LMA. The Project Information Form was prepared as part of the scoping process, and the scoping memo was not included in the Final SEIR.

The transportation studies provided in Appendices D1, D2, D3, and D4 of the Final SEIR are staff-approved documents, meeting the methodologies used to develop the documents were supported by the appropriate City staff.

Ms. Kathryn Pettit, Attorney at Law
Local Mobility Analysis for Midway Rising Project – Transportation Issues
May 2, 2025

Transportation Issues

As discussed throughout this letter, significant transportation and circulation issues have not been adequately or appropriately analyzed in the Local Mobility Analysis (LMA) in the SEIR for the proposed Midway Rising Project in the City of San Diego. Each of the items identified below requires further explanation, discussion, and analyses in the SEIR and in the Local Mobility Analysis (LMA) as is required by the City's Transportation Study Manual (TSM) as follows:

1) Transportation Study Manual Requirements Not Documented – The City of San Diego has published and updated the Transportation Study Manual (TSM) several times, most recently on September 19, 2022. The Manual describes transportation analysis requirements for land development, roadway projects, and specific plans in the City of San Diego. The preparation of the required analysis starts with the submittal of the Project Information Form, (a checklist in the Manual) describing the project and preliminary screening criteria. The resulting document typically undergoes several revisions between the City staff and the Project consultants before the Project Information Form is approved and the detailed work and analyses can begin.

O6-13 cont.

According to the TSM Introduction on Page 2, "The purpose of this Manual is to provide guidance to consultants on how to prepare transportation studies in the City of San Diego. It is intended to ensure consistency among consultants, predictability in preparation, consistency among reviewers, and conformance with all applicable City and State regulations, including CEQA. Transportation studies are intended to identify the transportation impacts of proposed development projects and to determine the need for any improvements to the adjacent and nearby road system to achieve acceptable mobility for vehicles, bicyclists, pedestrians, and transit. This Manual provides guidance for:

- The City's CEQA significance thresholds, screening criteria, and methodology for conducting the transportation vehicle miles travelled (VMT) analysis.
- Preparation of Local Mobility Analysis (LMA) to identify any off-site infrastructure improvements in the project vicinity that may be triggered with the development of the project, as well as to analyze site access and circulation and evaluate the local multi-modal network available to serve the project."

Typically, the approved Project Information Form is included in the SEIR as a part of the transportation and circulation section of the overall analyses. Page 3 of the TSM identifies the four steps involved in the typical process to successfully complete a transportation study in the City of San Diego. It

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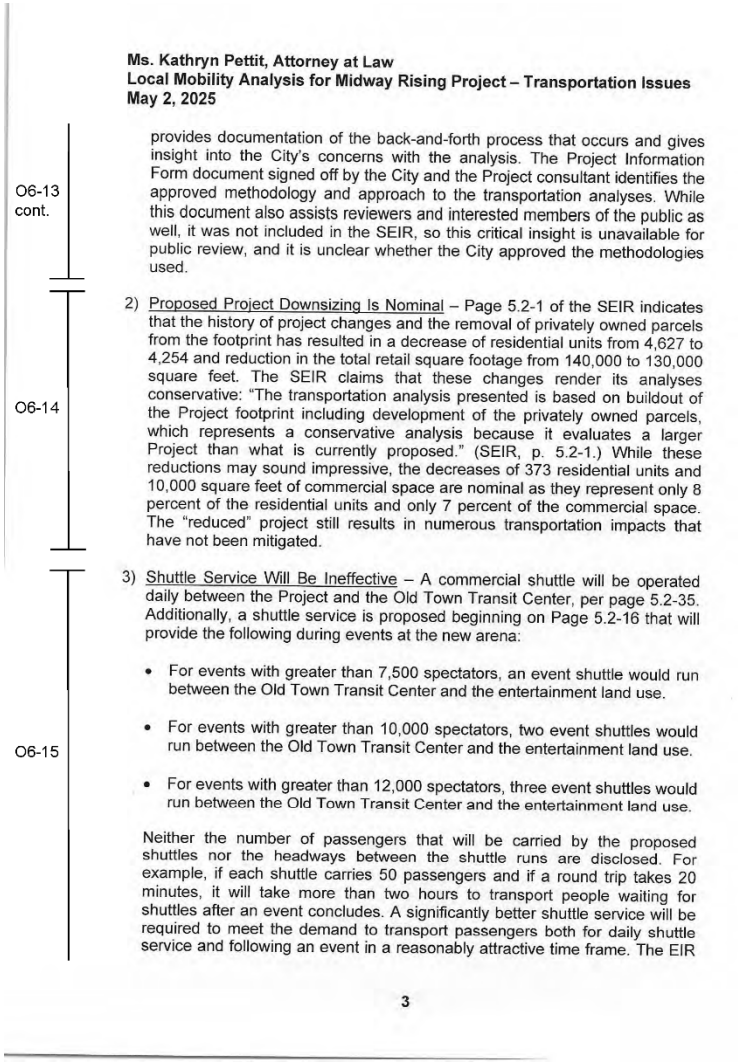
This comment does not address the accuracy or adequacy of the analysis in the Final SEIR. No further response is required.



Ms. Kathryn Pettit, Attorney at Law
Local Mobility Analysis for Midway Rising Project – Transportation Issues
May 2, 2025

provides documentation of the back-and-forth process that occurs and gives insight into the City's concerns with the analysis. The Project Information Form document signed off by the City and the Project consultant identifies the approved methodology and approach to the transportation analyses. While this document also assists reviewers and interested members of the public as well, it was not included in the SEIR, so this critical insight is unavailable for public review, and it is unclear whether the City approved the methodologies used.

O6-13 cont.

2) Proposed Project Downsizing Is Nominal – Page 5.2-1 of the SEIR indicates that the history of project changes and the removal of privately owned parcels from the footprint has resulted in a decrease of residential units from 4,627 to 4,254 and reduction in the total retail square footage from 140,000 to 130,000 square feet. The SEIR claims that these changes render its analyses conservative: "The transportation analysis presented is based on buildout of the Project footprint including development of the privately owned parcels, which represents a conservative analysis because it evaluates a larger Project than what is currently proposed." (SEIR, p. 5.2-1.) While these reductions may sound impressive, the decreases of 373 residential units and 10,000 square feet of commercial space are nominal as they represent only 8 percent of the residential units and only 7 percent of the commercial space. The "reduced" project still results in numerous transportation impacts that have not been mitigated.

O6-14

3) Shuttle Service Will Be Ineffective – A commercial shuttle will be operated daily between the Project and the Old Town Transit Center, per page 5.2-35. Additionally, a shuttle service is proposed beginning on Page 5.2-16 that will provide the following during events at the new arena:

- For events with greater than 7,500 spectators, an event shuttle would run between the Old Town Transit Center and the entertainment land use.
- For events with greater than 10,000 spectators, two event shuttles would run between the Old Town Transit Center and the entertainment land use.
- For events with greater than 12,000 spectators, three event shuttles would run between the Old Town Transit Center and the entertainment land use.

O6-15

Neither the number of passengers that will be carried by the proposed shuttles nor the headways between the shuttle runs are disclosed. For example, if each shuttle carries 50 passengers and if a round trip takes 20 minutes, it will take more than two hours to transport people waiting for shuttles after an event concludes. A significantly better shuttle service will be required to meet the demand to transport passengers both for daily shuttle service and following an event in a reasonably attractive time frame. The EIR

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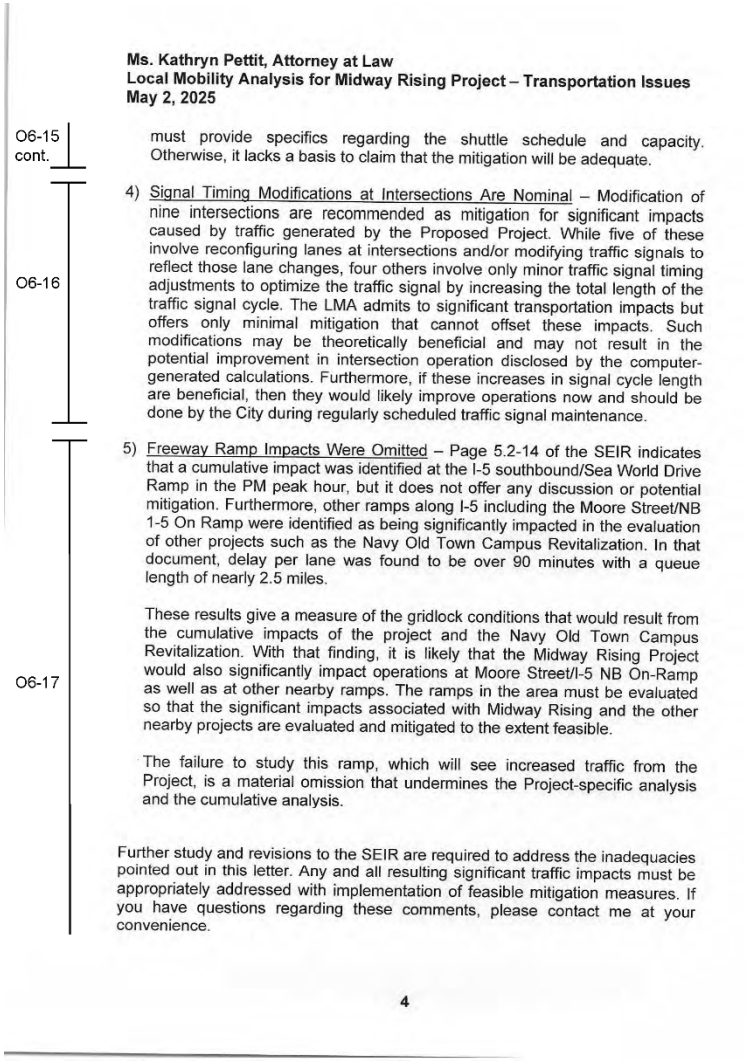
O6-14: Please refer to Response to Comment O6-2 related to transportation impacts. As discussed in Final SEIR Appendix D5, Privately Owned Parcels and Effects on the Local Mobility Analysis Memorandum, the modified site plan did result in a reduction in trips, which has been adequately documented for CEQA purposes. Nevertheless, the Project would construct and implement improvements identified in the LMA, except for the frontage along the privately owned parcels. In addition, as discussed in the Final SEIR Section 5.2 the VMT impact for the regionally serving commercial land would be partially mitigated and would remain Significant and Unavoidable.

O6-15: Please refer to Responses to Comments O5-3 and O6-5 for more information.



Ms. Kathryn Pettit, Attorney at Law
Local Mobility Analysis for Midway Rising Project – Transportation Issues
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O6-15 cont.

must provide specifics regarding the shuttle schedule and capacity. Otherwise, it lacks a basis to claim that the mitigation will be adequate.

O6-16

4) Signal Timing Modifications at Intersections Are Nominal – Modification of nine intersections are recommended as mitigation for significant impacts caused by traffic generated by the Proposed Project. While five of these involve reconfiguring lanes at intersections and/or modifying traffic signals to reflect those lane changes, four others involve only minor traffic signal timing adjustments to optimize the traffic signal by increasing the total length of the traffic signal cycle. The LMA admits to significant transportation impacts but offers only minimal mitigation that cannot offset these impacts. Such modifications may be theoretically beneficial and may not result in the potential improvement in intersection operation disclosed by the computer-generated calculations. Furthermore, if these increases in signal cycle length are beneficial, then they would likely improve operations now and should be done by the City during regularly scheduled traffic signal maintenance.

5) Freeway Ramp Impacts Were Omitted – Page 5.2-14 of the SEIR indicates that a cumulative impact was identified at the I-5 southbound/Sea World Drive Ramp in the PM peak hour, but it does not offer any discussion or potential mitigation. Furthermore, other ramps along I-5 including the Moore Street/NB 1-5 On Ramp were identified as being significantly impacted in the evaluation of other projects such as the Navy Old Town Campus Revitalization. In that document, delay per lane was found to be over 90 minutes with a queue length of nearly 2.5 miles.

O6-17

These results give a measure of the gridlock conditions that would result from the cumulative impacts of the project and the Navy Old Town Campus Revitalization. With that finding, it is likely that the Midway Rising Project would also significantly impact operations at Moore Street/I-5 NB On-Ramp as well as at other nearby ramps. The ramps in the area must be evaluated so that the significant impacts associated with Midway Rising and the other nearby projects are evaluated and mitigated to the extent feasible.

The failure to study this ramp, which will see increased traffic from the Project, is a material omission that undermines the Project-specific analysis and the cumulative analysis.

Further study and revisions to the SEIR are required to address the inadequacies pointed out in this letter. Any and all resulting significant traffic impacts must be appropriately addressed with implementation of feasible mitigation measures. If you have questions regarding these comments, please contact me at your convenience.

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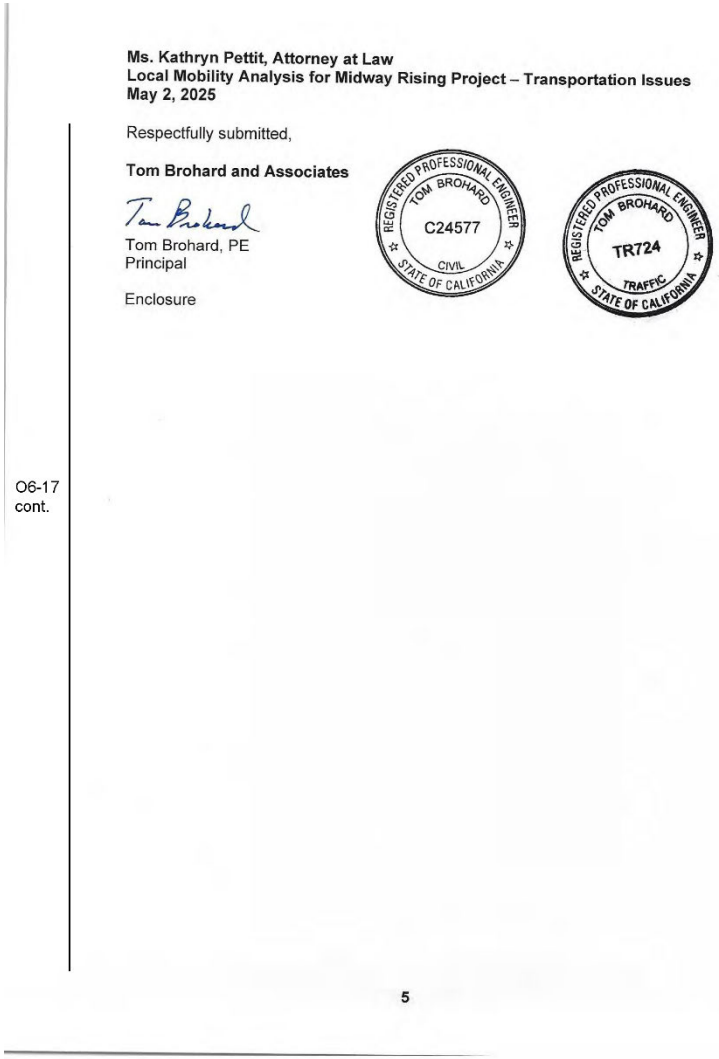
O6-16: Please refer to Thematic Response: Traffic Congestion and Responses to Comments O6-2 and O6-7 regarding the purpose of the LMA versus the purpose of the VMT transportation studies. Because the LMA was prepared to address operational issues, no mitigation under CEQA is required of that analysis. This comment incorrectly refers to signal optimization and CEQA mitigation. That characterization is erroneous. Rather, the City accepts signal timing optimization and cycle length optimization as means to improve a potential transportation effect on operations identified in an LMA. As described in Final SEIR Appendix D1, the study's results indicate that optimizing signal timing/cycle length would improve operations at various intersections. The signal optimization may not be beneficial for existing conditions, as traffic volumes serve uses that are currently on the site, which are primarily entertainment and retail. The Project includes a residential component that would rebalance the roadway network traffic volumes, as this land use has different traffic patterns than retail and entertainment. Therefore, the signal optimization may only benefit the study intersections under Project build conditions.

O6-17: Final SEIR Chapter 6.0 includes a section that describes the cumulative impacts that were identified by the Midway-Pacific Highway CPU PEIR. The documented cumulative impacts from the Midway-Pacific Highway CPU PEIR are



Ms. Kathryn Pettit, Attorney at Law
Local Mobility Analysis for Midway Rising Project – Transportation Issues
May 2, 2025

Respectfully submitted,

Tom Brohard and Associates

Tom Brohard, PE
Principal

Enclosure

REGISTERED PROFESSIONAL ENGINEER TOM BROHARD C24577 CIVIL STATE OF CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER TOM BROHARD TR724 TRAFFIC STATE OF CALIFORNIA

O6-17
cont.

5

distinct and not indicative of cumulative impacts identified by the Project's VMT analysis.

See Response to Comment O6-7 regarding metrics for the Midway-Pacific Highway CPU PEIR versus the Project.

See Response to Comment O6-3 for more information. In addition, refer to Thematic Response: Navy OTC Revitalization Project (Transportation), Thematic Response: Traffic Congestion, and Thematic Response: Cumulative Projects.

O6-17 cont.

Tom Brohard, PE

Licenses: 1975 / Professional Engineer / California – Civil, No. 24577
1977 / Professional Engineer / California – Traffic, No. 724
2006 / Professional Engineer / Hawaii – Civil, No. 12321

Education: 1969 / BSE / Civil Engineering / Duke University

Experience: 50+ Years

Memberships: 1977 / Institute of Transportation Engineers – Fellow, Life
1978 / Orange County Traffic Engineers Council - Chair 1982-1983
1981 / American Public Works Association – Life Member

Tom is a recognized expert in the field of traffic engineering and transportation planning. His background also includes responsibility for leading and managing the delivery of various contract services to numerous cities in Southern California.

Tom has extensive experience in providing transportation planning and traffic engineering services to public agencies. In addition to conducting traffic engineering investigations for Los Angeles County from 1972 to 1978, he has previously served as City Traffic Engineer in the following communities:

- Bellflower ..... 1997 - 1998
- Bell Gardens ..... 1982 - 1995
- Big Bear Lake..... 2006 - 2015
- Indio..... 2005 - 2019
- Huntington Beach ..... 1998 - 2004
- Lawndale..... 1973 - 1978
- Los Alamitos ..... 1981 - 1982
- Oceanside..... 1981 - 1982
- Paramount ..... 1982 - 1988
- Rancho Palos Verdes ..... 1973 - 1978
- Rolling Hills ..... 1973 - 1978, 1985 - 1993
- Rolling Hills Estates ..... 1973 - 1978, 1984 - 1991
- San Fernando..... 2004 - Present
- San Marcos..... 1981
- Santa Ana ..... 1978 - 1981
- Westlake Village ..... 1983 - 1994

During these assignments, Tom has supervised City staff and directed other consultants including traffic engineers and transportation planners, traffic signal and street lighting personnel, and signing, striping, and marking crews. He has secured over $10 million in grant funding for various improvements. He has managed and directed many traffic and transportation studies and projects. While serving these communities, he has personally conducted investigations of hundreds of citizen requests for various traffic control devices. Tom has also successfully presented numerous engineering reports at City Council, Planning Commission, and Traffic Commission meetings in these and other municipalities.

Tom Brohard and Associates

Tom Brohard, PE, Page 2

In his 14 years of service to the City of Indio, Tom accomplished the following:

- Oversaw preparation and adoption of the 2008 Circulation Element Update of the General Plan including development of Year 2035 buildout traffic volumes, revised and simplified arterial roadway cross sections, and reduction in acceptable Level of Service criteria under certain conditions.
- Oversaw preparation of fact sheets/design exceptions to reduce shoulder widths on Jackson Street and on Monroe Street over I-10 as well as justifications for protected-permissive left turn phasing at I-10 on-ramps, the first such installations in Caltrans District 8 in Riverside County; reviewed plans and provided assistance during construction of both $2 million projects to install traffic signals and widen three of four ramps at these two interchanges under Caltrans encroachment permits.
- Reviewed traffic signal, signing, striping, and work area traffic control plans for the County's $45 million I-10 Interchange Improvement Project at Jefferson Street.
- Reviewed traffic impact analyses for Project Study Reports evaluating different alternatives for buildout improvements of the I-10 Interchanges at Jefferson Street, Monroe Street, Jackson Street and Golf Center Parkway.

O6-17 cont.

- Oversaw preparation of plans, specifications, and contract documents and provided construction assistance for over 70 traffic signal installations and modifications.
- Reviewed and approved over 2,000 work area traffic control plans as well as signing and striping plans for all City and developer funded roadway improvement projects.
- Oversaw preparation of a City-wide traffic safety study of conditions at all schools.
- Obtained $47,000 grant from the California Office of Traffic Safety and implemented the City's Traffic Collision Database System. Annually reviews "Top 25" collision locations and provides traffic engineering recommendations to reduce collisions.
- Prepared over 1,500 work orders directing City forces to install, modify, and/or remove traffic signs, pavement and curb markings, and roadway striping.
- Oversaw preparation of engineering and traffic surveys to establish enforceable speed limits on over 500 street segments.
- Reviewed and approved traffic impact studies for more than 35 major projects and special events including the annual Coachella and Stagecoach Music Festivals.
- Developed and implemented the City's Golf Cart Transportation Program.

Since forming Tom Brohard and Associates in 2000, Tom has reviewed many traffic impact reports and environmental documents for various development projects. He has provided expert witness services and also prepared traffic studies for public agencies and private sector clients.

Tom Brohard and Associates

O6-18

EXHIBIT B

O6-18: This document is an excerpt from the Navy Old Town Campus Revitalization Final Environmental Impact Statement and does not address the adequacy or accuracy of the Final SEIR for the Project. No further response is required.

provisions included directly in the lease or other transfer agreement requiring the transferee to accomplish mitigation, or another appropriate process. When site development details are known, the selected developer(s), and in the case of Alternatives 4 or 5 the transit agencies, would work directly with the City of San Diego or other appropriate local agencies on the implementation of, or fair share contribution to, mitigation measures related to traffic impacts. The agency or agencies responsible for mitigation would follow all applicable laws and regulations.

The following potential mitigation measures also identify if the measures would lessen the impacts below the threshold of significance.

- TRANS MIT-1. *Intersection #2. Taylor Street/Interstate 8 EB Ramps* – Per the Mission Valley Community Plan, the entirety of Hotel Circle would be transformed from a bi-directional collector to a one-way couplet running in the clockwise direction. As part of this network change, the Taylor Street/Interstate 8 Eastbound Ramps interchange would be eliminated and replaced by a new signalized interchange at Interstate 8 with the future connection of Via Las Cumbres. Given the unknown timing for implementation and the lack of an identified funding source in the Mission Valley Community Plan, the impact at this intersection remains significant and unavoidable. Given that the impact at this location remains significant and unavoidable, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 and TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-2. *Intersection #6. Rosecrans Street/Taylor Street/Pacific Highway* – Per the Midway-Pacific Highway Community Plan, improvements are planned at this intersection. The Community Plan proposes to provide a second southbound left-turn lane, a westbound right-turn overlap phase, and a second northbound right-turn lane. Implementation of the Community Plan improvements would mitigate the impact to below a level of significance. Alternatively, together with Caltrans, SANDAG has prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a high-occupancy vehicle (HOV) direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the interchange improvements is likely to be implemented at a point during construction of the Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-3. *Intersection #7. Rosecrans Street/Jefferson Street* – There are no planned improvements in the Midway-Pacific Highway Community Plan at this intersection. Installation of a traffic signal at this intersection would improve operations at this intersection. However, the intersection is located within close proximity to the Rosecrans Street/Taylor Street/Pacific Highway signalized intersection (350 feet) which would be less than ideal for installing a signal and it would not be expected that the intersection would meet signal warrants given the very low minor street volumes on Jefferson Street. The provision of an additional signal on this segment of Rosecrans Street where heavy through traffic exists would not be beneficial to the major street traffic flow. Based on these findings, the EIS does not recommend any

O6-18 cont.

improvements and the impact at this intersection remains significant and unavoidable. Given that the impact at this location remains significant and unavoidable, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 and TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.

- TRANS MIT-4. *Intersection #8. Camino Del Rio West/Hancock Street* – The intersection is built out and has no additional right-of-way. Additional through lanes on Camino Del Rio West are needed to improve operations at this intersection. However, given the lack of available right-of-way, widening at this intersection is infeasible. Together with Caltrans, SANDAG has prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-5. *Intersection #11. Rosecrans Street/Sports Arena Boulevard* – Per the Midway-Pacific Highway Community Plan, improvements are planned at this intersection to reconfigure the existing geometry. The Community Plan proposes to remove the southbound free right-turn movement from Camino Del Rio West onto Sports Arena Boulevard and replace it with an exclusive right-turn lane. The planned improvements allow southbound movements to continue on Sports Arena Boulevard through the intersection. Notably, vehicles would still not be able to access the southern leg of Sports Arena Boulevard from westbound Rosecrans Street or southwest bound Camino Del Rio West. With the improvements proposed at this intersection, the Community Plan reports LOS D results. The additional traffic added by the Proposed Action would degrade intersection operations to significant levels. Any improvements beyond those recommended in the Community Plan are physically infeasible given the lack of available right-of-way. Therefore, the EIS recommends implementation of the Community Plan improvements, where feasible, and the impact at this intersection will remain significant and unavoidable. Given that the impact at this location remains significant and unavoidable, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 and TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-6. *Intersection #12. Rosecrans Street/Midway Drive* – Per the Midway-Pacific Highway Community Plan, improvements are planned at this intersection. The Community Plan proposes an exclusive southbound right-turn lane with an overlap phase, a westbound right-turn overlap phase, and an eastbound right-turn overlap phase. With the improvements proposed at this intersection, the Community Plan reports LOS E results, concluding the impact remains significant and unavoidable. With the additional traffic added by the Proposed Action Alternatives, the intersection continues to operate at LOS E. Any improvements beyond those recommended in the Community Plan are physically infeasible given the lack of available right-of-way. Therefore, the EIS recommends implementation of the Community Plan improvements,

O6-18 cont.

where feasible. Given that the impact at this location remains significant and unavoidable, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 and TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.

- TRANS MIT-7. *Intersection #13. Rosecrans Street/Lytton Street* – Per the Midway-Pacific Highway Community Plan, improvements are planned at this intersection. The Community Plan proposes right-turn overlap phasing in the northbound, southbound, and westbound directions. A second eastbound left-turn lane is proposed. These improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-8. *Intersection #14. Lytton Street/Barnett Avenue/Truxtun Road* – There are no planned improvements in the Midway-Pacific Highway Community Plan at this intersection. Constructing an eastbound dedicated right-turn lane within the existing curb-to-curb width would mitigate the impact to below a level of significance.
- TRANS MIT-9. *Intersection #15. Midway Drive/Enterprise Street* – There are no planned improvements in the Midway-Pacific Highway Community Plan at this intersection. From centerline to centerline, this intersection is approximately 160 feet from the Midway Drive/Barnett Avenue intersection. The existing configuration of these two intersections are such that raised medians restrict turning movements requiring out of direction travel on Midway Drive, Barnett Avenue and Jessop Lane. The traffic added by the Proposed Action Alternatives to the westbound right-turning movement is substantial. Those additional trips result in a significant delay for southbound right-turns from Enterprise Street onto Midway Drive. Due to the physical constraints and irregular configuration of this intersection and its proximity to the Midway Drive/Barnett Avenue intersection, reconstructing this intersection in combination with the Midway/Barnett Avenue intersection into a signalized four-way intersection would be required to partially mitigate this impact. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 and TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-10. *Intersection #16. Midway Drive/Barnett Avenue* – There are no planned improvements in the Midway-Pacific Highway Community Plan at this intersection. From centerline to centerline, this intersection is approximately 160 feet from the Midway Drive/Enterprise Street intersection. The existing configuration of these two intersections are such that raised medians restrict turning movements requiring out of direction travel on Midway Drive, Barnett Avenue and Jessop Lane. The traffic added by the Proposed Action Alternatives to the southbound right-turning and eastbound left-turning movements is substantial. Those additional trips result in a significant delay at this intersection. Due to the physical constraints and irregular configuration of this intersection and its proximity to the Midway Drive/Enterprise Street, reconstructing this intersection in combination with the Midway Drive/Enterprise Street intersection into a signalized four-way intersection would be required to partially mitigate this impact. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 and TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.

O6-18 cont.

- TRANS MIT-11. *Intersection #18. Pacific Highway/Kurtz Street* – Per the Midway-Pacific Highway Community Plan, improvements are planned at this intersection to reconfigure the existing geometry. The Community Plan proposes to signalize the intersection and allow eastbound left-turn movements. With the improvements proposed at this intersection, the Community Plan reports high LOS D results. However, the additional traffic added by the Proposed Action Alternatives would degrade intersection operations to significant levels. Any improvements beyond those recommended in the Community Plan are physically infeasible given the lack of available right-of-way. Therefore, it is recommended the Proposed Action Alternatives implement the Community Plan improvements, where feasible, and the impact at this intersection will remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 and TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-12. *Intersection #19. Pacific Highway/Sports Arena Boulevard* – Per the Midway-Pacific Highway Community Plan, improvements are planned at this intersection to reconfigure the existing geometry. The Community Plan proposes to relocate the intersection 500 feet to the north of its current location. Improvements to realign Sports Arena Boulevard to create a right-angle with Pacific Highway are planned, as well as signalizing the intersection, providing an exclusive eastbound left-turn lane from Sports Arena Boulevard onto Pacific Highway and providing a northbound left-turn lane from Pacific Highway onto Sports Arena Boulevard. With the improvements proposed at this intersection, the Community Plan reports LOS C results. With the additional traffic added by the Proposed Action Alternatives, acceptable LOS operations would continue to occur. These improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.

O6-18 cont.

- TRANS MIT-13. *Intersection #20. Pacific Highway/Enterprise Street* – There are no planned improvements in the Midway-Pacific Highway Community Plan at this intersection. This intersection currently serves as an access point for OTC. With future development of the Proposed Action, this intersection would likely be improved to provide additional lanes entering/exiting the site. However, additional lanes are also needed on Pacific Highway. Any widening to Pacific Highway would be infeasible due to lack of right-of-way. Therefore, the impact at this intersection will remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures. These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-14. *Intersection #22. Old Town Avenue/San Diego Avenue* – There are no planned improvements in the Old Town Community Plan at this intersection. The intersection is built out with regard to available right-of-way. Additional lanes on intersection approaches are needed to improve operations at this intersection. However, given the lack of available right-of-way, widening at this intersection is infeasible. Therefore, no improvements are recommended and the impact at this intersection remains significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 and TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.

- TRANS MIT-15. *Intersection #23. Old Town Avenue/Moore Street* – Per the Old Town Community Plan, improvements are recommended at this intersection. The Community Plan recommends signal phasing changes from permissive to protected and to add exclusive left-turn lanes on Old Town Avenue approaching the intersection. However, the Community Plan concludes there is no available right-of-way to complete the improvements. Caltrans and SANDAG, as part of the Airport Connectivity Analysis, have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. Additional capacity would be added to the interchange that would improve operations at the Old Town Avenue/Moore Street intersection that effectively operates as the Interstate 5 North interchange with Old Town Avenue. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-16. *Intersection #24. Hancock Street/Old Town Avenue/Interstate 5 SB Off-Ramps* – There are no planned improvements for this intersection in the Old Town Community Plan. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the Interstate 5/Old Town Avenue interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. Additional capacity would be added to the interchange that would improve operations at the Old Town Avenue/Hancock Street intersection that effectively operates as the Interstate 5 southbound off-ramp with Old Town Avenue and Hancock Street. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-17. *Intersection #25. Witherby Street/Hancock Street* – Per the Midway-Pacific Highway Community Plan, improvements are planned at this intersection to reconfigure the existing geometry. The Community Plan proposes to widen the northbound approach to provide one shared through/right-turn lane and one shared through/left-turn lane. With the improvements proposed at this intersection, the Community Plan reports low LOS D results. However, the additional traffic added by the Proposed Action Alternatives would degrade intersection operations to significant levels. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the

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interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.

- TRANS MIT-18. *Intersection #26. Witherby Street/Pacific Highway* – Per the Midway-Pacific Highway Community Plan, improvements are planned at this intersection to reconfigure the existing geometry. The Community Plan proposes to remove the grade separation between Witherby Street, Pacific Highway, and Tripoli Avenue and construct an at-grade four-way signalized allowing for full movements. The Community Plan does not further analyze these improvements or discuss their feasibility. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-19. *Intersection #27. Witherby Street/Tripoli Avenue* – Per the Midway-Pacific Highway Community Plan, improvements are planned at this intersection to reconfigure the existing geometry. The Community Plan proposes to remove the grade separation between Witherby Street, Pacific Highway, and Tripoli Avenue and construct an at-grade four-way signalized allowing for full movements. The Community Plan does not further analyze these improvements or discuss their feasibility. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-20. *Intersection #28. Hancock Street/Noell Street* – There are no planned improvements in the Midway-Pacific Highway Community Plan at this intersection. Installing a traffic signal at this intersection would mitigate the impact to below a level of significance.
- TRANS MIT-21. *Intersection #30. Washington Street/Hancock Street* – Per the Midway-Pacific Highway Community Plan, improvements are recommended at this intersection. The Community Plan recommends restriping the southbound approach to provide a second right-turn lane. However, the Community Plan states that the provision of the additional turn lane would eliminate heavily utilized street parking and therefore concludes impacts to this

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intersection would remain significant and unavoidable. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.

- TRANS MIT-22. *Intersection #31. Washington Street/Pacific Highway* – Per the Airport Development Plan, improvements are recommended at this intersection. The Airport Development Plan recommends participation by the airport in regional efforts to develop a long-range transportation solution for accessing the airport, including: 1) participate in regional planning efforts led by SANDAG to determine transit connections between regional transit and the airport terminals, freeway connections along the Laurel Street corridor, Intelligent Transportation Systems, and mobility hub improvements/strategies; and 2) participate in the implementation of improvements and strategies identified in the Airport Connectivity Analysis. However, the improvements were considered infeasible because parts of the mitigation measures are within the control of other agencies or jurisdictions. Therefore, the impact would remain significant and unavoidable. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-23. *Intersection #33. Pacific Highway/Sassafras Street* – Per the Airport Development Plan, improvements are recommended at this intersection. The Airport Development Plan recommends the addition of a second eastbound through lane and restriping the southbound approach to provide a left-turn lane, three through lanes, and a right-turn lane to add capacity to the intersection, though the additional capacity continued to result in LOS E operations rendering the impact not fully mitigated. In addition, the plan recommends a Class IV Cycle Track be striped on Pacific Highway. The additional traffic added by the Proposed Action Alternatives would degrade intersection operations to significant levels. Any improvements beyond those recommended in the Airport Development Plan are physically infeasible given the lack of available right-of-way. Therefore, the EIS recommends that the Proposed Action Alternatives implement the Airport Development Plan improvements, where feasible, and the

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impact at this intersection will remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 AND TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.

- TRANS MIT-24. *Intersection #34. Pacific Highway/Laurel Street* – Per the Airport Development Plan, improvements are recommended at this intersection. The Airport Development Plan recommends the removal of a westbound through land and addition of a second eastbound left-turn lane, conversion of a southbound through lane into a second right-turn lane, and re-coordination of the signals along Laurel Street. In addition, it recommends a Class IV Cycle Track be striped on Pacific Highway. Implementation of these improvements in the Airport Development Plan showed the intersection would continue to operate at poor LOS conditions rendering the impact not fully mitigated. The additional traffic added by the Proposed Action Alternatives would degrade intersection operations to significant levels. Any improvements beyond those recommended in the Airport Development Plan are physically infeasible given the lack of available right-of-way. Therefore, it is recommended the Proposed Action Alternatives implement the Airport Development Plan improvements, where feasible, and the impact at this intersection will remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 AND TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.

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- TRANS MIT-25. *Intersection #35. Harbor Drive/Laurel Street* – Per the Airport Development Plan, improvements are recommended at this intersection. The Airport Development Plan recommends the addition of a third eastbound left-turn lane and removal of an eastbound through lane to add capacity to the intersection, though the additional capacity continued to result in poor LOS operations rendering the impact not fully mitigated. The additional traffic added by the Proposed Action would degrade intersection operations to significant levels. Any improvements beyond those recommended in the Airport Development Plan are physically infeasible given the lack of available right-of-way. Therefore, it is recommended the Proposed Action Alternatives implement the Airport Development Plan improvements, where feasible, and the impact at this intersection will remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 AND TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-26. *Intersection #36. Pacific Highway/Sea World Drive* – There are no planned improvements in the Mission Bay Park Master Plan at this intersection. To improve operations at this intersection, any planned improvements should include an additional southbound left-turn lane from Sea World Drive to eastbound Pacific Highway. Implementation of this improvement would mitigate the impact to below a level of significance.
- TRANS MIT-27. *Street Segment #1. Rosecrans Street: Dewey Road to Lytton Street* – Per the Peninsula Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Rosecrans Street currently functions as a five-lane Collector with a center left-turn lane with a LOS E capacity of 37,500 ADT. The Community Plan classifies this segment of the roadway as a four-lane Major Arterial with a LOS E capacity of 40,000 ADT. This results in an additional 2,500 ADT of capacity over existing conditions. These

improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.

- TRANS MIT-28. *Street Segment #2. Rosecrans Street: Lytton Street to Midway Drive* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Rosecrans Street currently functions as a six-lane Major Arterial with a LOS E capacity of 50,000 ADT. The Community Plan classifies this segment of the roadway as a six-lane Prime Arterial with a LOS E capacity of 60,000 ADT. This results in an additional 10,000 ADT of capacity over existing conditions. These improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-29. *Street Segment #3. Rosecrans Street: Midway Drive to Sports Arena Boulevard* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Rosecrans Street currently functions as a six-lane Major Arterial with a LOS E capacity of 50,000 ADT. The Community Plan classifies this segment of the roadway as a six-lane Prime Arterial with a LOS E capacity of 60,000 ADT. This results in an additional 10,000 ADT of capacity over existing conditions. These improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-30. *Street Segment #4. Rosecrans Street: Sports Arena Boulevard to Kurtz Street* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Rosecrans Street currently functions as a four-lane Collector with a center left-turn lane with a LOS E capacity of 30,000 ADT. The Community Plan classifies this segment of the roadway as a four-lane Major Arterial with a LOS E capacity of 40,000 ADT. This results in an additional 10,000 ADT of capacity over existing conditions. These improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-31. *Street Segment #5. Rosecrans Street: Kurtz Street to Pacific Highway* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Rosecrans Street currently functions as a four-lane Collector with a center left-turn lane with a LOS E capacity of 30,000 ADT. The Community Plan classifies this segment of the roadway as a four-lane Major Arterial with a LOS E capacity of 40,000 ADT. This results in an additional 10,000 ADT of capacity over existing conditions. These improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-32. *Street Segment #9. Taylor Street: Presidio Drive to Interstate 8 Eastbound Ramps* – There are no planned improvements in the Old Town Community Plan along this street segment. Additional lanes are needed on Taylor Street to increase the capacity along this roadway. However, due to the historic nature of the Old Town community, the Community Plan does not propose any road widening or significant capacity improvements. Additionally, there is not enough right-of-way available along this segment of Taylor Street to accommodate two additional through lanes and a center median while maintaining a Class II bicycle facility. Therefore, the impact would remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 AND TRANS MGMT-2). These measures

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would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.

- TRANS MIT-33. *Street Segment #11. Pacific Highway: Sea World Drive to Taylor Street* – There are no planned improvements in the Midway-Pacific Highway Community Plan along this street segment. Additional lanes are needed on Pacific Highway to increase the capacity along this roadway. Due to the lack of available right-of-way and this roadway serving as a bridge over the environmentally sensitive San Diego River, widening the bridge would be infeasible. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-34. *Street Segment #13. Pacific Highway: Kurtz Street to Sports Arena Boulevard and Street Segment #14. Pacific Highway: Sports Arena Boulevard to Barnett Avenue* – There are no planned improvements in the Midway-Pacific Highway Community Plan along these street segments. Additional lanes are needed on Pacific Highway to increase the capacity along this roadway. Widening Pacific Highway would be in conflict with the Community Plan. Therefore, the impact would remain significant and unavoidable. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Although the interchange project improves operations at intersections along Pacific Highway, the daily volumes on this segment of Pacific Highway would continue to exceed the capacity of the roadway. Therefore, the impact would remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 and TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-35. *Street Segment #15. Pacific Highway: Barnett Avenue to Witherby Street and Street Segment #16. Pacific Highway: Witherby Street to Washington Street* – There are no planned improvements in the Midway-Pacific Highway Community Plan along these street segments. Additional lanes are needed on Pacific Highway to increase the capacity along this roadway. Widening Pacific Highway would be in conflict with the Community Plan. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue

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interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the Interstate 5/Old Town Avenue interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.

- TRANS MIT-36. *Street Segment #17. Pacific Highway: Washington Street to Sassafras Street* – There are no planned improvements in the Midway-Pacific Highway Community Plan along this street segment. Additional lanes are needed on Pacific Highway to increase the capacity along this roadway. Widening Pacific Highway would be in conflict with the Community Plan. Therefore, the impact would remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 AND TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-37. *Street Segment #19. Morena Boulevard: Friars Road to Interstate 8* – There are no planned improvements in the Midway-Pacific Highway Community Plan along this street segment. Additional lanes are needed on Morena Boulevard to increase the capacity along this roadway. Due to the lack of available right-of-way and this roadway serving as a bridge over the environmentally sensitive San Diego River, widening the bridge to four lanes would be infeasible. Therefore, the impact would remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 AND TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-38. *Street Segment #20. Linda Vista Road: Morena Boulevard to Colusa Street* – Per the Linda Vista Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Linda Vista Road currently functions as a four-lane Collector with a LOS E capacity of 30,000 ADT. The Community Plan classifies this segment of the roadway as a four-lane Major Road with a raised median with a LOS E capacity of 40,000 ADT. This results in an additional 10,000 ADT of capacity over existing conditions. These improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-39. *Street Segment #21. Kurtz Street: Rosecrans Street to Pacific Highway* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Kurtz Street currently functions as a two-lane Collector with a LOS E capacity of 8,000 ADT. The Community Plan classifies this segment of the roadway as a two-lane Collector with a center left-turn lane with a LOS E capacity of 15,000 ADT. This results in an additional 7,000 ADT of capacity over existing conditions. These improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.

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- TRANS MIT-40. *Street Segment #25. Sports Arena Boulevard: Rosecrans Street to Enterprise Street* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Sports Arena Boulevard currently functions as a two-lane Collector with a LOS E capacity of 8,000 ADT. The Community Plan classifies this segment of the roadway as a two-lane Collector with a center left-turn lane with a LOS E capacity of 15,000 ADT. This results in an additional 7,000 ADT of capacity over existing conditions. The Community Plan improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-41. *Street Segment #26. Midway Drive: East Drive to Rosecrans Street* – There are no planned improvements in the Midway-Pacific Highway Community Plan along this street segment. Additional capacity is needed on Midway Drive to improve operations along this roadway. This segment of Midway Drive currently functions as a four-lane Collector with a center left-turn lane with a LOS E capacity of 30,000 ADT. Due to the lack of available right-of-way, widening the roadway to four-lane Major Arterial standards would be infeasible. Therefore, the impact would remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures. These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-42. *Street Segment #27. Midway Drive: Rosecrans Street to Bogley Drive* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Midway Drive currently functions as a four-lane Collector with a center left-turn lane with a LOS E capacity of 30,000 ADT. The Community Plan classifies this segment of the roadway as a four-lane Major Arterial with a LOS E capacity of 40,000 ADT. This results in an additional 10,000 ADT of capacity over existing conditions. The Community Plan improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-43. *Street Segment #28. Midway Drive: Bogley Drive to Barnett Avenue* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Midway Drive currently functions as a four-lane Collector with a center left-turn lane with a LOS E capacity of 30,000 ADT. The Community Plan classifies this segment of the roadway as a four-lane Major Arterial with a LOS E capacity of 40,000 ADT. This results in an additional 10,000 ADT of capacity over existing conditions. With the improvements proposed along this street segment, the Community Plan reports LOS C results. However, the additional traffic added by the Proposed Action Alternatives degrades roadway operations to significant levels. Any improvements beyond those recommended in the Community Plan are physically infeasible given the lack of available right-of-way. Therefore, it is recommended the Proposed Action Alternatives implement the Community Plan improvements, where feasible, and the impact on this street segment will remain significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures (TRANS MGMT-1 and TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-44. *Street Segment #29. Lytton Street: Rosecrans Street to St. Charles Street* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Lytton Street currently functions

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as a four-lane Collector with a center left-turn lane with a LOS E capacity of 30,000 ADT. The Community Plan classifies this segment of the roadway as a four-lane Major Arterial with an LOS E capacity of 40,000 ADT. This results in an additional 10,000 ADT of capacity over existing conditions. These improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.

- TRANS MIT-45. *Street Segment #30. Barnett Avenue: St. Charles Street to Henderson Avenue* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Barnett Avenue currently functions as a four-lane Collector with a raised median with a LOS E capacity of 30,000 ADT. The Community Plan classifies this segment of the roadway as a four-lane Major Arterial with a LOS E capacity of 40,000 ADT. This results in an additional 10,000 ADT of capacity over existing conditions. The Community Plan improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-46. *Street Segment #31. Barnett Avenue: Henderson Avenue to Pacific Highway* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Barnett Avenue currently functions as a four-lane Collector with a center left-turn lane with a LOS E capacity of 30,000 ADT. The Community Plan classifies this segment of the roadway as a six-lane Prime Arterial with a LOS E capacity of 60,000 ADT. This results in an additional 30,000 ADT of capacity over existing conditions. The Community Plan improvements are likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.

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- TRANS MIT-47. *Street Segment #32. Hancock Street: Old Town Avenue to Witherby Street* – Per the Midway-Pacific Highway Community Plan, improvements are planned along this street segment to reconfigure the existing geometry. This segment of Hancock Street currently functions as a two-lane Collector with a LOS E capacity of 8,000 ADT. The Community Plan classifies this segment of the roadway as a four-lane Collector with a LOS E capacity of 15,000 ADT. This results in an additional 7,000 ADT of capacity over existing conditions. With the improvements proposed along this street segment, the Community Plan reports mid-LOS D results. However, the additional traffic added by the Proposed Action Alternatives degrades roadway operations to significant levels. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the Interstate 5/Old Town Avenue interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.
- TRANS MIT-48. *Street Segment #33. Hancock Street: Witherby Street to Noell Street* – There are no planned improvements in the Midway-Pacific Highway Community Plan along this street

segment. Additional lanes are needed on Hancock Street to increase the capacity along this roadway. Caltrans and SANDAG have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing interchange would be replaced with a new bridge and reconfigured on- and off-ramps. This project would include: a HOV direct access ramp into the future on-site transit center to/from southbound Interstate 5; direct access ramps to OTC to/from Interstate 5, the reconstruction and widening of the Interstate 5/Old Town Avenue interchange; and the realignment and signalization of the Pacific Highway/Barnett Avenue intersection. With the enhanced capacity of the new interchange and direct access to the site, traffic volumes accessing OTC would shift to the new interchange, thus reducing volumes on Pacific Highway, Camino Del Rio W., Hancock Street, Witherby Street and surrounding surface streets. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.

- TRANS MIT-49. *Street Segment #37. W. Washington Street: Hancock Street to University Avenue* – There are no planned improvements in the Uptown Community Plan along this street segment. Additional lanes are needed on Washington Street to increase the capacity along this roadway. Widening this section of Washington Street requires substantial grading and filling on both sides of the roadway. On the south side, a steep grade abuts the shoulder. On the north side, a drainage ditch lies adjacent to the roadway. The physical constraints of widening this segment of Washington Street would render this impact significant and unavoidable. Given the limits on physical mitigation at this location, the EIS recommends preparation of a TDM plan and participation in the implementation of TSM measures(TRANS MGMT-1 AND TRANS MGMT-2). These measures would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.

O6-18 cont.

- TRANS MIT-50. Freeway Segment #2. Interstate 5: Interstate 8 to Old Town Avenue; Freeway Segment #6. Interstate 5: Pacific Highway Viaduct to Laurel Street; Freeway Segment #7. Interstate 5: Laurel Street to Hawthorn Street; Freeway Segment #8. Interstate 5: Hawthorn Street to 1st Avenue; Freeway Segment #9. Interstate 5: 1st Avenue to 6th Avenue; Freeway Segment #10. Interstate 5: 6th Avenue to State Route-163 – The SANDAG 2050 San Diego Forward: The Regional Plan identifies "operational improvements" along these freeway segment. The improvements are anticipated to be completed by the Year 2050; however, there is uncertainty to the actual improvements and sources of funding. Therefore, the impact on this freeway segment will remain significant and unavoidable. Given the significant impacts, the EIS recommends preparation of a TDM plan to reduce overall vehicular traffic (TRANS MGMT-1), which would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.
- TRANS MIT-51. Freeway Segment #12. Interstate 8: Interstate 5 to Morena Boulevard; Freeway Segment #13. Interstate 8: Morena Boulevard to Hotel Circle/Taylor Street; Freeway Segment #14. Interstate 8 Hotel Circle/Taylor Street to Hotel Circle; Freeway Segment #15. Interstate 8 Hotel Circle to State Route-163 – SANDAG and Caltrans jointly prepared an Interstate 8 Corridor Study (preliminary draft dated August 2016). This study analyzed transportation alternatives on Interstate 8 between Nimitz Boulevard and Lake Murray Boulevard to meet future regional and local demand. The Corridor Study recommended several improvements on I-8 within the ROI that included reconfiguration of on-ramps and off-ramps at Hotel Circle North and South and Taylor Street interchange, among others. The Mission Valley Community Plan also includes several new roadways such as Street J, Street U, and a new freeway overpass Interstate 8. However, while both the Corridor Study and the Mission Valley Community Plan reviewed

several conceptual alternatives, both studies did not include detailed engineering feasibility drawings, cost estimates or other analyses to identify a preferred alternative or improvement. Therefore, potential and unplanned freeway improvements are not physically feasible and the impact on this freeway segment will remain significant and unavoidable. Given the significant impacts, the EIS recommends preparation of a TDM plan to reduce overall vehicular traffic (TRANS MGMT-1), which would partially mitigate this significant impact. Additional details on these measures are included in Appendix E.

- TRANS MIT-52. *Ramp Meter #1. Interstate 5 Northbound from Old Town Avenue/Moore Street* – Caltrans and SANDAG, as part of the Airport Connectivity Analysis, have prepared a concept plan for reconstructing the Interstate 5/Old Town Avenue interchange. As part of this major infrastructure improvement, the existing Interstate 5/Old Town Avenue interchange would be replaced with a new bridge and reconfigured on- and off-ramps. Additional capacity would be added to the interchange that would improve the queuing operations for vehicles destined to Interstate 5 northbound. Construction of the interchange improvements is likely to be implemented at a point during construction of any Proposed Action, and implementation would mitigate the impact to below a level of significance.

In addition to suggesting location-specific mitigation measures such as modified intersection layouts and interchange designs, Appendix E provides detailed information on the TSM strategies, including a smart/complete corridor along Pacific Highway from Taylor Street to Laurel Street and other Intelligent Transportation Systems infrastructure. Table ES-2 in Appendix E provides an overview of future impacts by alternative, along with whether or not the impact can be mitigated based on the recommendations for improvements provided.

O6-18 cont.

Active Transportation Measures

This EIS also categorizes recommendations for pedestrian, bicycle and transit modes of transportation as "Tier 1" and "Tier 2" improvements. The Navy's analysis included Tier 1 improvements as potential mitigation measures for future implementation, and Tier 2 improvements for consideration. In total, the Navy's analysis recommended implementation of 13 pedestrian and bicycle improvements and consideration of 13 additional pedestrian and bicycle improvements. For the transit network, the EIS recommends four improvements to be further evaluated for feasibility of implementation. Similar to traffic mitigation measures, additional details would be known in the future that would determine potential mitigation responsibilities based on land use under the Proposed Action Alternatives. Prior to finalizing a lease or land transfer, the Navy will identify appropriate NEPA mitigation measures to be required as part of any future agreement. While local agencies would physically implement any potential mitigation deemed necessary, cost share would be determined as part of future development agreements.

- TRANS MIT-53. *Tier 1 Pedestrian Improvements* – The following improvements could be implemented as potential mitigation as outlined in any future lease, land transfer, or development agreement:
  - P-1: Pacific Highway, between Old Town Transit Center Driveway and Witherby Street – Upgrade the sidewalk classification on the east side of Pacific Highway, between Old Town Transit Center Driveway and Witherby Street to a corridor sidewalk classification for Proposed Action Alternatives 2 and 3 and district sidewalk classification for Proposed Action Alternatives 4 and 5.

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Comment Letter O7: Midway-Pacific Highway Community Planning Group, May 8, 2025

O7

From: Midway Planning
To: DSD EAS; PLN_PlanningCEQA; [redacted]
Cc: Jason Vieira; Midway Planning; Reyes, Randy; Doyle, Margaret
Subject: [EXTERNAL] MPHCPG Comments on Midway Rising Specific Plan / Project No. 1106734 / Draft Subsequent Environmental Impact Report / SCH No. 2023120451
Date: Thursday, May 8, 2025 11:02:54 AM
Attachments: MPHCPG- Midway Rising EIR-Specific Plan comments 05.07.25.pdf

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

Greetings-

I am writing on behalf of the Midway Pacific-Highway Community Planning Group in regards to our official response to the Midway Rising Specific Plan and Draft EIR.

This letter was a result of numerous subcommittee meetings in the limited time we had since the report's release in late March. Yesterday, we held a special board meeting in which this letter received unanimous approval.

Please see attached comments/questions letter and confirm receipt prior to today's deadline of 5:00pm. We look forward to collaborating with the city and Midway Rising team during the remainder of this process.

Randy & Margaret- we thank you for your work thus far. Please confirm you received this letter and will forward up the chain to the Mayor/Councilmember directly on our behalf.

Sincerely,

Jason Vieira
Chair, MPHCPG
[redacted]

Midway-Pacific Highway Community Planning Group
[redacted]
San Diego, CA 92110

May 7, 2025

City of San Diego Development Services Department
Anne B. Jarque, Raynard Abalos, Martha Blake, Elizabeht Shearer-Nguyen
1222 First Avenue, MS 501
San Diego, CA 92101
[redacted]

Applicant: Midway Rising, LLC
c/o Zephyr Partners
329 S Highway 101, Suite 150
Solana Beach, CA 92075
[redacted]

Subject: MPHCPG Comments on Midway Rising Specific Plan / Project No. 1106734 / Draft Subsequent Environmental Impact Report / SCH No. 2023120451

O7-1 The Midway-Pacific Highway Community Planning Group (MPHCPG) wishes to express its extreme disappointment with the City of San Diego Development Services Department for its lack of respect for the MPHCPG, its recognized land use planning committee, and requiring MPHCPG response to thousands of pages of documents in 45 days. MPHCPG supports this project as the cornerstone of community redevelopment in our long-overlooked community. Yet requiring a volunteer organization to ingest and evaluate such a large project, and in fact, the largest single affordable project in the country in such a short period, is unconscionable and demonstrates the City's lack of interest in the community's input. Please note these comments apply only to the City of San Diego and not the Midway Rising team, which has been forthcoming in their interactions with the planning group throughout the process.

MPHCPG submits these comments on the Draft Subsequent Environmental Impact Report (EIR), Appendix O (Conceptual Site Plan Vesting Tentative Map, VTM), and Appendix C (Midway Rising Specific Plan) for the Midway Rising project, and Appendixes D1 and D4, a 49.23-acre redevelopment in the Midway District.

Our Ad Hoc Subcommittee met weekly during the review/comment period and reviewed key EIR sections, appendices, the VTM, and the complete Specific Plan to ensure alignment with the 2018 Midway-Pacific Highway Community Plan's vision for a mixed-use, transit-oriented community. We also reviewed and considered valid concerns of various independent third-party letters/reports.

O7-2 **Our support for the Enhanced Infrastructure Financing District (EIFD) is contingent upon forming a community-wide district encompassing the entire boundaries of the Midway-Pacific Highway Community Plan, which will benefit the entire community after many years of neglect. The EIFD is a principal component of the 2018 Plan Update as a mechanism to help accelerate the redevelopment of our community.**

O7-3 **We also need to understand how the upzoning of the city-owned parcels affects the Community Plan's Horizon Total of 12,090 dwelling units at full buildout.**

- **Will this upzoning result in less available density in privately held land?**
- **Will the city downzone any of its properties to offset losses in privately owned land?**
- **How will the pending NAVWAR redevelopment of Federally owned land affect the available density and, subsequently, traffic, noise, etc., while both projects are under construction and once completed?**

O7-4 We commend the project's commitment to 4,250 residential units (2,000 affordable), a 16,000-seat arena, and 8.12 acres of parks but raise concerns about zoning compliance, transportation, environmental risks, public services, community benefits, and site-specific issues in the VTM and Specific Plan. Below are our prioritized concerns and questions, informed by

O7-1: This comment provides an introduction to the comment letter and background information on the Midway-Pacific Highway Community Planning Group and does not raise an issue regarding the adequacy or accuracy of the analysis of the Final Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project). Therefore, no further response is required.

O7-2: This comment provides support for the Enhanced Infrastructure Financing District contingent on forming a community-wide district encompassing the entire boundaries of the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan). It does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

O7-3: As discussed in Final SEIR Chapter 3.0, Project Description, the Project would require a Community Plan Amendment (CPA). The CPA would redesignate the site from Community Commercial – Residential Permitted (0–44 dwelling units/acre [du/ac]) to Community Village (0–72 du/ac) and revise policies for consistency with the Midway Rising Specific Plan (Specific Plan). The CPA would also update the planning year horizon to reflect this land use change and provide consistency with the Specific Plan. The CPA would update the planning horizon to reflect a total projected population of 30,800 and residential dwelling unit total of 13,500. The previous total projected

the EIR's "significant and unavoidable" impacts on land use, transportation, noise, and cultural resources, to be addressed in the Final EIR.

Zoning and Land Use Compliance Concern: The proposed density (109 du/acre) and RMX-2 rezoning exceed Community Plan limits (44 du/acre, CC-3-6), potentially overloading infrastructure. Density calculations over 49.23 acres, including 5.74 acres of public streets, violate SDMC Section 113.0222, yielding 154 du/acre on the 27.64-acre developable area (Specific Plan Table 1, Page 17). The limited commercial space (130,000 sq ft) and removal of the hotel and 250 middle-income units undermine mixed-use goals.

O7-4 cont.

Questions:

- What Floor Area Ratio (FAR) calculations and infrastructure studies justify 109 du/acre under RMX-2 zoning?
- Why were public streets included in density calculations, and what is the corrected density for the developable area?
- How will transferring 1,655 dwelling units' development rights impact other community properties?
- What measures (e.g., reinstating middle-income units, expanding commercial space) will restore the employment center goal?
- **VTM-Specific:** How do the VTM's lot types and areas (Page 3) align with RMX-2 zoning, and how are 4,250 units distributed to balance density and open space?
- **Specific Plan-Specific:** How does Table 1's parcel-level land use distribution (Page 17) ensure FAR compliance and infrastructure capacity for 4,250 units and 130,000 sq ft of commercial space?
- What justifies the density bonus (Table 3, Page 43)?

Vesting Tentative Map Parcel Design Concern: The VTM's parcel configurations (Pages 3, 4, 5, 7) raise concerns about zoning compliance, parking allocation, and open space distribution. The lack of detailed parcel maps obscures how 4,250 units, the arena, and 8.12 acres of parks are arranged, risking uneven density, inadequate parking (2,100 arena spaces), and inequitable park access. No parcel-specific mitigations address liquefaction or flood risks, or visual impacts from increased structure heights.

O7-5

Questions:

- Which VTM parcels include the 5.74 acres of public streets, and how do parcel-specific FAR calculations ensure infrastructure capacity?
- What is the parcel-specific parking allocation for residential, commercial, and arena uses, and how does it address the 2,100-space shortfall?
- Which parcels host the 8.12 acres of parks, and how is their distribution designed to ensure equitable access for affordable units?
- Does the 14,000-person concert capacity also include additional capacity from opening the floor? Please confirm total fixed seat count less any temporary seating areas and maximum occupant capacity i.e. fixed seats + floor seating/standing area at largest potential sold-out event.
- There will be a deficit of over 1,000 parking spaces compared to the current design. What is the current number of parking spaces occupied for maximum concert capacity?

O7-6 **Specific Plan Design and Implementation Concern**: The Specific Plan's land use (Table 1, Page 17), mobility (Figures 6–25, Pages 19–25), and open space frameworks (Table 2, Page 26) raise site-specific concerns about parcel-level density (154 du/acre on developable land), parking reductions (2,100 arena spaces, Figure 24), and park distribution (8.12 acres). The RMX-2 **rezoning** risks infrastructure strain and view obstructions, while vague infrastructure plans (Figures 33–34) and easement vacations may disrupt utilities. Historical impacts of the San Diego International Sports Arena and Kumeyaay resources along Rosecrans Street are under-addressed (Appendix G, Page 61).

O7-7 **MPHCPG commends the Midway Rising team for its commitment to not exceed 165 feet for the entertainment center and 105 feet for 90% of all other buildings in the project. (Appendix C, Specific Plan, page 44, Section 8.11.3, SDR-7 Structure Height).**

Questions:

population was 28,260, and the total residential dwelling unit was 12,090. No other land use changes and/or rezoning is proposed for properties that are outside the Specific Plan Area. Land use impacts are adequately analyzed in Final SEIR Section 5.1, Land Use.

Please refer to Response to Comment O6-3 regarding the Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) and its inclusion as a cumulative project in the Local Mobility Analysis (LMA), included as Appendix D1 to the Final SEIR.

Please refer to Thematic Response: Cumulative Projects. No further response is required. In addition, please refer to Final SEIR Chapter 6.0, Cumulative Impacts for a project-specific analysis of the cumulative impacts related to traffic and noise from the Project in combination with the identified cumulative projects. Cumulative impacts have been adequately analyzed in Final SEIR Chapter 6.0.

O7-4: Please refer to Final SEIR Appendix C, Midway Rising Specific Plan, and Appendix O, Conceptual Site Plan/Final Vesting Tentative Map, for questions related to floor area ratio and density. Also, please refer to Final SEIR Chapter 3.0 related to the discussion on how the density bonus is applied to the Project. Individual project applications would be reviewed for conformance to the Specific Plan. Each project would submit a project-wide table that outlines any

- What is the approval/notification process if Midway Rising, at a later date, wishes to exceed its self-imposed limitations?
- Which parcels contain "The Green" (3.50 acres), "The Square" (2.93 acres), "The Plaza" (0.54 acres), and Paseo Greens/Greenways (Table 2, Page 26), and how do they ensure equitable access for affordable housing residents?
- What parcel-specific water/sewer (Figure 33, Page 33) and drainage (Figure 34) upgrades support 4,250 units and the arena, and how are they phased (Figure 35, Page 35)?
- What parcel-specific mitigations (e.g., preservation, documentation) address impacts on the San Diego International Sports Arena (Appendix G, Page 61)?
- How do the pedestrian (Figure 20, Page 23) and bicycle networks (Figures 21–22) provide dedicated lanes to Old Town and Mission Bay?
- How do upper story stepbacks (Figure 36, Page 36) and signage (Appendix B, Page 53) minimize view obstructions?
- Confirm RMX-2 zoning/use guidelines are governed by proposed Specific Plan Amendment limitations and specifications, including but limited to, restricted structure heights of 105' for residential and 165' entertainment arena.
- Confirm any upzoning in residential density will be noted in the Specific Plan Amendment and added to Midway's allowable density total at full buildout with corresponding before and after residential density tables. No residential density shall be removed from any privately held parcels which shall maintain their current zoning designations.
- Will any privately owned land need to be taken by eminent domain or otherwise utilized for any proposed multiuse paths (Kurtz Street), cycle tracks, bus lanes or crosswalks?
- Will any publicly owned land, streets, or sidewalks be adjusted or removed to accommodate said multiuse paths, more specifically on Kurtz Street? We believe any additional land needed to accommodate any infrastructure modifications should first be taken from city owned land (Midway Rising project) before any privately owned land or existing street parking is removed.

O7-7 cont.

Transportation and Mobility Concern: The EIR projects "significant and unavoidable" VMT exceedances and LOS E at key intersections (e.g., Sports Arena Blvd/Midway Dr), with 11,546 additional daily trips during events. The 12 p.m.–10 p.m. shuttle misses morning congestion and reducing Sports Arena Blvd to four lanes may worsen bottlenecks. Only 2,100 arena parking spaces risk overflow.

Questions:

- What traffic mitigations address the 18% event-related traffic increase at 12 intersections?
- Why is the shuttle limited to 12 p.m.–10 p.m., and will it extend to 6 a.m.–midnight?
- How will the mobility hub integrate with MTS services post-shuttle?
- What parking management plan prevents overflow from 2,100 arena spaces?
- Why is street parking proposed to be removed from one side of Kurtz Street when local businesses rely on that street parking to operate their businesses? This proposal directly and negatively impacts the businesses in the community and appears to have been recommended without concern for ongoing businesses and property owners.

O7-8

- Why is event parking on Kurtz St allowed, and how will it reduce congestion?
- How will bike lanes/pedestrian paths ensure the safety of Old Town Transit Center and coastal amenities?
- **VTM-Specific:** Which parcels host shuttle stops, bus lanes, and bike paths, and how do they enhance connectivity?
- **Specific Plan-Specific:** Which parcels host the reduced Sports Arena Boulevard lanes (Figure 7, Page 19) and Kurtz Street parking (Figures 9–11), and what mitigations address LOS E intersections?
- Will funding be provided for the review and implementation of missing and bottlenecked Interstate ramps (I-5 North from I-8 East, I-8 East from 2-lanes down to 1 at the I-5 exchange, 1-lane on and off ramps into the community, etc.)?
- Is the State or County expected to invest in addressing the missing/inadequate Interstate connections?
- **Appendix D4 Specific:**
  - **Figure 3:** Why does the image not show equal numbers of Transportation/Amenities as listed in Table 1, in which specific spots are missing items 1, 3, 5 and 6 amenities per the legend?
  - **Table 3/5:** What was the deciding criteria when selecting these specific VMT reduction measures? Why do these VMT reduction measures count as credit for the Entertainment Use when they are located at the opposite side of the project and will be constructed in Phase 2 of the project, while the Entertainment Center will be constructed in Phase 1?

prior approvals' floor areas and density to ensure all projects would remain within the Specific Plan's allowable commercial land uses floor area and number of residential units. The affordable housing density bonus is granted to the Project, as it would provide affordable units in accordance with State Density Bonus Law. The Specific Plan requires that a specified number of affordable units be provided within the Specific Plan Area. Refer to Final SEIR Section 5.1 for a discussion on the Project's consistency with applicable plans and policies. Also refer to Final SEIR Section 3.0 on the Project's proposed infrastructure improvements. In addition, refer Final SEIR Section 5.2 Transportation, Section 5.3 Historical and Tribal Cultural Resources, and Section 5.5 Noise for a discussion on the Project's significant and unavoidable impacts.

O7-5: This comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Please refer to Final SEIR Appendix C, Midway Rising Specific Plan, and Appendix O, Conceptual Site Plan/Draft Vesting Tentative Map, for questions related to floor area ratio and density. As discussed in Final SEIR Chapter 2.0, Environmental Setting, the Project would encompass the City of San Diego (City)-owned San Diego International Sports Arena site, which includes other commercial buildings (Assessor's Parcel Number 441-590-04). Please refer to Final SEIR Section 5.4, Geological Conditions, for information on liquefaction; Final SEIR Section 5.7,

- **Section 5:** Will the shuttle between Frontier and the Old Town Transit Center be free? If the Old Town Transit Center is relocated within 10 years, will the shuttle be reassigned to a new specific trolley stop?

O7-8 cont.

- **Section 6:** Where specifically is the "off-site business park lot?" If not determined, when will it be determined and whose responsibility is it to establish this?
- Will the event shuttles be free?
- Will the SeaWorld event shuttles replace the event shuttles in Phase 1 or be in addition to them?
- **Figure 5:** How are the high visibility crosswalks crossing Sport Arena Blvd expected to help with transportation when they lead to a privately owned shopping center that does not permit parking for Sports Arena events?
- **General:** Was a new on-ramp onto the 8 East roughly around the proposed roundabout location considered? Was a new offramp from the 8 West at the same location considered?
- **General:** The Section talks about the formulaic method of meeting the VMT Reduction requirements, but what is the descriptive analysis of why each of the selected VMT Reduction requirements selected is expected to significantly reduce transportation demand?

O7-9

Geologic and Flood Risks Concern: High liquefaction near the Rose Canyon fault and flood/tsunami risks are inadequately addressed for 250-foot structures exceeding proposed 165/105-foot limitations. Worst-case seismic/tsunami modeling is missing, and cumulative NAVWAR impacts are not analyzed (Appendix I, Chapter 5.4).

Questions:

- What worst-case seismic modeling ensures safety for residential buildings and the entertainment center?
- What tsunami evacuation plan includes routes and signage?
- What parcel-specific foundation designs mitigate liquefaction risks for residential buildings and the arena?
- How was the Geotechnical Addendum updated for the 49.23-acre plan?
- How will flood mitigations protect parks and affordable units?
- **VTM-Specific**: Which parcels are most flood-prone, and what site-specific barriers or elevations are proposed?

O7-10

Noise Impacts Concern: Arena, construction, and traffic noise exceed 65 dBA, with "significant and unavoidable" impacts on affordable units and nearby properties. Also, the Noise Control Plan lacks enforceable limits.

Questions:

- What are projected dBA levels for key noise sources?
- What enforceable limits or designs protect sensitive receptors?
- How will mitigations address the airport's 60–65 CNEL zone?
- What monitoring framework will track noise post-construction?
- Will an event permit be required for "special events" when above normal levels of attendance or noise is expected (concerts, music festivals, etc.)? Larger events should not be exempt from the city's regular process for permitting special events and should include customary limits i.e. when those events can end.

O7-11

Visual and Neighborhood Character Concern: The 165'/105' heights may risk obstructing Mission Bay views. Dense massing and vague mitigations threaten neighborhood character.

Questions:

- Under what circumstances will heights in excess of 105 feet for residential buildings be considered, and is it tied to density bonuses?
- What shadow/view analyses were conducted for public viewpoints?
- What design mitigations preserve neighborhood character?
- **VTM-Specific:** What parcel-specific setbacks or landscaping minimize visual impacts?
- **Specific Plan-Specific**: How do upper story stepbacks (Figure 36, Page 36) and signage (Appendix B, Page 53) minimize view obstructions?

O7-12

Public Services and Facilities Concern: 8,000–10,000 residents strain schools, fire, and police with vague mitigations (e.g., unspecified EIFD fees). Arena demands and flood-related access issues are unaddressed, risking inequitable service access (Appendix L1/L2/L3, Chapter 5.11).

Hydrology/Water Quality, for information on flooding; and Final SEIR Section 5.8, Visual Effects and Neighborhood Character, for information on visual impacts. Please also refer to Thematic Response: Height Limit. Impacts were found to be less than significant, and no mitigation is required.

Please refer to Final SEIR Appendix O to view the street allocation within the Vesting Tentative Map and additional parking information. Please refer to Final SEIR Table 3-2, Parking for Proposed Land Uses, for the Project's parking allocation based on residential, commercial, and entertainment uses. Parking is not considered an issue under CEQA, and no mitigation for the proposed number of vehicular parking spaces is required. Refer to Figure 3-3 Park Space for a visual of the proposed park and public space distribution throughout the Project site. The public spaces would be weaved throughout the development to allow access for all residents, including the affordable uses. Also, refer to the LMA (Final SEIR Appendix D1) for additional parking information.

O7-6: Final SEIR Chapter 3.0 includes a discussion on the proposed multi-modal transportation network, including on-site roadways, driveways, frontage and off-site improvements, pedestrian circulation, and bicycle network and proposed infrastructure improvements. Final SEIR

O7-12 cont.

Questions:

- What are projected service demand increases, and which facilities will absorb them?
- What specific mitigations (e.g., school expansions) are planned?
- How will emergency routes remain viable during floods or events?
- How will affordable units access services equitably?
- **Specific Plan-Specific**: What EIFD-funded service expansions (e.g., schools, fire stations, Page 43) are allocated to which parcels, and what is the budget?

Community Benefits and Equity Concern: The lack of community spaces (e.g., libraries) and potential park homelessness raise equity issues. Affordable units face noise/hazard exposure, and no Community Benefits Agreement (CBA) ensures local hiring or cultural preservation.

O7-13

Questions:

- Why were libraries/community centers excluded, and will they be added? Our community lacks public spaces to hold even our monthly planning group meetings so even a basic event/conference room would be welcomed.
- What measures are planned to prevent park and open spaces from loitering, camping/sleeping, etc.?
- How will affordable units avoid noise/hazard exposure?
- What CBA commitments (e.g., hiring, maintenance) will be made?

Cumulative Impacts and Alternatives Concern: Cumulative NAVWAR impacts (e.g., traffic, noise, geologic) are under-analyzed, risking infrastructure strain. Alternatives (e.g., reduced density) lack housing/employment trade-off details and coastal impacts are unclear (Chapters 6.1–6.3, Chapter 9).

O7-14

Questions:

- What cumulative NAVWAR VMT, noise, and geologic impacts were modeled?
- How will mitigation costs be shared with NAVWAR, if any?
- What analyses detail alternative scenarios' impacts?
- Why were hybrid alternatives not explored?

General Requests:

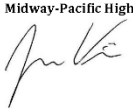
- Extend the EIR comment period by 30 days if significant revisions occur.
- Provide point-by-point responses to all questions, including VTM and Specific Plan specifics, in the Final EIR.
- Share detailed VTM and Specific Plan parcel maps, Table 1 data, and Figures 6–36 to clarify site design.

O7-15

- Meet with adjacent planning groups (e.g., Peninsula, Ocean Beach, Old Town, Mission Beach, Uptown, Pacific Beach, Linda Vista, Mission Valley) and coordinate with Caltrans/SANDAG on cumulative impacts to nearby communities.

The MPHCPG urges the Midway Rising team and City to address these concerns to ensure a sustainable, equitable project aligned with the Community Plan. Please contact us to present the Final EIR at a future meeting. We look forward to your continued participation in our regularly scheduled meetings.

Sincerely,
Midway-Pacific Highway Community Planning Group



Jason Vieira
Chair, MPHCPG

CC: Mayor Todd Gloria
Councilmember Jennifer Campbell (District 2)

Chapter 3.0 also includes a discussion on the Project's network of public spaces consisting of approximately 8.12 acres of public parks and 6.42 acres of public space in a network of plazas, promenades, paseo greens, and streetscapes. The public spaces would be weaved throughout the development to allow access for all residents, including the affordable uses.

Refer to Response to Comment O7-4 for information on Specific Plan implementation. This comment discusses view obstructions. Please refer to Thematic Response: Height Limit. In addition, as discussed in Final SEIR Section 5.3, the San Diego International Sports Arena is a historical resource as and its demolition would result in a potentially significant impact. Mitigation Measures HIST 5.3-1, HIST 5.3-2, HIST 5.3-3, and HIST 5.3-4 would be implemented to reduce Project impacts but impacts would remain significant and unavoidable. Furthermore, as discussed in Final SEIR Section 5.3, the Project has previously been disturbed by past uses and is underlain by undocumented artificial fill, further reducing the possibility for intact archaeological resources and no known prehistoric or historic archaeological resources or religious or sacred use sites have been identified on the Project site or in the off-site improvement areas. Please refer to Final SEIR Section 5.3, for a discussion on the Project's Tribal consultation.

Therefore, based on the underlying soils, history of development on the Project site, and disturbed nature of the Project site, there is a low likelihood to discover archeological resources and/or Tribal Cultural Resources during site disturbance and grading. Therefore, historical impacts have been adequately addressed in the Final SEIR.

O7-7: Modifications to the Specific Plan would require a Specific Plan Amendment per the procedures identified in the Specific Plan Section 8.5, Specific Plan Amendments. This comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Please refer to Final SEIR Figure 3-3, Parks and Public Space Framework, and Final SEIR Appendix O for information on The Green, The Square, The Plaza, and paseo greens and greenways. Please refer to Final SEIR Appendix O for additional information on utilities and drainage improvements.

Please refer to Response to Comment O7-6 and Final SEIR Section 5.3 for information on the mitigation measures related to the San Diego International Sports Arena.

Please refer to Final SEIR Chapter 3.0 for a discussion on the proposed pedestrian circulation and bicycle networks.

This comment is related to view obstruction. Please refer to Thematic Response: Height Limit and Final SEIR Section 5.8, which includes visual simulations with and without the Project.

Regarding buildout, no land use and/or zoning changes are proposed to properties outside of the Specific Plan Area. The Community Plan Amendment updates the total projected population and dwelling units for the Midway-Pacific Highway Community Planning Area to reflect the development proposed by the Specific Plan.

As discussed in Final SEIR Chapter 2.0, the Specific Plan would encompass the City-owned San Diego International Sports Arena site, which includes other commercial buildings (Assessor's Parcel Number [APN] 441-590-04) and encompasses 49.23 acres of developed land. As discussed in Final SEIR Chapter 3.0, the Specific Plan provides guidance and direction for future development on the project site. All graphics, drawings, and photographs in the Specific Plan are shown for illustrative purposes only and do not reflect a final development, building configuration, public space shape or size, or land use location. Development on site is governed by the development regulations in the San Diego Municipal Code (SDMC) and the supplemental development regulations provided in the Specific Plan. Where development regulations in the SDMC conflict with the Specific Plan or Project governing documents, the Specific Plan governing documents shall prevail.

As discussed in Final SEIR Chapter 4.0, History of Project Changes, after the Notice of Preparation was distributed, the Project footprint was decreased from 52.1 to 49.2 acres

to remove all privately owned parcels from the Specific Plan. The Project changes included changes to the Project frontage along Kurtz Street to no longer include the 30-foot promenade, Class I multi-use path, and landscape areas adjacent to the privately owned parcels. Therefore, as discussed in Final SEIR Chapter 3.0, a 30-foot promenade would be provided along the Project's frontage on Kurtz Street to include a Class I multi-use path within non-contiguous pedestrian and bicycle facilities and landscape areas, with parking provided on the northern side of the street segment. South of the Project site, the curb-to-curb width on Kurtz Street is proposed to be narrowed to construct the Class I path. Parking on the northern side of Kurtz Street would remain in place to serve the local fronting businesses and may change based on the time of redevelopment of these parcels.

Finally, Final SEIR Chapter 3.0 provides a list of the proposed intersection improvements.

In addition, several comments raise issues that do not pertain to the adequacy or accuracy of the Final SEIR. Therefore, no further response is required.

O7-8: Per Senate Bill 743, automobile delay and congestion, commonly known as level of service (LOS), is no longer a metric for determining significant transportation impacts under CEQA. Instead, the primary metric has shifted from LOS to vehicle miles traveled (VMT). Nevertheless, the LOS

metric remains relevant for the preparation of the LMA that evaluates traffic operations per the Transportation Study Manual and identifies Project improvements that would be triggered by the Project.

Please refer to Thematic Response: Traffic Congestion for more details on the specific Project improvements.

In response to bullet 2, the commercial shuttle hours of operation were determined from existing traffic volumes that indicate the peak hours associated with the retail land uses located along Sports Arena Boulevard. Currently, there are no plans to extend the hours of operation outside of this time period.

In response to bullet 3, the Project site is within a Transit Priority Area based on its location adjacent to existing bus service and proximity to the Old Town Transit Center. At the Old Town Transit Center, a user can transfer from a bus route or trolley line that stops at the transit center to another form of transportation (i.e., walking, biking, or bus) to access the Project site.

In response to bullets 4 through 6, parking I and congestion are not considered issues to be analyzed under CEQA.

Please refer to Response to Comment O5-3 for more details about parking management.

Please refer to Response to Comment O7-7 regarding on-street parking along Kurtz Street.

In response to question 7, the Project site has been designed to enhance multi-modal connectivity, including the accessibility of bicycle lanes and pedestrian pathways to and from key regional destinations such as the Old Town Transit Center and coastal amenities.

Final SEIR Chapter 3.0 and Section 5.2 identify the Project's proposed infrastructure improvements that align with the City's General Plan Mobility Element, 2013 Bicycle Master Plan, and Midway-Pacific Highway CPU, all of which promote safety, connectivity, and non-vehicular mobility.

Through implementation of buffered and separated bikeways, upgraded pedestrian corridors, improved crossings at intersections, and connections to transit, the Project would directly address safety and access concerns for non-motorized travel to and from the Old Town Transit Center and to regional facilities that connect to coastal amenities. The Project's consistency with Citywide mobility goals and bicycle planning policies ensures that pedestrian and cyclist safety are considered in the Project's design.

In response to questions 8 and 9, as discussed in Final SEIR Chapter 2.0, the Project site includes the City-owned San Diego International Sports Arena site, which includes other commercial buildings (Assessor's Parcel Number 441-590-

04). Final SEIR Figure 3-14, Sports Arena Boulevard, shows the proposed improvement to Sports Arena Boulevard, and Figure 3-15, Kurtz Street, shows the proposed improvement to Kurtz Street. Final SEIR Chapter 3.0 provides details on the bus stops located near the Project site.

In response to questions 10 and 11, the Project is not required to provide additional funding for the missing connections at the Interstate 5/Interstate 8 interchange or interstate connections. The development of this infrastructure would be the responsibility of the California Department of Transportation with respect to its feasibility and funding sources.

In response to question 12, Final SEIR Appendix D4, Transportation Demand Management Plan, depicts seven transportation amenities. Transit and Active Transportation Infrastructure, as outlined in the 2018 Community Plan Mobility Element, contains transit shelters, benches, and 6-foot sidewalks as improvements that the Project would provide. Each transportation amenity shown on Final SEIR Appendix D4 is identified in the legend with text that matches the “Amenity” column. All legend items are displayed in the approximate location.

Based on a review of the City’s Mobility Choices Regulations: Implementation Guidelines, VMT reduction measures that were determined as feasible, effective, and

consistent with the Project's vision were identified and selected for implementation as part of the Project.

The Project's proposes VMT Reduction Measures with a point value that exceeds the City's minimum requirement for the commercial and entertainment components proposed by the Project.

The event and commercial shuttles provided by the Project between Frontier Drive and the Old Town Transit Center would be offered free of charge to users. These shuttles would be provided in addition to any existing SeaWorld event shuttles and would not replace them.

The recommendation for this shuttle service is based on where the Old Town Transit Center is currently located. Relocation of the Old Town Transit Center, along with its effect on future shuttle service, is speculative.

In response to question 13, please refer to Response to Comment O5-3 related to the proposed shuttle service and off-site business parking lots. A long-term contract with off-site lot owners would be negotiated once the Project has been approved.

In response to question 15, the SeaWorld shuttle would be provided in addition to the event shuttles described in Phase 1.

In response to question 16, as discussed in Final SEIR Chapter 3.0, high-visibility crosswalks and associated pedestrian

improvements are essential components of the Project's vision toward a walkable, bikeable community and the City's goals of reducing VMT. High-visibility crosswalks on the Project site and along Sports Arena Boulevard are to ensure safe, multi-modal connectivity throughout the Midway-Pacific Highway Community planning area. These crosswalks would be designed to support pedestrian access for residents of the site to nearby destinations, including shopping centers, bus stops, and recreational features. The location of the Project, combined with the multi-modal improvements of the Project, supports numerous short trips to key destinations using alternative modes of transportation.

As discussed in Final SEIR Section 5.2, these measures are consistent with the 2020 City of San Diego Complete Communities Program, which prioritizes active transportation enhancements and pedestrian-friendly infrastructure as tools for encouraging transit use and reducing GHG emissions and VMT. The Project's improvements are also aligned with Policy ME-2.2 and Policy ME-A.6 of the 2018 Community Plan, which encourage intersection and sidewalk upgrades to support safer, continuous pedestrian connectivity.

Regarding question 17, see the response to question 10.

Regarding question 18, as discussed in Final SEIR Section 5.2, the Mobility Choices Regulations support implementation of Senate Bill 743 by reducing Citywide VMT and support

implementation of the City's Climate Action Plan by strategically planning the mobility network to support infill development, promoting active transportation modes and transit use, reducing greenhouse gas emissions, and supporting public health goals. It also identifies several VMT reduction measures required for new development, at the discretion of the applicant, in VMT-efficient areas to offset new VMT impacts and provides corresponding point values to satisfy the requirements.

O7-9: As discussed in Final SEIR Section 5.4, the Project site could be subject to moderate-to-strong ground shaking. As with all habitable structures in the City, the major seismic concerns for the Project are related to strong seismic ground shaking and associated side effects due to a large earthquake event. As a condition of approval, the Project would be required to comply with seismic requirements of the California Building Code and the site-specific recommendations in the Preliminary Geotechnical Investigation Report, provided as Appendix F2 to the Final SEIR. The code requirements address structural seismic safety and include design criteria for seismic loading and geologic hazards and provisions for buildings to structurally survive an earthquake without collapsing.

The Project site is not in a Tsunami Inundation Zone. As discussed in Final SEIR Section 5.6, Health and Safety, the Project would construct Frontier Drive and a Kemper Street extension within the development area that would connect

Sports Arena Boulevard and Kurtz Street. These new streets would provide additional emergency access to the Project site and adjacent areas, increasing accessibility to the site. As described in Final SEIR Chapter 3.0, the Project proposes off-site roadway improvements to Sports Arena Boulevard, Kurtz Street, and Rosecrans Street and off-site intersection improvements. These improvements are intended to improve the traffic flow through the area and would not adversely impact emergency response. Therefore, this issue is adequately addressed in the Final SEIR, and no further response is required.

In addition, as discussed in Final SEIR Section 5.2, the Greenwood Street extension would not be constructed. Instead, an emergency access path would be established directly behind the new entertainment center, serving the same purpose as the former Greenwood Street extension by facilitating emergency access throughout the Project site as shown on the Vesting Tentative Map. Therefore, the Final SEIR concluded that the Project would not impair implementation of, or physically interfere with, an Emergency Response Plan or Emergency Evacuation Plan adopted by the County of San Diego or the City, and impacts would be less than significant. Please refer to Final SEIR Appendix O to view the street allocation within the Vesting Tentative Map. Therefore, this issue is adequately addressed in the Final SEIR, and no further response is required.

As discussed in Final SEIR Section 5.4, the Project would be required to implement recommendations from the Preliminary Geotechnical Investigation Report (Final SEIR Appendix F2), which include general provisions related to the site and site-specific recommendations related to ground improvement and piled foundations, individually or combined. Adherence to the site-specific recommendations would minimize potential safety risks caused by seismic-related ground failure, including liquefaction. Therefore, this issue is adequately addressed in the Final SEIR, and no further response is required.

Addendum No. 1 to the Preliminary Geotechnical Investigation Report, included as Final SEIR Appendix F3, concludes that the same impacts and recommendations would be needed based on the smaller Project footprint.

As discussed in Final SEIR Chapter 3.0, Project site runoff is conveyed downstream by the existing City pump and levee system immediately north of Interstate 8. The proposed building's finish floor elevations would be a minimum of 1 foot higher than projected flooding levels in the proposed street sections. The areas on site that would be raised above the projected flooding levels and are not anticipated to impact the surrounding area's flooding conditions because the relatively flat and open topography of the surrounding Midway area allows flooding to flow between multiple drainage basins through surrounding streets and

multiple storm drain systems that drain to San Diego Bay, Famosa Slough, and the San Diego River. Because the surrounding areas are not confined to a single drainage basin, the placement of fill would not increase the flooding of the surrounding areas.

O7-10: The summary of noise impacts in the comment letter is not accurate. Final SEIR Section 5.5, Noise, identifies a significant impact related to construction noise. However, as summarized in Final SEIR Section 5.5.7.5, Mitigation Measure NOI 5.5-2, Construction Noise Best Management Practices, would reduce construction impacts to a less than significant level. A significant and unavoidable impact is identified for outdoor event noise, as evaluated in Final SEIR Section 5.5.4.4. However, arena noise is determined to be a less than significant contributor to the noise environment due to building attenuation. Additionally, Final SEIR Section 5.5.4.1 identifies individual street segments that would generate noise levels above 65 A-weighted decibel Community Noise Equivalent Level. However, the Project's contribution to noise levels on these segments was determined to be less than significant.

The requirement for a Noise Control Plan in Mitigation Measure NOI 5.5-1, Special Events Noise Best Management Practices, is consistent with existing City processes for special events. As discussed in Final SEIR Section 5.5.4.4, special events would be subject to limits outlined in the Special Event Permit rather than the limits outlined in

SDMC Section 59.5.0401. Mitigation Measure NOI 5.5-1 establishes baseline best management practices to minimize noise exposure. Item 4 of the mitigation measure outlines a process for enforcing the limits of the measure and any other limits established in applicable event permits. The Final SEIR acknowledges that individual future events may exceed the noise level limits in SDMC Section 59.5.0401. As such, this impact was determined to be significant and unmitigated.

Regarding projected noise levels, please refer to Final SEIR Section 5.5.4, Impact Analysis. Projected noise levels are provided for key mobile, operational, and temporary construction noise sources. This section also identifies the applicable enforceable limits and design standards established by the City to protect the noise environment, including the City's General Plan Noise Element and SDMC.

The Project's compatibility with both the SDIA and NASNI Airport ALUCPs is discussed in Final SEIR Section 5.1, Land Use. Noise exposure from aircraft is addressed in Final SEIR Section 5.5.4.3. A significant impact would not occur related to aircraft noise due to the existing regulatory framework, including Title 24 requirements and Airport Land Use Plan Consistency Determination Review. As such, no mitigation measures are required for this issue.

After construction, the City would continue to enforce the SDMC noise level limits and those limits identified in

special event permitting. As previously noted, a framework for monitoring, if determined necessary, is outlined in Mitigation Measure NOI 5.5-1.

An event permit would be required for large events, including concerts and music festivals, as discussed in Final SEIR Section 5.5.4.4. Events would not be exempt from the City's event permitting process, as modified by the Midway Rising Entertainment Center District Ordinance, San Diego Municipal Code Chapter 5, Article 9, Division 6. The City's event permitting process typically requires identification of an end time for the permitted event.

Therefore, these issues are adequately addressed in the Final SEIR, and no further response is required.

O7-11: As discussed in Final SEIR Chapter 3.0, development of each residential block would generally consist of multi-family residential buildings up to 105 feet in height. In addition, up to 10 percent of the total Specific Plan Area (approximately 214,446 gross square feet) of building floorplate (excluding the entertainment center site and floorplate) may be constructed to a maximum height of 250 feet in any location in the Specific Plan Area. Final SEIR Section 5.8 assesses the shadow effect of the Project on the Project site and the surrounding area. In addition, as discussed in Final SEIR Section 5.8, the 2018 Community Plan does not identify any scenic vistas, views, or prominent view corridors on or over the Project site. In addition, as discussed in Final SEIR

Section 5.8, 15 representative key viewpoints (KVP) were identified to demonstrate the potential change in public views from Project development. These KVPs are public viewing areas and include street viewsheds, public viewpoints, and park views. Because it is not feasible to analyze all locations from which the Project would be seen, it is necessary to select a number of public KVPs that would most clearly display the visual effects of the Project. Private views are not included, as they are not protected by state or local laws.

As discussed in Final SEIR Section 5.8, implementation of the Project would not negatively or substantially alter the existing character of the City's distinct neighborhoods, including the Sports Arena Village in the Midway District, and where the Project site is located. Although the height and scale of Project development would alter the existing character of the area, the Project would be consistent with the planned character of the 2018 Community Plan, as it would redevelop the project site with entertainment, retail, restaurant, residential, recreational, public, and park uses. Aesthetic impacts shall not be considered significant impacts on the environment consistent with Public Resources Code Section 21099 when a project is a mixed-use project on an infill site within a transit priority area. Please also refer to Thematic Response: Height Limit.

O7-12: As discussed in Final SEIR Section 5.11, Public Services and Facilities, the Project would provide up to 4,254 housing

units, compared to 2,166 units allowed under the existing 2018 Community Plan. This would result in an increase in population (approximately 5,346 more people), generating additional demand for fire protection, emergency services, and police protection in the service area.

The Project would be required to pay all applicable development impact fees.

In addition, the Project would be required to pay the school impact fee prior to the issuance of a building permit in accordance with California Government Code Sections 65995 and 65996 and California Education Code Section 53080, which authorize school districts to impose facility fees on new development to address any increased enrollment that may result. The San Diego Unified School District would be responsible for the potential expansion or development of new facilities, including associated CEQA and other regulatory compliance for future schools' projects. The Project would not result in a significant impact, and no mitigation measures are required. See also Response to Comment O6-12.

O7-13: This comment raises economic and social issues that do not relate to any physical effect on the environment under CEQA. This comment does not raise an environmental issue related to the adequacy or accuracy of the Final SEIR. Final SEIR Section 5.11 addresses libraries, Section 5.5 addresses noise, and Section 5.6 addresses hazards exposure

associated with the implementation of the Project, including the affordable housing component. Per SDMC 63.0404, it is unlawful for any person to camp or to maintain an encampment in or upon any public property, including in any street, sidewalk, park, beach, open space, waterway, and banks of a waterway unless specifically authorized by the City Manager. No further response is required.

O7-14: Cumulative impacts related to transportation, noise, and geology are discussed in Final SEIR Chapter 6.0. Also refer to Thematic Response – Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) (Transportation).

Final SEIR Chapter 8.0, Alternatives, considered four alternatives to the Project: No Project/No Build Alternative, No Project/Community Plan Buildout Alternative, Retain San Diego International Sports Arena Alternative, and No Commercial Development Alternative. Final SEIR Chapter 8.0 also discusses alternatives considered but rejected. A general description of the characteristics of each alternative, along with a discussion of their ability to reduce the significant environmental impacts associated with the Project, is provided in Final SEIR Chapter 8.0. It is not clear what is meant in this comment as a "Hybrid Alternative. The alternatives evaluated are considered appropriate. State CEQA Guidelines Section 15126.6 requires an EIR to describe a range of reasonable alternatives that would feasibly attain most of the basic objectives of the project but would avoid

or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. It is, therefore, not necessary for alternatives to satisfy all of the project objectives, or reduce all of the project impacts. The alternatives chosen for discussion would reduce at least some of the project impacts, "even if they would impede the attainment of some project objectives, or would be more costly.

O7-15: The City acknowledges the commenter's request to extend the Final SEIR comment period. The Final SEIR was circulated for public review in accordance with the CEQA Statutes and Guidelines (Statutes Section 21091 and Guidelines Section 15105), which requires that an EIR be circulated for a 45-day public review period. Please note that other opportunities to comment on the environmental document will be available at future public hearings. The Midway-Pacific Highway Community Planning Group, as the recognized community planning group, will receive a hearing notice by mail and is listed on the Project's interested parties list.

Based on this comment letter, no revisions to the Fina SEIR are required. See Responses to Comments O7-1 through O7-14. In addition, the Final SEIR included a copy of the Specific Plan as Appendix C and the Vesting Tentative Map as Appendix O. The City acknowledges the commenter's request to attend a future Midway-Pacific Highway Community Planning Group meeting.

Comment Letter O8: Mobility Environmental Coalition, May 8, 2025

O8

From: Manny Rodriguez
To: DSD EAS
Cc: Colin Parent; Corinna Contreras; Ian Hembree; Anar Salayev
Subject: [EXTERNAL] Midway Rising EIR Comment Letter - Mobility & Environmental Coalition | PRJ-1106734
Date: Thursday, May 8, 2025 8:15:09 AM
Attachments: Midway Rising - PRJ-1106734 Mobility Environmental Coalition Comment Letter.pdf

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

Hello,

On behalf of a coalition of mobility and environmental organizations in the City and County of San Diego, I respectfully submit the attached comment letter for the Midway Rising (PRJ-1106734) EIR.

We strongly support the dedicated bus lanes proposed by the project and request they be implemented in Phase 1.

Thank you for your work on this transformative project that will serve to improve the neighborhood, public transit, and our dire housing shortage.

Regards,

Manny Rodriguez
Executive Director
www.RideSD.org

May 8, 2025

City of San Diego
Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101.

RE: Midway Rising / PRJ-1106734 – Coalition Support & Request to Prioritize Transit Lanes in Phase 1

Dear Development Services Department,

We, the undersigned mobility and environmental organizations, write in strong support of Midway Rising's proposed dedicated bus lanes on Rosecrans Street and Sports Arena Boulevard. We respectfully urge the City to:

1. **Approve** the Community Plan Amendment, Specific Plan, and Draft EIR with the exclusive bus-lane network intact; and

O8-1

2. **Advance the bus lanes to Phase 1** so the project's transportation mitigation is in place **before** the first residents move in and the new arena opens.

Why Phase 1 Bus Lanes Are Essential

- **Gridlock Prevention & Reliable Transit**
  Permanent bus lanes have cut travel times 30-40 percent in other major cities,[1] drawing visitors out of cars and keeping event-day traffic from overwhelming Midway streets. The bus lanes will also attract riders to use the transit,[2] especially on arena event days, when the general purpose lanes will experience gridlock traffic.

[1] Danaher, Alan R. *Bus and Rail Transit Preferential Treatments in Mixed Traffic: A Synthesis of Transit Practice.* Transit Cooperative Research Program Synthesis 83. Washington, DC: Transportation Research Board of the National Academies, 2010. Accessed May 8, 2025. https://nacto.org/wp-content/uploads/1-5_Danaher-Bus-and-Rail-Transit-Preferential-Treatments-in-Mixed-Traffic-TCRP-Synthesis-83_2010-sm.pdf, 65.
[2] Federal Transit Administration. 2004. *Characteristics of Bus Rapid Transit for Decision-Making.* U.S. Department of Transportation. Accessed May 8, 2025. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/CBRT.pdf, 4-18.

O8-1: As discussed in the Final Subsequent Environmental Impact Report (SEIR) Chapter 3.0, Project Description, for the Midway Rising Project (Project), Phase 1 of the Project would include construction of the eastern portion of the site (east of proposed Frontier Drive). Therefore, if the Project were to implement the Business Access and Transit (BAT) lanes in Phase 1, the lanes would only be implemented between Frontier Drive and Camino Del Rio West/Rosecrans Street along Sports Arena Boulevard. As a result, the full benefits of the BAT lanes would not be realized until completion of the Project in Phase 2.

O8-1 cont.

- **Seamless Regional Access**
  Old Town Transit Center—served by Coaster, Amtrak, Trolley, Rapid, and local routes—offers one-seat rides from every corner of the county. A congestion-free shuttle in exclusive lanes will let patrons "zoom" past stalled traffic, reinforcing transit as the fastest, easiest choice.

- **Affordability, Equity, & Climate**
  Owning a new car costs, on average, more than $12,000 per year.[3] Early bus lanes give residents—especially the 2,000 affordable-housing households—a realistic path to living car-free, freeing income for essentials, reducing VMT and emissions, and easing parking demand for those who must drive.

Midway Rising can be a statewide model for climate-smart, mixed-use redevelopment—if the transit infrastructure arrives first.

Thank you for your work on this transformative project that will improve the neighborhood, public transit, and our dire housing shortage.

Sincerely,

Manny Rodriguez
Executive Director
RideSD

Colin Parent
Chief Executive Officer and General Counsel
Circulate San Diego

Corinna Contreras
Policy Advocate
Climate Action Campaign

Chris Roberts
Transportation Team co-lead
SanDiego350

Chloé Lauer
Executive Director
San Diego County Bicycle Coalition

Anar Salayev
Executive Director
BIkeSD

[3] AAA. 2024. Breaking Down the Cost of Car Ownership. Accessed April 29, 2025. https://www.aaa.com/autorepair/articles/breaking-down-the-cost-of-car-ownership.

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Comment Letter O9: Peninsula Community Planning Board, May 8, 2025

O9

From: E Law
To: DSD FAS
Cc: [redacted] Rupcede, Grant; Doyle, Margaret; Midway-PH CPG; Councilmember Jennifer Campbell; Andrea Schlageter
Subject: [EXTERNAL] Midway Rising / PRJ-1106734: Peninsula Community Planning Board SEIR Comments
Date: Thursday, May 8, 2025 11:05:07 AM
Attachments: SEIR Midway Rising Comments May 08-2025.pdf

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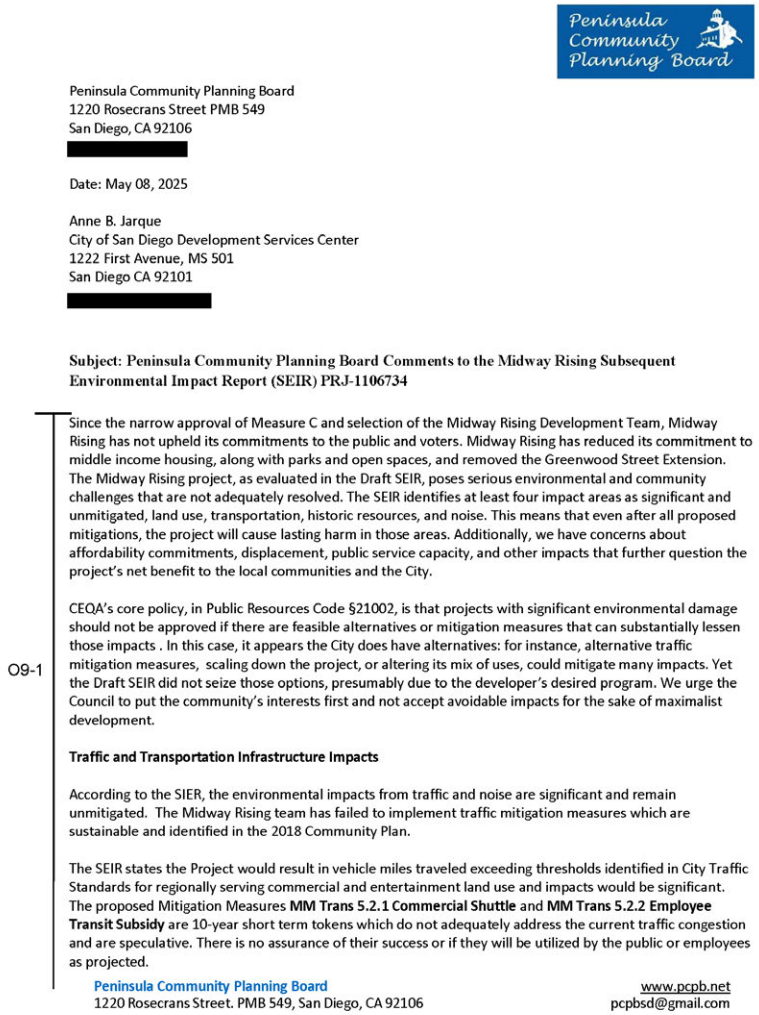
Attention to Anne B. Jarque, DSD

Please find attached the Peninsula Community Planning Board's (PCPB) comments on the subject SEIR for the Midway Rising project (PRJ-1106734). Note the extensive set of questions and concerns raised in our review of the SEIR.

The PCPB point of contact for responses to the identified issues is E. Javier Saunders, PE, at [redacted]

Thanks, Eric Law

--
Eric Law, Chair
Peninsula Community Planning Board
[redacted]



Peninsula Community Planning Board
1220 Rosecrans Street PMB 549
San Diego, CA 92106
[redacted]

Date: May 08, 2025

Anne B. Jarque
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego CA 92101
[redacted]

Subject: Peninsula Community Planning Board Comments to the Midway Rising Subsequent Environmental Impact Report (SEIR) PRJ-1106734

O9-1

Since the narrow approval of Measure C and selection of the Midway Rising Development Team, Midway Rising has not upheld its commitments to the public and voters. Midway Rising has reduced its commitment to middle income housing, along with parks and open spaces, and removed the Greenwood Street Extension. The Midway Rising project, as evaluated in the Draft SEIR, poses serious environmental and community challenges that are not adequately resolved. The SEIR identifies at least four impact areas as significant and unmitigated, land use, transportation, historic resources, and noise. This means that even after all proposed mitigations, the project will cause lasting harm in those areas. Additionally, we have concerns about affordability commitments, displacement, public service capacity, and other impacts that further question the project's net benefit to the local communities and the City.

CEQA's core policy, in Public Resources Code §21002, is that projects with significant environmental damage should not be approved if there are feasible alternatives or mitigation measures that can substantially lessen those impacts . In this case, it appears the City does have alternatives: for instance, alternative traffic mitigation measures, scaling down the project, or altering its mix of uses, could mitigate many impacts. Yet the Draft SEIR did not seize those options, presumably due to the developer's desired program. We urge the Council to put the community's interests first and not accept avoidable impacts for the sake of maximalist development.

Traffic and Transportation Infrastructure Impacts

According to the SIER, the environmental impacts from traffic and noise are significant and remain unmitigated. The Midway Rising team has failed to implement traffic mitigation measures which are sustainable and identified in the 2018 Community Plan.

The SEIR states the Project would result in vehicle miles traveled exceeding thresholds identified in City Traffic Standards for regionally serving commercial and entertainment land use and impacts would be significant. The proposed Mitigation Measures **MM Trans 5.2.1 Commercial Shuttle** and **MM Trans 5.2.2 Employee Transit Subsidy** are 10-year short term tokens which do not adequately address the current traffic congestion and are speculative. There is no assurance of their success or if they will be utilized by the public or employees as projected.

Peninsula Community Planning Board
1220 Rosecrans Street. PMB 549, San Diego, CA 92106
www.pcpb.net
pcpbsd@gmail.com

O9-1: Please refer to Response to Comments O4-2 and O5-1 regarding the adequacy of the proposed transportation mitigation measures for the Midway Rising Project (Project).

Regarding question 1, per the City of San Diego (City) Transportation Study Manual (September 2022), two resources were considered when developing the mitigation measures for the significant transportation impacts associated with the Project:

1. California Air Pollution Control Officers Association Quantifying Greenhouse Gas Mitigation Measures (2010) (Quantification Report)
2. SANDAG Mobility Management Guidebook/Vehicle Miles Traveled (VMT) Reduction Calculator Tool

Many of the measures listed in these documents, including implementing transit-supportive roadway features and amenities, disincentivizing residential parking use, and improving the pedestrian and bicycle networks, are already incorporated into the Project as Project features. The remaining available measures were considered and incorporated based on feasibility, effectiveness, and alignment with the Project's overall vision.

Regarding question 2, please refer to Response to Comment O6-8 regarding the screening of 100,000 square feet of locally serving commercial uses.

The new entertainment center will increase attendance from the current capacity of 10,500 spectators to 19,500. The Traffic Analysis estimates an increase of 839,145 Vehicle Miles Traveled per year for entertainment. Proposed Commercial Development of 130,000 SF will generate over 94,084,949 VMT. These figures – hundreds of thousands of additional vehicle miles traveled– are staggering. The Sports Arena Blvd/Rosecrans corridor is already one of the most congested areas in the city, often gridlocked during peak hours or events. During normal PM peak hours, the intersections and major Roadway segments operate at Level of Service E and F. The Future Estimated Utilization of the entertainment center (Appendix D2) assumes 158 events a year which translates to over 40 % of the year of unmitigated traffic congestion.

Adding this volume of traffic will exacerbate congestion, leading to longer idling times (hence more air pollution) and frustrating delays for residents in Midway, Point Loma, and Ocean Beach. The EIR acknowledges a significant impact on transportation that cannot be fully mitigated, effectively asking the public to bear increased traffic and degraded circulation.

The proposed traffic mitigation for entertainment and commercial use does not adequately address the unmitigated traffic impacts. The SEIR identifies mitigation measures such as a shuttle between the site and the Old Town Transit Center, and transit subsidies for arena employees. These measures are worthwhile (and should be required), but even according to the SEIR they do not reduce the impact to below significance in all cases. There is no evidence or documentation that supports these measures will be utilized as proposed and mitigate traffic. The shuttle may encourage transit but would not fully mitigate the commercial trip impact. The employee transit subsidy helps reduce some entertainment-related VMT, but only for a fraction of trips.

O9-1 cont.

Under CEQA, a Statement of Overriding Considerations would be needed to justify unmitigated traffic impacts. Essentially claiming the project benefits outweigh the traffic problems. The current residents and commuters in this area will bear the brunt of increased congestion. The Council should insist on alternative and additional mitigation: for example, funding for transit infrastructure (more buses or shuttles beyond 10 years, etc.), pedestrian/bike overpass across Camino Del Rio West, additional traffic signal upgrades, binding commitments to stagger arena event schedules to avoid peak traffic if possible. Without such steps, the Midway Rising project could irreversibly choke an already overburdened road network.

Please address the following questions related to the Traffic Mitigation Proposed and the determination of the VMT:

What other Mitigation Measures were considered for offsetting excess VMT for commercial and entertainment events?

Provide justification and supporting documentation that supports excluding 100,000 sq. ft of proposed commercial land from the VMT calculation and provide evidence that 100,000 sq. ft. of commercial land use will be locally serving (pg. 5.2-28 and 5.2-29).

Provide justification and supporting documentation that supports a 10 percent reduction in VMT under commercial land use for trips that were already planned for a quality restaurant (pg. 5.2-29).

Provide justification and supporting documentation that the projected 805 employees will use public transit for 50 percent of all trips for work (employment) pg. 32 Midway Rising VMT Report Table "Entertainment Land Use Employment".

Provide justification and supporting documentation that 20% of the public will utilize public transit to Concert Events as estimated per "Entertainment Center VMT" table pg. 31 Midway Rising VMT Report. The Padres and MTS report transit usage during high attendance games is 18 percent (8,000 attendees). The trolley stop to the new Entertainment Center is a 15–20-minute walk versus a 5-minute walk to Petco Park. The 20 percent Transit usage is overly optimistic, unjustifiable and underestimates the VMT projections.

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Regarding question 3, please refer to Response to Comment O6-9 regarding the 10 percent reduction in VMT.

Regarding question 4, as discussed in Section 5.2, Transportation and Circulation, of the Final Subsequent Environmental Impact Report (SEIR) for the Project, under Mitigation Measure TRANS-1, the transit subsidy would be offered to all employees at 50 percent of the current monthly pass rate. Parking would not be provided on the site for employees. Therefore, employees would be required to pay to park on site or use alternative forms of transportation, including walking, biking, or public transit. Since it is anticipated that employees may not live within walking or biking distance, transit use would be encouraged and monetarily incentivized for employees. The Project estimates that approximately 50 percent of the employees would use the subsidy.

Regarding question 5, transit use for Petco Park was not evaluated as part of the Project, and any comparisons or assumptions regarding parking and transit use would be speculative.

The Old Town Transit Center provides convenient access to a larger portion of the regional transit network (e.g., San Diego Metropolitan Transit System bus network, Green Line, Blue Line, North County Transit District COASTER, and Amtrak's Pacific Surfliner). Please refer to Response to

Include Proposed Traffic Improvements in Table S-1. Summary of Significant Environmental Impacts.

To be consistent with the Midway Community Plan, SEIR pg. 5.2-19 states *The Project proposes modifications to the following intersections as identified and analyzed in the Community Plan Amendment Report and Community Plan Amendment Memorandum.*

- Midway Drive and Sports Arena Boulevard/West Point Loma Boulevard
- Kemper Street/Sports Arena Boulevard
- Hancock Street/Kurtz Street
- Kurtz Street/Camino Del Rio West
- Camino Del Rio West/Rosecrans Street and Sports Arena Boulevard

O9-2

The PCPB requests that these improvements be included in **Table S-1 Summary of Significant Environmental Impacts** along with an implementation time frame to ensure these measures will be implemented prior to the Opening Phase 1 anticipated to occur in 2030.

SEIR Pg 5.2-17 also states *In addition, based on the recommendations contained in the LMA (Appendices D1 and D2), the Project would make the following intersection modifications to improve traffic operations (refer to Appendix U in Appendix D1 for additional details).* These improvements are identified in the LMA (Local Mobility Analysis), Table 7-1 and ES-10.

The PCPB requests that the stated improvements in the LMA and SEIR 5.2-17 and 18 be clearly identified and included in **Table S-1 Summary of Significant Environmental Impacts** along with an implementation time frame to ensure the stated measures will be implemented prior to Opening Phase 1.

Conflict with the Midway Pacific Highway Community Plan Update PEIR

The Draft Supplement EIR is in conflict with the approved Midway-Pacific Highway CPU PEIR and Community Plan Mobility Section 3.5 Street and Freeway Systems, Policy ME-5.4 and Policy ME-5.9.

ME 5.4 *Introduce new streets to break up the scale of existing superblocks to improve multimodal mobility and reduce vehicular congestion, including the new streets listed in Box 3-5.*
ME-5.9 Consider *a public road connection between Sports Arena Boulevard and Midway Drive to connect to the Greenwood Street extension in order to improve the mobility system.*

O9-3

In order to meet future transportation demands, enhance circulation and improve mobility, the Community Plan recommends the extension of Greenwood Street from Kurtz Street and Sports Arena Blvd. The Midway-Pacific Highway CPU PEIR determined that development would result in significant impacts to roadway segments and intersections and identified mitigation measures that would enhance traffic circulation. The Midway-Pacific Highway CPU PEIR Impact TRANS 5.2-2 proposed the extension of Greenwood Street from Sports Arena Boulevard to Kurtz Street.

The proposed Greenwood Street extension has been omitted through a proposed amendment to the Community Plan. Traffic mitigation measures associated with the elimination of TRANS 5.2-2 have not been addressed in the SEIR and remain unmitigated and significant.

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Comment O12-4, question 6, regarding the origin-destination study performed.

O9-2: Please refer to Response to Comment O6-2 related to analyzing transportation impacts. The proposed intersection modifications are included as Project improvements detailed in Final SEIR Chapter 3.0, Project Description.

Table S-1, Summary of Significant Environmental Impacts, in the Final SEIR Executive Summary summarizes the significant environmental impacts from the Project and does not list Project improvements or features.

This comment does not raise an issue related to the adequacy or accuracy of the Final SEIR, and no further response is required.

O9-3: Please refer to Response to Comment O5-2 regarding the Project's consistency with the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) Policies ME 5.4, and ME-5.9.

O9-4: The Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) was incorporated into the transportation studies for the Project, as discussed in the SEIR Appendix D1, Local Mobility Analysis, and Appendix D2, Vehicle Miles Traveled Memorandum. Please refer to

Cumulative Traffic with Othe Projects

O9-4 CEQA requires evaluating cumulative impacts. The Midway area and adjacent neighborhoods have other developments either planned or foreseeable (for example, the NAVWAR redevelopment near Old Town, ongoing complete community projects in local neighborhoods). Each of these adds traffic to the regional network. The Draft SEIR should clearly lay out cumulative traffic scenarios – not just this project in isolation. The cumulative condition (Midway Rising + other growth) may reveal potential gridlock or the need for additional mitigation and major regional infrastructure upgrades (e.g., interchange improvements, transit capacity increases). If such an analysis is lacking or downplayed, the SEIR has not fully informed decision-makers and is insufficient.

SEIR Impacts Health and Safety

O9-5 Interstates 1-5 and I-8 and project intersection and approaches are identified in the City and County Emergency Response Plans. These intersections and roadways as stated in the LMA traffic analysis are congested and operate at Service Levels of E and F with significant traffic delays. The SEIR falls to meet the **Significance Determination Thresholds under Issue 3: Emergency Plan Consistency.** *Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan;* The Midway-Pacific Highway CPU PEIR concluded that the 2018 Community Plan improvements to the existing transportation infrastructure could improve evacuation times. The improvements have not been implemented nor identified in the mitigation measures. The SEIR fails to address and demonstrate that the proposed Midway Rising Project will not impair emergency response and the SEIR is inconsistent with the Health and Safety Measures under Issue 3, Emergency Plan Consistency.

Site Contamination and Hazardous Materials

O9-6 The EIR acknowledges that the Sports Arena site is included on the state's list of hazardous waste sites pursuant to Gov. Code §65962.5 . This means there is known contamination on-site (possibly from prior uses or underground tanks). Yet the SEIR's discussion of remediation measures is insufficiently detailed. Removing the existing arena and digging for new construction will disturb hazardous materials, posing risks to soil, groundwater, and public health. The SEIR should explicitly detail a remediation plan under California regulations, with clear commitments to soil testing, safe removal and disposal of contaminants, and oversight by agencies. Without robust measures, construction could lead to toxic substances leaching or airborne dust endangering workers and nearby residents. We urge that the Final SEIR includes a comprehensive hazardous materials mitigation program, and that no grading or demolition occur until all contaminants are remediated to levels safe for residential use.

Water Quality and Stormwater

O9-7 The project will dramatically increase structure area and hard surfaces (housing, arena, roads) on the 49- acre site. While some new parks are planned, a large portion will be impervious surfaces. Stormwater runoff could carry pollutants (oil, trash, chemicals) into the San Diego River or coastal waters if not properly managed. The Draft SEIR mentions a Preliminary Drainage Report and Storm Water Quality Plan (Appendices I1, I2) but offers few specifics in the main text. Given the proximity to sensitive coastal ecosystems, this is a serious concern. The EIR should analyze water quality impacts in depth and enforce Low Impact Development designs (per City Storm Water Standards) to ensure runoff is captured, treated, and does not degrade downstream water quality. If the SEIR lacks detailed modeling of runoff or fails to commit to specific stormwater infrastructure (bioswales, retention basins, etc.), it is deficient.

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Thematic Response: Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) (Transportation) for a discussion of how the Navy OTC Revitalization Project was incorporated into the transportation studies.

O9-5: Final SEIR Section 5.6.4.3 addresses Issue 3, Emergency Plan Consistency**.** As discussed in Section 5.6.4.3, primary evacuation routes consist of the major interstates, highways, and prime arterials within the City—for the Project site, Interstate (I)-8 north of the Project site and I-5 to the east. Sports Arena Boulevard to the south, Kurtz Street to the north, Hancock Street to the west, and Camino Del Rio to the east provide local access to I-8 and I-5 and are identified as evacuation routes. The Project would construct Frontier Drive and a Kemper Street extension within the development area, connecting Sports Arena Boulevard and Kurtz Street. These new streets would provide additional emergency access to the Project site and adjacent areas. As described in Final SEIR Chapter 3.0, the Project proposes roadway improvements to Sports Arena Boulevard, Kurtz Street, and Rosecrans Street in addition to intersection improvements. These improvements are intended to enhance transportation circulation and would not adversely impact emergency response. The Project would not impair implementation of, or physically interfere with, an Emergency Response Plan or Emergency Evacuation Plan adopted by the County or

the City. This issue has been adequately analyzed in Final SEIR Section 5.6, Health and Safety.

O9-6: As discussed in Final SEIR Section 5.6, the Project site has been used in the past as a dump, agricultural land, and military housing, all of which may have created hazardous conditions on site.

Based on subsurface assessment activities conducted in the southwestern portion of the Project site in the area of the reported West Point Loma Dump in 2023, an approximately 1-to-2-foot-thick layer of burn ash was observed buried at depths of approximately 2 to 5 feet with elevated concentrations of metals including antimony, arsenic, cobalt, lead, and mercury that exceed residential health risk-based screening levels, along with old household debris including bottles, ceramics, and other trash. Portions of these soils are considered California hazardous waste and must be disposed of at a facility approved to receive this type of waste. Therefore, as discussed in SEIR Section 5.6, Project grading and excavation would have the potential to encounter contaminated soil during construction activities, which could create a significant hazard to the public or environment.

The Project would be required as condition of approval to coordinate with the City's Solid Waste Local Enforcement Agency (LEA) and other applicable regulatory agencies prior to grading and development activities to ensure the former waste areas of the West Point Loma Dump and

other areas with known environmental impacts within the Project disturbance area are properly managed during Project construction activities. The LEA is certified by the California Department of Resources Recycling and Recovery to enforce state laws and regulations at solid waste facilities, including closed disposal sites. The LEA has the authority to review and approve land use changes on or within 1,000 feet of closed disposal sites pursuant to California Code of Regulations Title 27 Section 21190(c).

To reduce the potential risks associated with grading and excavating soils potentially containing hazardous materials, the following options have been identified for remediating the portion of the West Point Loma Dump within the Project disturbance area prior to or during construction of the Project:

- **Option 1:** Remove waste and burn ash from the Project site to achieve a partial clean closure.
- **Option 2:** Reconsolidate waste and burn ash to a different area(s) on the known West Point Loma Dump waste footprint.
- **Option 3:** Leave waste and burn ash in place.

Final SEIR Section 5.6 provided an analysis and discussion of the three options. It is possible that a combination of the three options may be selected and implemented along with the requisite regulatory approvals. Regardless of the options selected, general reporting and regulatory oversight would be required. This shall include the

preparation of a Soil Management Plan (SMP) that describes the means and methods for the proper management of impacted soils during construction and grading activities. The SMP shall be comprehensive and include a discussion on remediating the various areas at the site with subsurface impacts, as well as separate sections addressing the West Point Loma Dump. The SMP shall address regulated waste criteria, worker exposure issues, and proposed future residential and commercial development plans and land uses. The SMP shall describe the methods, details, and other aspects of the proper handling and management of soils that exceed the remediation criteria that would be encountered during the grading and construction of the Project.

In conjunction with the SMP, and pursuant to the requirements of the LEA, a Community Health and Safety Plan would also be prepared to address potential off-site impacts, particularly the monitoring and suppression of dust generated by on-site activities as the primary health and safety issue associated with the excavation of impacted soil is the potential generation of dust that may occur during the handling of the impacted soil. As discussed in Final SEIR Section 5.9, Air Quality, dust emissions would be controlled by spraying surfaces with water and the use of cyclone/covered fencing to reduce dust emissions during excavation, grading, stockpiling, and loading activities. The Community Health and Safety Plan would also include

public notifications to the adjacent property owners advising them about the excavation activities.

Additional assessment of soil and/or soil gas may be conducted as requested by the overseeing regulatory agencies. Regardless of the remediation option selected, adherence to regulatory procedures administered by the applicable regulatory oversight agency would reduce the Project's impacts to a less than significant level.

In addition, as discussed in Final SEIR Section 5.6, Project construction has the potential to encounter known or previously unknown underground storage tanks (UST), which could result in impacts to on-site construction personnel. Due to the site-specific nature of USTs, it is not anticipated that impacts to off-site residents or nearby schools would occur. This impact would be potentially significant. The Project would be required to implement Mitigation Measure MM HS 5.6-3: Removal of Underground Storage Tank to reduce the risk for accidental release of hazardous materials associated with known or unknown USTs during construction activities.

Furthermore, as discussed in Final SEIR Section 5.6, during Project operation, there is a risk of exceedances of commercial and residential screening levels for benzene in indoor air and a risk of exceedances of commercial and residential screening levels for m,p-xylene, ethylbenzene, and perchloroethylene in indoor air, which could create a

significant hazard to future residential occupants of the Project. Impacts would be potentially significant. Implementation of Mitigation Measure HS 5.6-4, Soil Vapor Sampling and Vapor Intrusion Mitigation System Where Indicated, would reduce the risk of exceedance of commercial and residential screening levels for volatile organic compounds (benzene, m,p-xylene, ethylbenzene, and perchloroethylene) in indoor air. This issue is adequately discussed in the Final SEIR.

O9-7: As discussed in Final SEIR Section 5.7, Hydrology/Water Quality, the Project would result in a 7 percent reduction in impervious surfaces (or a 7 percent increase in pervious surfaces) compared to the existing condition. Runoff was calculated for 100-year storm events using the Rational Method and determined from Table A-1 of the City's Drainage Design Manual. The Rational Method calculates peak flow rate (Q) as a function of runoff coefficient (C), rainfall intensity (I), and drainage area (A). Final SEIR Table 5.7-1, Summary of 100-Year Storm Event Peak Flow Rates, provides a comparison of the 100-year storm flow rates under the existing and proposed conditions. The proposed 100-year flows would be less than pre-Project 100-year flows, with an increase in landscaping, parks, and plazas.

As further discussed in Final SEIR Section 5.7, the Project would have the potential to result in long-term operational pollutants associated with residential, commercial, entertainment, and recreational uses that would introduce

potential pollutants. However, in accordance with the City's Stormwater Standards Manual, the Project is a priority development project that is required to incorporate post-construction (or permanent) site design, source control, and treatment control best management practices (BMP). Site design BMPs include minimizing impervious areas and soil compaction, dispersing impervious areas on the site, and using native or drought-tolerant species for landscaping purposes. Source control BMPs include the prevention of illicit discharges into the municipal separate storm sewer system, storm drain stenciling or signage, on-site storm drain inlets, protection of trash and storage areas, interior floor drains and elevator shaft sump pumps, interior parking, and future integrated pest management techniques for indoor and structural pest control.

In addition to the site design and source control BMPs, the Project would install treatment control BMPs that would include an on-site storm drain system to collect and treat stormwater before it discharges off site. Currently, no such treatment system exists for on-site storm drains. Walled biofiltration planters would be installed throughout the development areas, including surrounding the buildings at various locations, to match the roof plan and downspout locations. Modular wetland system units would be incorporated into the Project design of each building, along with required dispersion areas when biofiltration planters are not feasible. Modular wetland system units are also

Affordable Housing

A selling point of Midway Rising is the inclusion of 2,000 affordable units (nearly half the total) for low-income households. This is indeed a commendable goal. According to reports, these units are intended for those earning 80% or less of area median income, with some as low as 30% AMI (including veterans' and supportive housing) . However, there are concerns about the viability and timing of this affordability promise. Recent City Council discussions indicate that Midway Rising removed planned moderate/middle-income units from the project last year, focusing only on low-income units, and that the project's finances are challenging. In fact, the City had to consider creating an Enhanced Infrastructure Financing District (EIFD) to subsidize infrastructure so the affordable housing can be delivered. This raises a question: if the project's feasibility is marginal, might the affordable units be delayed, reduced, or dependent on public funds? The Draft SEIR does not address this directly (as CEQA focuses on physical impacts, not economics), but it is a critical public policy issue. The SEIR should at least disclose the phasing: it states the development will be built in two phases over 10 years, with
O9-8 875 units in Phase 1 and the rest in Phase 2. Will the affordable units be spread across phases or all in one phase? If Phase 2 is delayed or canceled due to market conditions, we could end up with the arena and market-rate units built, but not the full 2,000 affordable units – an outcome that would fail the project's promises. We urge that any project approval be conditioned on a binding affordable housing plan (e.g., no certificate of occupancy for market-rate units beyond a certain number until a proportional share of affordable units are constructed). Additionally, if public subsidy is needed (via an EIFD or otherwise), that should be considered transparently by policy-makers outside the EIR process.

Furthermore, the affordable units targeted at up to 80% AMI may not serve the extremely low-income segment (30% AMI and below) unless specifically committed. There is mention that some units will indeed be for 30% AMI and supportive housing , which is positive. The SEIR should ensure that the project's housing mix addresses a range of incomes to truly meet community needs. If all affordable units cluster at the upper limit of "low" (e.g., 60-80% AMI), those in deeper poverty may not benefit and could still be displaced. A robust Housing Plan, ideally in the project approval, should specify how many units at 30% AMI, 50% AMI, etc., will be provided, and with what financing. Otherwise, the "affordability" could be more nominal than actual for San Diego's most vulnerable populations.

Risk of Displacment and Gentrification

The Midway-Pacific Highway Community is home to many low-income and historically marginalized residents. According to SANDAG's "Community of Concern" mapping, this area is identified (the SEIR notes the site is in a
O9-9 "Community of Concern: Low" designation – implying some vulnerable population nearby). The introduction of a high-end mixed-use district with entertainment amenities could raise property values in the vicinity. Landlords around the project site may attempt to capitalize on rising demand, possibly leading to rent hikes in nearby apartment complexes or redevelopment of older properties. This process can displace long-time residents who cannot afford the new rents. The SEIR should acknowledge this potential socio-economic impact. Even if CEQA does not treat economic displacement as a direct environmental impact, it is certainly a community impact of concern. We urge the City to coordinate any anti-displacement measures (for example, rent assistance, anti-eviction programs, or inclusionary housing requirements on other parcels) to ensure the surrounding community benefits from Midway Rising rather than being forced out. The Sports Arena site also currently hosts commercial businesses (some retail, the swap meet, etc.). Redevelopment means those businesses will be removed. The SEIR should list what businesses or uses are being displaced and whether any relocation assistance or phase-out is being offered.

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proposed for street areas and plazas where walled biofiltration planters are not feasible. Off-site and street frontage improvements to existing streets would be addressed via a priority development project-exempt City's Stormwater Standards Manual Green Streets approach, which may incorporate elements such as trees and noncontiguous sidewalk and/or modular wetland system units. As can be seen, this issue has been adequately addressed in the Final SEIR.

O9-8: This comment raises economic, social, or political issues that do not relate to any physical effect on the environment under California Environmental Quality Act (CEQA). Final SEIR Table 3-3, Proposed Land Uses per Phase, provides assumptions for the land uses during Phases 1 and 2 of construction, including the number of affordable and market-rate units. Individual project applications would be reviewed for conformance to the Midway Rising Specific Plan (Specific Plan). Each project would submit a project-wide table that outlines any prior approvals' floor areas and density to ensure all projects would remain within the Specific Plan's allowable commercial land uses floor area and number of residential units. The affordable housing density bonus is granted to the project as it will provide affordable units in accordance with the State Density Bonus Law. The Specific Plan requires that a specified number of affordable units be provided within the Specific Plan Area.

O9-10

Gentrification of Community Character: Gentrification is not just about economics but also changes in the character and culture of a neighborhood. The Midway District has long been a gritty, utilitarian area – known for the historic arena, big-box stores, music venues, and independent businesses. A shiny new "Entertainment District" with upscale shops and housing could homogenize the area, perhaps pushing out unique local businesses in favor of national chains that can pay high rents. The SEIR's Land Use/Planning section should evaluate whether the project aligns with the community's vision. The Midway-Pacific Highway Community Plan (2018) no doubt envisioned improvement and new development, but likely with community input to avoid loss of local character. Has the SEIR addressed how Midway Rising will incorporate affordable commercial space for existing local businesses or nonprofits? If all the new commercial space (130,000 sq ft per project description) goes to high-paying tenants, small businesses may vanish. A truly community-oriented redevelopment might include guarantees like a public market space for local vendors (akin to the existing swap meet tradition) or priority leasing for small businesses. We see little of that mentioned.

O9-11

Strain on Public Service and Infrastructure

Schools: The Midway Rising project will introduce thousands of new residents, including families with children, into the Point Loma cluster of San Diego Unified School District. A Will-Serve letter from SDUSD (Appendix L3) indicates the site is within the Dewey Elementary boundary and the Point Loma High School cluster. Current enrollment vs. capacity data suggests some schools (Dewey Elem, Correia Middle, etc.) have capacity now (e.g., Dewey is ~64% utilized) . However, adding potentially over a thousand school-age children (which is plausible from ~4,000 units) could quickly use up that capacity. The SEIR likely concludes that payment of school impact fees (pursuant to Govt Code §65995) constitutes full mitigation (as state law dictates). But from a community standpoint, we must ask: will there be enough classrooms and teachers when this project is complete? If Dewey Elementary or Correia Middle need expansion or new facilities, those take time and money (fees may not fully cover a new school). We urge that the city and school district proactively plan for growth – possibly reserving a site for a future school or negotiating that some of the development impact fees be directed to capacity expansion in this cluster. The SEIR should not just do a perfunctory analysis; it should clearly state whether new school facilities will be needed. If the SEIR found the impact less than significant with fees, We worry this overlooks the real-world impact on quality of education if hundreds of new students enroll. The Council should verify with SDUSD that this project will not lead to overcrowded classrooms or busing students out of their community.

O9-12

Parks and Recreation: The project does include new parks – about 8.1 acres of public parks and 6.4 acres of plazas/open space – which on paper sounds positive. If fully realized, those parks (e.g., the large central one called "The Green" and plazas like "The Square") will provide recreation space for residents. However, we must consider that eight acres of park for, say, 10,000 new residents (plus thousands of visitors) may still be insufficient relative to city park standards (which often aim for e.g., 2.8 acres per 1,000 residents in urban areas). The quality and accessibility of these parks matter too: are they truly public and available at all times, or are some just private amenities for residents? The EIR should clarify their ownership and maintenance. There is also the question of timing: will the parks be built in the first phase or last? We would not want a scenario where housing is occupied but promised parks are delayed. The strain on existing nearby parks (like Shoreline Park or OB parks) could be significant if on-site recreation lags. The Council should ensure that the development agreement specifies the timely delivery of parks. Moreover, ongoing maintenance funding should be secured (perhaps via a Maintenance Assessment District) so the new parks remain safe and clean for public use and do not burden the Parks & Rec Department's budget unduly.

O9-13

Police, Fire, and Emergency Services: With 4,000 new units and a 16,000-seat arena, demands on police and fire services will grow. The SEIR includes letters from the San Diego Fire-Rescue Department and Police Department (Appendices L1 and L2) presumably stating they have reviewed the project. Typically, such letters identify if a new fire station is needed or if existing stations can handle the load. The nearest fire stations (e.g.,

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This comment does not raise an issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

O9-9: This comment raises economic, social, or political issues that do not relate to any physical effect on the environment under CEQA.

Final SEIR Chapter 2.0, Environmental Setting, describes the existing development condition of the Project site, including the on-site and surrounding land uses.

This comment does not raise an issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

O9-10: This comment raises economic, social, or political issues that do not relate to any physical effect on the environment under CEQA. The 2018 Community Plan envisions a mix of land uses organized into districts and villages to create distinct urban activity nodes. It calls for the redevelopment of the San Diego International Sports Arena site and adjacent buildings into a "Sports Arena Community Village" as a vibrant, pedestrian- and transit-oriented entertainment area that is a landmark and attraction for the Midway-Pacific Highway Community planning area and surrounding communities and that also provides a connection to the San Diego River Park and Mission Bay Park. Final SEIR Table 5.1-2, Project's Consistency with the Goals and Policies of the 2018 Community Plan, of

the Final SEIR identifies the 2018 Community Plan's goals and policies that are relevant to the Project and provides an evaluation of the Project's consistency with them. No revisions to the Final SEIR are required.

O9-11: As discussed in Final SEIR Section 5.11, Public Services and Facilities, the Project site is within the jurisdiction of the San Diego Unified School District and served by Dewey Elementary, Dana and Corriea Middle Schools, and Point Loma High School. As mentioned in the comment, enrollment at these schools is currently below available capacity. However, based on the estimated number of students generated by the Project, the existing capacity is not enough to handle the projected increase of the Project. As such, the new student population generated by the Project could cause the schools serving the Project to reach or exceed capacity, requiring the need for new or expanded facilities. California Government Code Sections 65995 and 65996 and California Education Code Section 17620 authorize school districts to impose facility fees on new development to address any increased enrollment that may result. The legislation holds that an acceptable method of offsetting a project's effect on the adequacy of school facilities is payment of a school impact fee prior to issuance of a building permit. Once paid, the school impact fees would reduce any project-related impacts to school facilities. The San Diego Unified School District would be responsible for the potential expansion or development of new facilities. The Project would be required to pay the

school impact fee prior to the issuance of a building permit. No revisions to the Final SEIR are required.

O9-12: As discussed in Final SEIR Section 5.11, the City uses the Recreational Value Standard, as established in the 2021 Parks Master Plan, as the guideline for planning population-based parks and recreation facilities. The value is determined based on park size, health/fitness/sports, social spaces, site amenities, access/connectivity, and activation and engagement. The Project shall meet the minimum Recreational Value Standard requirement through a combination of proposed on-site public parks with recreational amenities and the payment of applicable fees. The Project's proposed on-site population-based parks would serve new residents of the Project and surrounding neighborhood residents. Any collected Citywide Park Development Impact Fees would support the future development of population-based public parks consistent with Citywide policies.

As discussed in Final SEIR Chapter 3.0, construction would occur in two phases, starting with the eastern half of the Project site and working toward the western boundary. In Phase 1, buildings and improvements east of Frontier Drive on the Project site would be demolished, and this area would be developed with housing, parking, entertainment, retail, restaurant, and park uses. In Phase 2, Kemper Street would be constructed with all its infrastructure, and residential, retail, restaurant, parks, and parking uses would be developed west of Frontier Drive.

O9-13 cont. Fire Station 20 on Kemper St in Midway, and Station 22 in Point Loma) will have significantly more territory to cover and more calls (fire, medical, etc.) with this project. If Station 20 is the primary responder, will its staffing and equipment suffice for mid-rise buildings and an arena (which brings mass gatherings with potential for large incidents)? The response times to high rise buildings can be longer if traffic is congested (catch-22: the project will worsen traffic that fire trucks have to get through, see our comments on Emergency Access). If the Fire Dept letter (Appx L1) requested any mitigation (like developer contributions to a new station or equipment), the SEIR should commit to that. Similarly for Police: the Western Division may need more officers to patrol the new neighborhood and handle arena events (crowd control, etc.). The SEIR likely says impacts are less than significant with standard conditions (as is often the case, citing that stations are adequate or that funding will come from general funds). We urge skepticism – public safety must keep pace. We suggest that the project fund a substation or storefront police station on-site for event days and community policing. If not, we risk slower responses or stretched resources in surrounding neighborhoods.

Noise, Air Quality and Pollution Impacts

O9-14 **Construction Noise and Vibration:** A 10-year phased construction (with heavy construction in Phase 1 from ~2026 onward) means a decade of noise for those who live or work nearby. Pile driving, if required for foundations, could create intense noise and vibrations. Even standard construction (trucks, concrete pours, machinery) from early morning into the evening, potentially six days a week, will be highly disruptive. The SEIR likely sets hours of construction and some noise attenuation measures (e.g., noise barriers, mufflers on equipment), but those offer limited relief. Residents in the area (e.g., those on Hancock St, or near Barnett Ave, etc.) could experience chronic noise, affecting their quality of life and health. Vibration could also damage older buildings (if there are any historic structures nearby, though primarily the historic asset on-site is the arena itself). The SEIR should have conducted a noise/vibration study (Appendix G1, G2 are noise reports). If predicted construction noise exceeds City thresholds, even temporarily, that should be disclosed as a significant impact. We ask that the City require sound walls to mitigate noise and strictly enforce any noise ordinances and perhaps require periodic respite (days of no heavy work) to give the community breaks. Additionally, advanced notice to residents of high-noise activities should be a condition.

O9-15 **Operational Noise (Arena and Entertainment):** The new Entertainment Center (arena) will host concerts, sports, and outdoor events. The Draft EIR explicitly found that noise levels during special events in outdoor areas will exceed limits and are significant/unavoidable . This is alarming. It means even with mitigation (sound walls, restricted hours, etc.), the noise from, say, an outdoor concert or a large gathering in the plaza, will go beyond the City's noise standards and disturb the peace. Nearby neighborhoods like Point Loma or Midway residents could hear amplified music or crowd noise, especially at night. The fact that the SEIR concedes this impact is telling – it is essentially asking the City to override its own noise standards. We find that unacceptable. Why should existing communities suffer excessive noise so a developer can have outdoor concerts? At minimum, the City should impose strict noise controls: for example, no outdoor amplified events after 10 PM, maximum decibel limits at the property line, and a requirement for the arena operator to monitor and respond to noise complaints. If these specifics are not in the SEIR, they should be added as mitigation. Given the SEIR already says it is unavoidable, the Council should seriously consider if the project design could be altered (e.g., orienting stages differently, or enclosing noisy activities) to better contain noise. CEQA requires mitigation of significant noise impacts where feasible – just because it is inconvenient does not mean it should not be attempted or required mitigation.

O9-16 **Hazardous Materials During Demolition:** A specific pollution concern is the demolition of the existing Sports Arena (built in the 1960s). As noted, it likely contains asbestos and lead-based paint (common in buildings of that era). The SEIR has an asbestos/lead survey (Appendix H4). Removal of these hazardous materials must be done by certified abatement contractors under controlled conditions. Any lapse could release asbestos fibers or lead dust into the air, poisoning workers or nearby residents. The SEIR should explicitly commit to following all OSHA and EPA regulations for demolition, including notification, wetting materials, and proper disposal in

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In addition, as discussed in Final SEIR Chapter 3.0, the Project requires a Park Development Agreement, Park Maintenance Agreement, and Park Operations Agreement. No revisions to the Final SEIR are required.

O9-13: The Public Facilities, Services & Safety Element of the 2008 City of San Diego General Plan, as amended (2008 General Plan), provides standards for the total time it takes fire-rescue services to respond to an emergency call based on population density per square mile. The total response time for the required number of emergency units to arrive at the emergency response location in areas with more than 1,000 people per square mile is 7.5 minutes. The first-due unit response time is the time it takes for the fire response to arrive at the scene of the emergency after being dispatched. This equates to a 1-minute dispatch time, 1.5-minute turnout time, and 5-minute travel time in the most populated areas of the City. Turnout time is the time beginning when units acknowledge notification of the emergency to the time point of the beginning of the response.

As discussed in Final SEIR Section 5.11, the closest fire station that serves the Project site is San Diego Fire Station 20 at 3305 Kemper Street, located 0.2 mile south of the Project site. Apparatus at this station includes Engine 20, Truck 20, and Paramedic Unit 20. Based on data provided by the City of San Diego Fire-Rescue Department, Engine 20 and Truck 20 can reach the existing Project site in 2.2 minutes.

The CPU EIR anticipated that new or improved public services and facilities may be required to meet the needs of the City's future growth occurring through infill and redevelopment. Enhancements were also anticipated, specifically at Fire Station 20. Cumulative projects would be assessed to determine contributions towards these enhancements to fund upgrades to Fire Station 20, in accordance with the planned facilities identified in the Midway Infrastructure Fee Study, which was covered by the Midway-Pacific Highway CPU PEIR. The Project would be required to pay all applicable development impact fees.

The San Diego Police Department (SDPD) Western Division substation is approximately 1 mile northeast of the Project site at 5215 Gaines Street. The Project would result in additional residents and new housing that would require police services; however, the additional population would be in an area currently served by the same police service division. Ongoing funding for police services is provided by the City's General Fund. A Crime Prevention Through Environmental Design Review is recommended by the SDPD to address general security concerns (Final SEIR Appendix L2, City of San Diego Police Department Findings Letter) in line with the City of Villages strategy. Existing police facilities would continue to serve the Project site, and implementation of the Project would not require the construction of new or expanded facilities or improvements to existing facilities.

Furthermore, as identified in Final SEIR Section 5.11, the focus of a CEQA analysis is on the physical impacts of constructing public service facilities. Because the Project does not propose the construction of new or altered facilities, no physical impacts associated with the construction of such facilities would occur. In addition, the need for additional fire protection services is considered an economic or social change, not an environmental impact that requires mitigation. Therefore, as concluded in Section 5.11 of the Final SEIR, the Project would not trigger the need for new or altered fire facilities, and impacts would be less than significant.

O9-14: Construction noise and vibration are addressed quantitatively, as requested, in Final EIR Section 5.5.4.5 and Section 5.5.4.6, including impacts related to annoyance and building damage. These sections incorporate the analysis in Final SEIR Appendix G1, Noise Technical Report. Construction noise and vibration were quantified and compared to applicable City thresholds. A potentially significant impact was identified for both construction and vibration. As such, Mitigation Measures Noise 5.5-2, Construction Noise Best Management Practices, and Noise 5.5-3, Vibration Management Strategies, were determined to reduce impacts to a less than significant level. A deficiency in the construction and vibration analysis and mitigation has not been identified. Therefore, no additional mitigation is required.

O9-16 cont. hazmat landfills. This is non-negotiable for safety. Similarly, any contaminated soil that is excavated (Appendices H2, H3 Phase II assessments presumably found some petroleum or other contaminants) needs proper handling – trucking it out covered, etc. We mention this to emphasize that "pollution" is not just new emissions; it is also avoiding releasing old pollution trapped on site. The Final SEIR mitigation monitoring plan must include oversight of these activities.

CEQA Compliance and EIR Process Deficiencies

Beyond the topic-specific issues above, we have broader concerns about the completeness and transparency of the EIR process under CEQA. The purpose of CEQA is to foster informed decision-making and public participation. In this case, several aspects of the process and document raise red flags:

O9-17 **Subsequent EIR / Tiering from Prior Plans:** The Draft EIR is described as a "Subsequent EIR" building on the 2018 Midway-Pacific Highway Community Plan Update SEIR . While tiering from a programmatic plan EIR can be efficient, it appears the analysis is limited to "changed circumstances" since 2018 . This approach risks overlooking impacts that maybe were not fully resolved in the 2018 plan EIR. A lot has changed since 2018: traffic patterns (due to ride-shares, pandemic shifts), climate imperatives, housing crisis context, etc. If the EIR only examines incremental differences, the baseline might be the already-significant impacts identified in 2018 plus this. We could end up with compounding impacts that are not properly examined in totality. We worry that the EIR's approach is too piecemeal. For a project of this significance (essentially the largest redevelopment in this area in decades), the City should ensure a full-scope analysis. If any impacts were deferred or not analyzed in detail because they were "already covered" in the prior EIR, the Final EIR needs to clearly justify that and confirm conditions have not worsened. Otherwise, the CEQA analysis might not fully inform the public of the project's real impact.

O9-18 **Public Review Period and Accessibility:** The Draft EIR was released on March 24, 2025, with a public review period through May 8, 2025. This is the minimum 45-day review period. Given the size of the document (the Draft SEIR PDF is ~58,000 KB, hundreds of pages plus many technical appendices), 45 days is a tight timeline for the public to thoroughly digest and comment. We and others in the community have struggled to review thousands of pages in this time. We request that the City consider extending the public comment period, or at least ensure that late comments are also considered, due to the complexity of the project. Additionally, We hope the City made the SEIR easily accessible (it was on the CEQAnet site and presumably the City's site). Not all community members know how to navigate those systems. Robust outreach (e.g., public meetings summarizing the SEIR findings) would have been ideal. With inadequate outreach, that is a process shortfall that should be remedied by giving extra opportunity for input by the local community Planning Boards and future Council hearings.

O9-19 **Responses to Comments and Final SEIR Expectations**: Under CEQA, the City must respond in writing to all substantive comments received during the Draft SEIR review (CEQA Guidelines §15088). We are submitting detailed comments expecting detailed responses. Specifically, each of the concerns raised in this letter should be addressed in the Final SEIR or staff report, with explanations or modifications. For example, if We pointed out that an alternative was not considered, the City should explain why it was rejected or consider it now; if We argue a mitigation is insufficient, the City should justify its approach or strengthen the mitigation. A cursory or dismissive response would not satisfy CEQA's requirements for good faith reasoned analysis. We trust the Council will also look for a thorough Final SEIR document and not recommend project approval until satisfied that the City has adequately responded to public input.

O9-20 **Mitigation Monitoring and Reporting:** Should the project be approved, CEQA requires adoption of a Mitigation Monitoring and Reporting Program (MMRP) to ensure all mitigation measures are implemented. We want assurance that this program will be rigorous. Far too often mitigations in an EIR become forgotten conditions.

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O9-15: The Final SEIR identifies a significant and unavoidable impact related to outdoor event noise in Section 5.5.4.4. At this time, there are no events planned and thus no details about the specific location, stage orientation and other variables necessary for a detailed noise evaluation of such future events. Such analysis would necessarily be speculative. The San Diego Municipal Code addresses the regulation and permitting of special outdoor events on City land in Chapter 2, Article 2, Division 40 and Chapter 5, Article 9, Division 6.

The City's Special Event permitting process is in place to allow for events that may be crowded and noisy. An events permit balances event operation with protections for event attendees and the surrounding community. The specifics of future events, including the type and design, are unknown; therefore, prescribing specific stage orientations and barriers is not feasible. However, Mitigation Measure NOISE 5.5-1, Special Events Noise Best Management Practices, does include temporary sound barriers for stages and event areas where they would not present a safety hazard or inhibit movement on the site (Item 3.b). The Noise Control Plan would require review and approval from the Special Events & Filming Department, which may obtain input from the San Diego Fire-Rescue Department regarding barrier safety.

Future permits would include a required end time, and specific noise level limits may be implemented as part of future permits, but requiring the same limits for all future events as part of Mitigation Measure NOI 5.5-1 would not be consistent with the intent of the Special Event permitting process that allows for flexibility and consideration of the circumstances of events. Additionally, these measures would impair the Project site's ability to host special events and gatherings, which is inconsistent with the entertainment component of the mixed-use development proposed. Therefore, these suggestions have not been added to Mitigation Measure NOI 5.5-1 and are considered infeasible at this time. Future special events will be required to comply with the applicable provisions of the SDMC.

The suggestion for a process for responding to noise complaints and monitoring is included in Mitigation Measure NOI 5.5-1, Item 4. Additionally, an alternative that limits special events to daytime hours (7:00 a.m. to 7:00 p.m.) was evaluated in Final SEIR Section 8.2.4, No Commercial Development Alternative. It was determined that this alternative would reduce evening and nighttime impacts, but a significant and unavoidable impact related to event noise would nonetheless continue to occur.

O9-16: As discussed in Final SEIR Section 5.6, the Project would involve the demolition of all on-site structures, including

the San Diego International Sports Arena. A 2023 asbestos sampling survey of on-site structures found asbestos-containing materials (ACM) in samples at the following on-site locations: 3220 Sports Arena Boulevard, 3250 Sports Arena Boulevard, 3350 Sports Arena Boulevard, and 3500 Sports Arena Boulevard (Final SEIR Appendix H4, Asbestos and Lead-Based Paint Survey). In addition, materials were found to contain lead-based paint (LBP) and San Diego lead-safe paint at all the on-site structures identified above. The Final SEIR concluded that improper removal of ACM and LBP-containing materials would have the potential to expose construction workers to a hazardous release of asbestos and lead, and impacts would be potentially significant. However, implementation of Mitigation Measures HS 5.6-1 and HS 5.6-2 would reduce the potential for upset and accident conditions related to ACMs and LBP by requiring proper abatement prior to demolition and proper transportation and disposal. In addition, refer to Response to Comment O9-6.

O9-17: As stated in Final SEIR Chapter 1.0, Introduction, and pursuant to CEQA Guidelines Section 15152, the SEIR "tiers" from the Midway-Pacific Highway CPU PEIR. Tiering refers to using the analysis of general matters contained in a broader EIR with later EIRs on narrower projects, incorporating by reference the general discussions from the broader EIR, and concentrating the later EIR solely on the issues specific to the later project. The Midway-Pacific Highway CPU PEIR is a planning-level document. The Final

SEIR is a project level document that focuses on the impacts of the Project in the context of the CPU.

No revisions to the Final SEIR are required.

O9-18: The comment requests an extension of the Final SEIR comment period. Please refer to Response to Comment O7-15 regarding the extension request and opportunities to comment on the Final SEIR.

O9-19: In accordance with CEQA Guidelines Section 15088(a), the City evaluated comments on environmental issues received and prepared pertinent responses. See Responses to Comments O9-1 through O9-21 for responses to comments addressed in this comment letter.

O9-20 cont.

Here, mitigations might include things like shuttle service for 10 years, noise monitoring, etc. – these must not be allowed to lapse. The MMRP should assign responsibility (e.g., City monitoring staff, or third-party auditors funded by the developer) and clear performance criteria. For instance, if a mitigation says, "provide shuttle for 10 years," what happens after 10 years if traffic is worse than expected? Will it be renewed? Or if an employee transit subsidy has low uptake, is there a contingency to adjust? The SEIR should be seen as a living commitment, not just paperwork.

O9-21

Project Alternatives Consideration: We touched on this earlier, but we want to emphasize: CEQA compels a real consideration of alternatives that reduce environmental harm . We feel the Draft SEIR's Alternatives Chapter may have been too limited. Likely it analyzed: (1) No Project (i.e., leave site as-is or build per existing plan), (2) the proposed project, and perhaps (3) one alternative like "No Arena (residential focus)" or "Reduced Intensity." However, given the multiple unavoidable impacts (traffic, noise, historic, land use) , there should be an alternative that addresses each to some degree. For example, a Reduced Height and Retained Arena Alternative could avoid historic impact and reduce visual impact (no new 165' arena, keep the old one refurbished), though maybe fewer housing units as a trade-off. Was such an option considered? If not, why? The CEQA Guidelines say to consider feasible alternatives even if they impede project objectives – the objective of a brand-new arena may have steamrolled other ideas. The City is allowed to prioritize objectives, but it must show it looked at alternatives objectively. If the Final SEIR ends up with the conclusion that "the chosen project is the only feasible way to meet objectives," We hope the record shows a genuine analysis, not a foregone conclusion. As a commenter, We assert that feasible alternatives do exist that could lessen impacts (for instance, build the housing and affordable units without a new arena – perhaps partner with the Sports Arena operator to refurbish the current arena, which would save money and history). The City should address why that or other alternatives will not work if that is their stance.

In closing, We want to emphasize that We are not opposed to redeveloping the Midway area or to adding housing – indeed, We support smart growth and revitalization when done responsibly. However, Midway Rising as proposed in the SEIR appears to overreach, placing an undue burden on the environment and community. Growth must be managed, not done at any cost. San Diego has a chance to get this right by insisting on a project that truly integrates into the community and mitigates its impacts to the maximum extent feasible. The Draft SEIR shows many areas where this is not yet the case. We respectfully request the Council to use its authority to require a better, more sustainable plan.

The letter was unanimously approved by the Peninsula Community Planning Board.

Sincerely,

Eric Law
PCPB Chair

Cc: City of San Diego Planning Department
Midway Pacific Highway Community
Planning Group
Councilmember Jennifer Campbell
District 2

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O9-20: The Mitigation Monitoring and Reporting Program is provided as Final SEIR Chapter 9.0 and will be approved by the City Council at the same time as the certification of the Final SEIR. Table 9-1, Mitigation Monitoring and Reporting Program, of the Final SEIR describes each Project mitigation measure, the mitigation time frame, the responsible party, and the approving agency.

O9-21: As discussed in Final SEIR Chapter 8.0, Alternatives, the Final SEIR considered four Project alternatives, which included the No Project/No Build Alternative, No Project/Community Plan Buildout Alternative, Retain San Diego International Sports Arena Alternative, and the No Commercial Development Alternative. Final SEIR Chapter 8.0 also identifies Project alternatives that were considered but eliminated from detailed consideration in the SEIR. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives. The "range of alternatives" is governed by the "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit an informed and reasoned choice by the lead agency and to foster meaningful public participation (CEQA Guidelines Section 15126.6[f]). CEQA generally defines "feasible" to mean an alternative that is capable of being accomplished in a successful manner within a reasonable period of time while also taking into account economic, environmental, social, technological, and legal factors (CEQA Guidelines

Section 15126.6[f][1]). In developing the alternatives to be addressed in Final SEIR Chapter 8.0, consideration was given regarding the alternatives' ability to meet the basic objectives of the Project and the potential to eliminate or substantially reduce the significant and unavoidable environmental impacts, including traffic, noise, historic, and land use. No revisions to the Final SEIR are required.

Comment Letter O10: RideSD (2), May 8, 2025

O10

From: Manny Rodriguez
To: DSD EAS
Subject: [EXTERNAL] Re: Midway Rising EIR Comment Letter - RideSD | PRJ-1106734
Date: Thursday, May 8, 2025 7:57:06 AM
Attachments: Midway Rising PRJ-1106734 RideSD Comment Letter.pdf

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

Hello. The letter needed a correction in the footnote. Please refer to the corrected version attached. Respectfully,

Manny Rodriguez
Executive Director
www.RideSD.org

On Wed, Apr 30, 2025 at 7:44 PM Manny Rodriguez <[redacted]> wrote:

> Hello,
>
> RideSD is a public education and advocacy organization representing transit riders across San Diego. In June 2024 we presented a dedicated bus-lane concept for Midway Rising to the Midway-Pacific Community Planning Group; the same lanes now appear in the Draft EIR and Community Plan Amendment.
>
> **We strongly support the project and urge that the bus lanes on Rosecrans Street and Sports Arena Boulevard be delivered in Phase 1, not Phase 2.**
>
> A brief letter detailing our support and request is attached for the record.
>
> Thank you for your work on this transformative project that will serve to improve the neighborhood, public transit, and our dire housing shortage.
>
> Regards,
>
> Manny Rodriguez
> Executive Director
> www.RideSD.org

RIDESD

www.ridesd.org
contact@ridesd.org

April 30, 2025

City of San Diego
Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101.

RE: Midway Rising / PRJ-1106734 – Support for Project and Request to Move Bus Lanes to Phase 1

Dear Development Services Department,

O10-1

RideSD is a public education and advocacy nonprofit that represents transit riders across San Diego. In June 2024 we delivered a detailed transit lane proposal to the Midway-Pacific Community Planning Group,[1] highlighting the feasibility and urgency of dedicated bus lanes linking Old Town Transit Center to the future Midway Rising site. We appreciate that the Midway Rising Draft EIR, Community Plan Amendment, Specific Plan, and Transportation Demand Management Plan embrace our proposed bus lanes on Rosecrans Street and Sports Arena Boulevard, and **we respectfully request the City and Council to approve the project and urge the bus lanes be implemented in Phase 1 (2030) rather than Phase 2 (2035)**.

Given the scale of Midway Rising—over 4,200 homes, a 16,000-seat arena, over 130,000 square feet of commercial space, and nearly 15 acres of parks & public spaces—it will result in some of the largest traffic impacts the City has ever permitted. The Vehicle Miles Traveled report flags significant impacts that require mitigation. Bus lanes will be an effective mitigation measure for the following reasons:

1. **Faster and Reliable Transit Reduces Congestion**
   Faster, more reliable service is known to attract transit riders and reduce cars on the road. Arterial bus lanes have reduced bus travel times by up to 43% in New York City and 39% in San Francisco, and have provided reliability improvements of up to 27% in Los Angeles.[2] The bus lane treatments will attract riders to use the transit,[3] especially on arena event days in which the general purpose lanes will experience gridlock traffic.

2. **Old Town Transit Center Connectivity**
   Old Town Transit Center functions as a major mobility hub—served by the Coaster,

[1] Midway-Pacific Community Planning Group Agenda, June 2024. https://www.sandiego.gov/sites/default/files/2024-06/mphcpg-meeting-agenda-2024.06.26.pdf
[2] Danaher, Alan R. *Bus and Rail Transit Preferential Treatments in Mixed Traffic: A Synthesis of Transit Practice*. Transit Cooperative Research Program Synthesis 83. Washington, DC: Transportation Research Board of the National Academies, 2010. https://nacto.org/wp-content/uploads/1-5_Danaher-Bus-and-Rail-Transit-Preferential-Treatments-in-Mixed-Traffic-TCRP-Synthesis-83_2010-sm.pdf, 65.
[3] Federal Transit Administration. 2004. *Characteristics of Bus Rapid Transit for Decision-Making*. U.S. Department of Transportation. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/CBRT.pdf, 4-18.

O10-1: This comment provides support for the inclusion of the proposed Business Access and Transit lanes as part of the Midway Rising Project and recommends that these dedicated lanes be constructed in Phase 1 (2030) instead of Phase 2 (2035). The comment also provides information regarding the Old Town Transit Center's function as a major mobility hub, as well as reduced car ownership and economic benefits.

Please refer to the Comment Letter O8-1 regarding the phasing of the proposed bus lanes.

RIDESD
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contact@ridesd.org

Amtrak, three Trolley lines, and numerous regional and Rapid bus routes—so riders across San Diego County can reach it with a single fare. The convenience of one seamless transfer to Midway Rising and the visible appeal of "zooming" past stalled cars while on bus lanes will reinforce transit as the easiest, fastest, and most attractive way to reach the project, sparing surrounding streets from thousands of additional vehicle trips.

3. **Reduced Car Ownership and Economic Benefits**
   The average annual expense of owning and operating a new vehicle is more than $12,000,[4] a burden that falls heaviest on lower-income households. By delivering a seamless, congestion-free bus service from Midway Rising to the region's mobility hub at Old Town Transit Center, residents—particularly those occupying the affordable homes—will be empowered to forgo car ownership altogether. Households will make this decision to free up their income, and that choice will simultaneously lower VMT and emissions while channeling more spending into the local economy.

O10-1 cont.

The Midway Rising EIR correctly recognizes bus lanes as essential infrastructure to mitigate traffic impacts. We request the City work to **advance the bus lanes to Phase 1** in order to align the mitigation with the impact and to ensure the City's new arena-residential district opens with a credible, climate-forward mobility network rather than gridlock. RideSD stands ready to assist City staff in supporting these efforts.

Thank you for working on this transformative project; it will revitalize Midway and meaningfully address San Diego's dire housing shortage.

Sincerely,

MR

Manny Rodriguez
Executive Director
RideSD

CC:
Elyse Lowe, Director, Development Services Department
Chris Ackerman-Avila, Senior Policy Advisor, Office of Mayor Todd Gloria
Randy Wilde, Senior Policy Advisor, Office of Mayor Todd Gloria
Sharon Cooney, Chief Executive Officer, San Diego Metropolitan Transit System
Mario Orso, Chief Executive Officer, San Diego Association of Governments

[4] AAA. 2024. Breaking Down the Cost of Car Ownership. Accessed April 29, 2025. https://www.aaa.com/autorepair/articles/breaking-down-the-cost-of-car-ownership.

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Comment Letter O11: San Diego Bird Alliance, May 8, 2025

O11

From: Muriel Spooner
To: DSD EAS
Cc: Savannah Stallings; Jim Peugh; Andrew Meyer; Padmapriya Jagannathan
Subject: [EXTERNAL] Midway Rising Specific Plan SCH No. 2023120451
Date: Thursday, May 8, 2025 2:15:36 PM
Attachments: 2025-05-08 Midway Rising Specific Plan SEIR-SDBA Comments.pdf

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Dear Anne Jarque,
Please accept this comment letter on behalf of the San Diego Bird Alliance (formerly San Diego Audubon Society).
We appreciate the opportunity to comment on the SEIR for this important project.

Best regards,
Muriel Spooner
Co-chair Conservation Committee
San Diego Bird Alliance

SAN DIEGO BIRD ALLIANCE

May 08, 2025
Midway Rising Specific PlanP
Anne B. Jarque
City of San Diego Development Service Center
1222 First Avenue, MS 501
San Diego, CA 92101
[redacted]

Subject: Midway Rising Specific Plan SCH No. 2023120451

Dear Anne,

The San Diego Bird Alliance (previously Audubon Society) is a 3,000+ member non-profit organization with a mission to foster the protection and appreciation of birds, other wildlife, and their habitats, through education and study, and to advocate for a cleaner, healthier environment. We have been involved in conserving, restoring, managing, and advocating for wildlife and their habitat in the San Diego region since 1948. San Diego Bird Alliance submitted comments and concerns on February 02, 2024, in regard to the Notice of Preparation for the Midway Rising project, requesting they be considered and addressed in this subsequent EIR that is now available.

O11-1

We would like to commend and thank the developers, the city planners, and the city staff for their work to preserve our precious biodiversity, in particular the variety of bird species that exist in San Diego and those that migrate through our city. The use of building design and lighting measures to reduce bird strikes and disruption to migration will save millions of these avian species.

Section: 5.13.4.4 Issue 4: Wildlife Corridors and Nursery Sites; Summary of Midway-Pacific Highway CPU PEIR Impact Analysis; Project Specific Impact Analysis
Direct Impacts (pg 5.13-15)
The use of building design features to reduce bird strikes is included in many sections of this document using the word "would" but in the Direct Impacts section the use of the words "would consider" is used when describing future building designs for the Project. This is inconsistent with the rest of the document and opens the possibility of not using design features such as non-reflective glass, no one hundred (100) percent glazed buildings, and balancing of building facades with architectural features. The Project will comply with SDMC Section 142.0740 regarding lighting so why not the other design features? The next section **Indirect Impacts** states "the Project would adhere to the SDMC requirements related to lighting and glare and incorporate various design features to reduce the potential for bird strikes." (pg 5.13-16)

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegobirdalliance.org

O11-1: The Midway Rising Specific Plan (Specific Plan) is a policy document that provides guidance and direction for future development of the Midway Rising Project (Project). The graphics, drawings, and photographs in the Specific Plan are shown for illustrative purposes only and do not reflect a final development, building configuration, public space shape or size, or land use location. The Specific Plan includes supplemental regulations that must be complied with but does not indicate the Project design.

As discussed in Section 5.13, Biological Resources, of the Final Subsequent Environmental Impact Report (SEIR), glass is an invisible barrier to birds. During the day, birds often fly toward reflections in glass that may trick them into thinking it is a natural habitat, such as the sky or plants. The Final SEIR states that the Project would adhere to the requirements in San Diego Municipal Code (SDMC) Section 142.0740 related to lighting and glare and incorporate various design features to reduce the potential for bird strike. Design features would include the use of non-reflective glass, no 100 percent glazed buildings, and balancing of building facades with architectural features, consistent with CALGreen's A5.107 provisions (2022) for bird-friendly building design. Furthermore, outdoor lighting would be shielded and directed downward as required by the SDMC, and green building regulations would be followed to minimize lighting during nighttime hours. Compliance with the SDMC and green building regulations

SAN DIEGO BIRD ALLIANCE

O11-1 cont.

COMMENT: The wording needs to be changed from "would consider" to "would include" or "would adhere" as in other sections to eliminate the possibility of new buildings causing preventable bird strikes and deaths.

Project features avoid significant impacts to migrating and local bird species. Therefore, we request that **Section 9.0 Mitigation Monitoring and Reporting Program** include a section identified as Project Features Incorporated into the Project that Mitigate Potential Significant impacts. It is important to track these, and other, project features that lessen impacts, in the MMRP because the Project may change and these features may inadvertently be deleted. This has happened in the past. The mitigation measures need to include a phrase about incorporating SDMC Section 142.0740 and other building design features such as non-reflective glass, no one hundred (100) percent glazed buildings, and balancing of building facades with architectural features to avoid bird strikes. It would be appropriate to include other project design features that eliminate or lessen potential significant impacts associated with the project, e.g., transportation related project features.

This is a great example of providing much needed housing and improvements to the Midway area while protecting our wildlife.

Thank you,

Sincerely,

James Peugh
Conservation Committee Co-chair
San Diego Bird Alliance

Muriel Spooner
Conservation Committee Co-chair
San Diego Bird Alliance

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegobirdalliance.org

would reduce potential impacts to a less than significant level, and no mitigation is required.

California Public Resources Code Section 21081.6 requires the adoption of a Mitigation Monitoring and Reporting Program (MMRP) to identify the changes made to a project or conditions of project approval, adopted to mitigate or avoid significant effects on the environment. The MMRP shall identify the entity responsible for monitoring the program and when in the process it should be accomplished. It does not require that project features be included. The Project would comply with SDMC Section 142.0730 and 142.0740 to avoid bird strikes and preclude significant impacts; therefore, impacts would be less than significant and do not require mitigation. No revisions to the Final SEIR are required.

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Comment Letter O12: Save Our Access, May 8, 2025

O12

From: scott andrews
To: DSD EAS
Subject: [EXTERNAL] Fwd: Midway Rising
Date: Thursday, May 8, 2025 11:05:13 AM

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

Hello Staff,

SOA welcomes the opportunity to comment and requests complete answers be provided to the below concerns.

Such mega projects produce many unmitigatable impacts, so now is the time for the City to provide answers to the

Many looming questions cited below as produced by a highly inadequate EIR.

O12-1

Please find these summaries of Save Our Access's ongoing issues re the 48.5-acre Midway Rising project:

BUILDING HEIGHT

What are anticipated project area and Districtwide impacts of suspending the standard Midway District 30' height limit?

What was the courts' final ruling on the challenge to the City of San Diego's Midway Rising EIR?

DISTRICT PARK SPACE

O12-2

Of the proposal's 14.5 acres of "parks and open space", what is the exact park acreage?

In noting the Midway District has no parks, the Community Plan

O12-1: Refer to Thematic Response: Height Limit. Additionally, no final ruling has been made on the height limit. Therefore, the Midway Rising Project (Project) relies on the existing San Diego Municipal Code zoning.

O12-2: As discussed in Final Subsequent Environmental Impact Report (SEIR) Chapter 3.0, Project Description, a central organizing element of the Midway Rising Specific Plan (Specific Plan) would be approximately 8.12 acres of public parks and 6.42 acres of public space within a network of plazas, promenades, paseo greens, and streetscapes. The Project would provide an interconnected mix of active and passive public spaces and parks with varying sizes, activities, designs, and landscapes. Final SEIR Table 3-1, Midway Rising Parks and Public Space Acreage, provides a summary of the proposed public spaces and parks in the Specific Plan Area. Final SEIR Section 3.3.4, Parks and Public Space Framework, provides a full description of the public parks and spaces.

O12-2 cont.

notes the severe parks deficit and directly calls for developers to join with other agencies to create park acreage. What park initiatives are the City and developer pursuing?
Is the actual park space devoted to active recreational or passive use?

PARKING

Published figures for parking are 4,550 for residents, 2,100 for the entertainment center, and 390 for "other uses".

By any measure this renders the proposal overly dense with parking for combined highrise residential, their guests, mall shoppers and employees, and arena event attendees and staff.

O12-3

What measures is the City taking to alleviate the inability of arena customers to access site parking, therefore jamming up Sports Arena Blvd. traffic due to have to circulate to find parking.

Will event traffic back up to the confluence of Rosecrans and I-5/I-8?

Where are the "off site, overflow parking lots" and what is their exact capacity to handle 16,000 arena visitors?

Has the developer contracted long term with off site lot owners?

TRAFFIC

Dense mega projects in highly trafficked areas demand distinct traffic and parking access studies. '

When will the City as lead agent produce this analysis?

The Midway District is the City's primary coastal access corridor.

O12-4

1. Sports Arena Blvd. Is a major artery serving beach access.

Interstate 8 gridlocks during Summer traffic, backing up to I-5, so Sports Arena Blvd. is a major alternative route.

2. I-8 and West Mission Bay Drive gridlock, as does a Mission Blvd. now reduced to one lane.

Route chosen by inland residents seeking climate change-related heat relief.

3. Rosecrans Street is gridlocked with Base Point Loma traffic rush hours.

4. Emergency vehicle access is also restricted, there now being no hospitals in the Midway and Pacific Beach areas.

The proposal district has no direct trolley access. What are realistic road and I-8/I-5 improvements that address

O12-3: In response to the first question, the on-site parking structures are proposed to be strategically located throughout the site to distribute vehicle arrival across the roadway network more evenly than it is today. As described in Final SEIR Appendix D1 Local Mobility Analysis (LMA), over 80 percent of vehicles arriving at the site for events currently use the driveways on Sports Arena Boulevard rather than the driveways on Kurtz Street. This means that patrons must map directions to the site (using a navigational application, such as Google or Apple Maps) and likely enter at the first driveway they see, rather than following a pre-planned route. The LMA describes the proposed ticketing methodology for parking for the entertainment center. This includes assigned parking at the ticket point of sale and distributing directions to the assigned parking structures ahead of the event for trip planning purposes. These strategies will help distribute vehicle trips across the roadway network, help patrons plan ahead for arrival routes, and reduce the need for circulating around the roadway system looking for parking.

In addition, the Final SEIR Appendix D1, LMA, provides a parking discussion regarding the "right-size" of parking facilities for the entertainment center, aiming to reduce empty parking on most days of the year when large events do not occur. This analysis encourages higher vehicle occupancy, alternative transportation options, rideshare access, and the use of overflow parking lots.

As discussed in Final SEIR Section 5.2, Transportation and Circulation, the Project would provide a shuttle service to and from the site. Please refer to Response to Comment O5-3 for a discussion on shuttle options.

In addition, Final SEIR Appendix D1 describes the proposed rideshare access accommodations, which are also expected to decrease parking demand on event days.

In response to the second question, per the queuing summary tables for the Opening Year Plus Project scenarios analyzed in Final SEIR Appendix D1, queuing for event traffic exists today on Camino Del Rio West and will continue to back up to Camino Del Rio West onto the Interstate 5 and Interstate 8 off-ramps under Plus Project scenarios.

In response to the third question, refer to Response to Comment O7-5 regarding the location of parking throughout the site and allocation to each land use.

In response to the fourth question, parking is not considered an issue under CEQA and no mitigation for the proposed number of vehicular parking spaces is required. However, long-term parking contracts with off-site lot owners would be negotiated upon Project approval.

O12-4: In response to Questions 1 through 3, as discussed in Final SEIR Section 5.2, the Project prepared an LMA (Appendix D1), a Vehicle Miles Traveled Memorandum (Appendix D2),

a Community Plan Amendment (Appendix D3), and a Transportation Demand Management Plan (Appendix D4).

These studies incorporate the parking assessment performed to estimate parking lot sizes, locations, recommended access/egress routes, and off-site parking needs. These studies also analyze roadways identified in the comment.

In response to Question 4, the study area was analyzed as part of Final SEIR Appendix D1. The analysis results are applicable to all vehicle types including emergency vehicles.

As described in Final SEIR Chapter 3.0, the Project would provide improvements to the intersection of Rosecrans Street/Sports Arena Boulevard/Camino Del Rio West per the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan), and construct an additional modification to the eastbound approach to improve operations at this intersections. These improvements are consistent with, with minor modifications, to those recommended for the proposed lane geometry identified in the 2018 Community Plan.

In response to Question 5, refer to Thematic Response: Traffic Congestion and Response to Comment I14-1 regarding the proposed Business Access and Transit (BAT) lanes on Sports Arena Boulevard and Rosecrans Street. In response to Question 6, refer to Response to Comment O6-2 regarding the use of the appropriate metric to evaluate transportation impacts per California

Environmental Quality Act (CEQA). While LOS is no longer the primary metric under CEQA for determining transportation impacts, it remains relevant for understanding traffic operations for the City and is required by the Transportation Study Manual (current version 2022).

As discussed in Final SEIR Appendix D1, an origin-destination study was performed for the existing patrons of the arena to determine the origin of the trips destined for the site. The study showed that approximately 25 percent of arena patrons live within a 15-minute or less transit ride. Based on the level of parking provided on site and the first/last-mile connectivity provided by the Project, it is anticipated that 20 percent of patrons would use transit to access the site.

Final SEIR Appendix D1, summarizes the capacity and demand for the various segments of Sports Arena Boulevard under each analysis scenario. The Project proposes bus lanes between Kemper Street and Camino Del Rio West. These segments currently operate at LOS A or B and, with the addition of Project trips and the proposed BAT lanes, are anticipated to operate at LOS D or better, which is an acceptable level of traffic operation.

a District Level of Service F rating as impacted by significant additional area traffic loading?

5. What are actual precedents for a questionable traffic plan to *downsize* Sports Arena Blvd. from 6 to 4 lanes and Rosecrans Street from 4 to 2 lanes?

6. Re the misguided design dependent on forcing people to abandon their invested transportation mode:

The recent State discard of the Level of Service (LOS) metric in favor of Vehicles Miles Traveled (VMT) skews the proffered traffic analysis.

The Rosecrans terminus / dual freeway traffic area *prior to* this proposal registered LOS of F for transit failure for personal and emergency vehicles.

How will this condition be remedied by major project-produced additional traffic loading and suspect "educating and encouraging people" to abandon their selected traditional mode of travel for less secure and non-family friendly options?

The EIR does not adequately address traffic impacts, and socially-engineering people out of their cars is no magic pill for project deficiencies re arena event.

The city's sole indoor arena's draw is countywide - from areas not served by transit and customers unable and unwilling to access time consuming trolley and shuttle transfers.

7. To date the EIR fails to address impacts on the tourism industry's vehicle access for a. coast hospitality operations and b. public beach access visitors.

INFRASTRUCTURE IMPROVEMENTS AND FUNDING

There is no project mass transit station to alleviate traffic created by a grossly overly-dense redevelopment.

Re total above and below ground infrastructure improvements, what is the total anticipated cost to taxpayers?

What is the identified source of that funding?

Re "the first 10 years" of shuttle service after the project opens, who bears the cost of subsequent years?

What amount will the City recover in developer-paid park fees?

What are project environmental and access impacts vis a vis the announced district NAVWAR redevelopment, dense Post Office development now underway, and anticipated additional

O12-4 cont.

O12-5

O12-6

Finally, as discussed in Final SEIR Section 5.6, Health and Safety, the Project proposes construction of Frontier Drive and a Kemper Street extension within the development that would connect Sports Arena Boulevard and Kurtz Street. These new streets would provide additional emergency access to the Project site and adjacent areas. In addition, as described in Final SEIR Chapter 3.0, the Project proposes off-site roadway improvements to Sports Arena Boulevard, Kurtz Street, and Rosecrans Street, as well as off-site intersection improvements. These improvements are intended to improve traffic flow through the area and would not impact emergency response. The Project would not preclude access or movement by emergency response vehicles or personnel within the local area.

In response to Question 7, the Project's transportation impacts were adequately addressed in the Final SEIR. Furthermore, coastal tourism is not a CEQA issue. No revisions are required.

O12-5: Please refer to Response to Comment O6-5 for the Project's transit-related improvements.

Please refer to Response to Comment O4-2 regarding shuttle service implementation.

This comment raises economic, social, or political issues that do not relate to any physical effect on the environment. The Project would be required to pay all

O12-6 cont.

O12-7

Midway District dense highrise developments?
Does the developer have carte blanche or is the City of San Diego willing to downscale a clearly ill-conceived project?

Scott Andrews
[redacted]

applicable development impact fees prior to the issuance of building permits. Any collected Citywide park fees would support the future development of population-based public parks consistent with Citywide policies.

O12-6: Please refer to Thematic Response: Cumulative Projects and Thematic Response: Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) (Transportation). Final SEIR Chapter 6.0, Cumulative Impacts, provides a Project-specific analysis of the cumulative impacts from the Project combined with the identified cumulative projects.

O12-7: This comment expresses general dissatisfaction of the Project and does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR for the Project. No further response is required.

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Comment Letter I1: Albert Perdon, March 26, 2025

I1

From: Albert Perdon
Sent: Wednesday, March 26, 2025 6:55 PM
To: DSD EAS
Subject: [EXTERNAL] Notice of Availability draft Subsequent Environmental Impact Report

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

This message is in reply to the March 24, 2025 Notice of Availability shown below.

To Anne B. Jargue:

I1-1 **Does the draft SEIR (dSEIR) acknowledge and account for the fact that in November 2008 California voters overwhelmingly approved Proposition 1A - The SAFE, RELIABLE HIGH-SPEED PASSENGER TRAIN BOND ACT FOR THE 21ST CENTURY**, which calls for construction of up to 24 new high-density megacities and an 800-mile High-Speed Train (HST) and connected local transit system linking Sacramento, San Francisco, Los Angeles and Anaheim, and other cities in California's Central Valley and Inland Empire, and in San Diego County, consistent with the California High-Speed Rail Authority's certified environmental impact reports of November 2005 and July 9, 2008. (Note: only 26% of eligible voters opposed the 2008 Proposition 1A measure.) The measure calls for completion of the 800-mile HST and connected local transit system by 2020. Construction of the first high-speed train (HST) segment is underway in California's Central Valley. However, completion of the entire system, as required in the law, is stalled.

The County and City of Los Angeles have a legal responsibility to take actions specified in the law that will revise local land use plans and zoning, and provide local funds to facilitate quick completion of the high-priority HST project and to ensure it results in a successful cost-

I1-1: The planned California High-Speed Train is not part of the existing transportation network within the City of San Diego or the Midway Rising Project (Project). Therefore, it was not included in baseline conditions, as it did not exist at the time of Notice of Preparation issuance in December 2023, and it would be speculative to analyze any potential impacts resulting from the High-Speed Train, including those related to vehicle miles traveled. For a discussion of cumulative impacts, please refer to Thematic Response: Cumulative Projects, and Chapter 6.0, Cumulative Impacts, of the Final Subsequent Environmental Impact Report (SEIR) prepared for the Project, where cumulative impacts were analyzed for each resource area.

This comment does not raise an environmental issue related to the adequacy or accuracy of the Final SEIR for the Project, and no further response is required.

I1-1 cont.

effective system.

The local funding requirement is specified in 2704.07. *(In addition to the funds made available in the Bond Act) The Authority shall pursue and obtain other private and public funds, including, but not limited to, federal funds, funds from revenue bonds, and local funds, to augment the proceeds of this chapter.)* The obligation to provide local funds extends to San Diego City and County. Delays in HST project completion is due, in part, to the failure of the City and County of San Diego to approve a General Plan that includes the HST and its land use and funding requirements. As currently planned by the California High-Speed Rail Authority, the HST system includes a station in San Diego, and another in Escondido. The precise locations are still subject to further review and decision-making. However, the system, when completed, will create significant impacts on the City and County. Included are population, job and economic, roadway traffic, public transit and a host of other impacts.

The dSEIR includes a Vehicle Miles Travelled Report prepared by Kimley-Horn that appears to exclude any mention of the High-Speed Train project, or account for its impacts - both positive and negative - on the environment or on the Midway Rising Specific Plan: GENERAL PLAN and COMMUNITY PLAN AMENDMENT to the Midway-Pacific Community Plan to redesignate the site from Community Commercial Residential Permitted (0-44 dwelling units/acre (du/ac)) to Community Village (0-72 du/ac), Adoption of a SPECIFIC PLAN, REZONE from CC-3-6 (Community-Commercial) to RMX-2 (Mixed-Use Residential), ORDINANCE propose the Midway Rising Entertainment Center District overlay, a VESTING TENTATIVE MAP, various EASEMENT VACATIONS, and a SITE DEVELOPMENT PERMIT to adopt the Midway Rising Specific Plan that would establish goals, policies, development standards, and architectural guidelines for a transit-oriented development with a range of land uses.

The dSEIR does not document how the positive environmental impacts of the General Plan and Community Plan Amendment could be enhanced if the HST project was factored into the analysis leading to the proposed AMENDMENTS. The HST system will provide high-speed connections from San Diego City and County to new high-density California cities extending to Sacramento and San Francisco. This will increase travel opportunities and demands not accounted for in the dSEIR. It would enable greater housing and related growth than what is assumed in the Midway Rising Specific Plan. It would allow such increases while at the same time reducing auto vehicle-miles travelled as more people would be attracted to and use public transit options.

I urge the City of San Diego to consider and act on this input before finalizing the dSEIR. It would enable higher housing density - perhaps increasing the allowable density of 44 du/ac to 88 du/ac - and lower per-unit housing costs, and provide for more affordable housing, among other benefits. This could be confirmed by Kimly-Horn.

Thank you.

Albert Perdon, PE and Civil Engineer
De Luz
[redacted]

Comment Letter I2: Gary Wonacott, March 29, 2025

I2

From: Gary Wonacott [redacted]
Sent: Saturday, March 29, 2025 1:10 PM
To: Jarque, Anne [redacted]
Subject: [EXTERNAL] Attached document relates to the Midway Rising Project.

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

Please consider these data in your environmental assessment.

[redacted]

Sent from my iPad

I2-1: This comment mischaracterizes the location of the Midway Rising Project (Project) site. Please refer to Chapter 2.0, Environmental Setting, of the Final Subsequent Environmental Impact Report (SEIR) for the Project for a discussion of the location of the Project site, and refer to Final SEIR Section 5.5.4.3, Issue 3: Airport Compatibility, which analyzes Project impacts related to airport noise. Future development is required to comply with any applicable Airport Land Use Compatibility Overlay Zone regulations outlined in San Diego Municipal Code Section Chapter 13, Article 2, Division 15, which includes noise compatibility. Also, to note, the Project location outlined in the provided exhibit associated with the comments incorrectly points to the Project site. The Project site is outside the contours in the provided exhibit and outside the sepia-colored oval with the red arrow pointing to it.

This comment does not raise an environmental issue related to the adequacy or accuracy of the Final SEIR for the Project, and no further response is required.

ASSESSMENT OF THE CLSSY SID ON THE MIDWAY DISTRICT (MIDWAY RISING PROJECT)

G WONACOTT

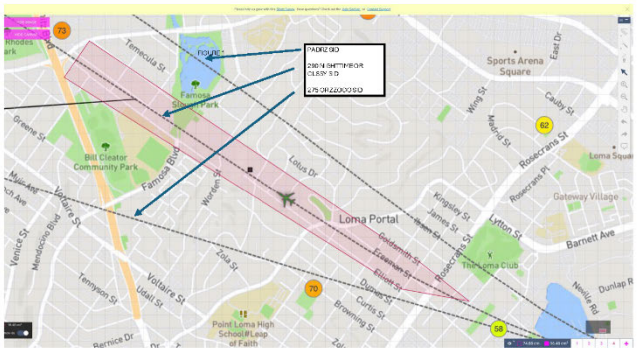
March 28 2025

I2-1

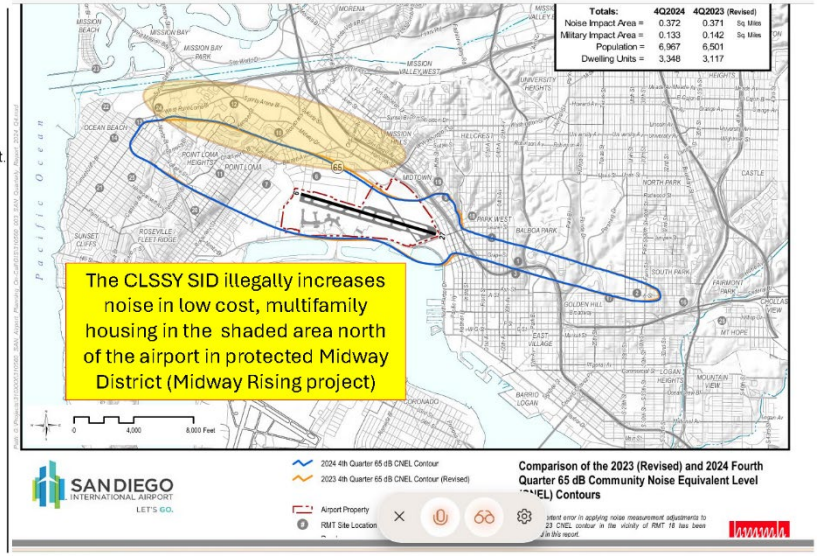
Those living close in to the end of the runway are dramatically impacted by the post 10 pm shift of the track from the 275 to the 290 tracks. These people were never notified of this change nor were they given the opportunity to provide feedback to the City, the Port, or the FAA ATC.

FIGURE 1

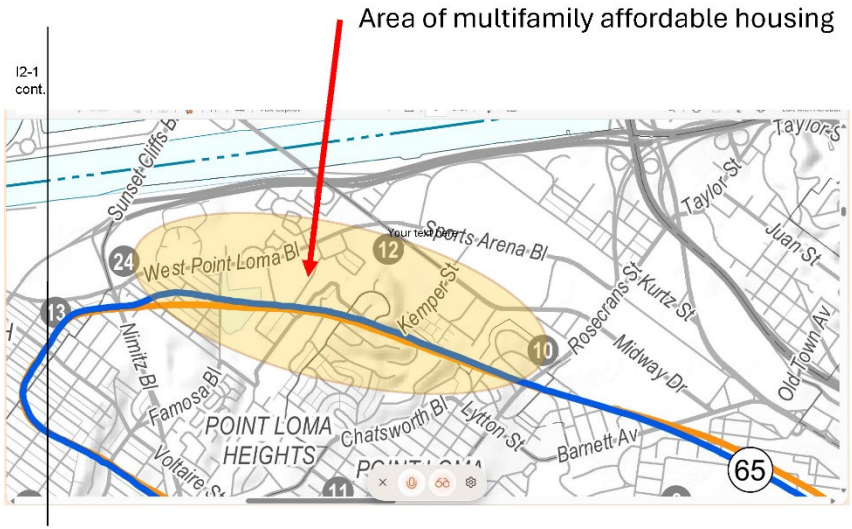
AIRCRAFT IN GREEN IS ON 295 NIGHTTIME DEPARTURE; TE BOTTOM LINE IS THE ZZOOO SID; MOVING FROM ZZOOO (275) TO 290 IMPACTED EVERYONE WITHIN THE ROSE COLORED RECTANGLE; ALSO SEE FIGURE 9 FOR BIGGER PICTURE OF THE IMPACTED AREAS.

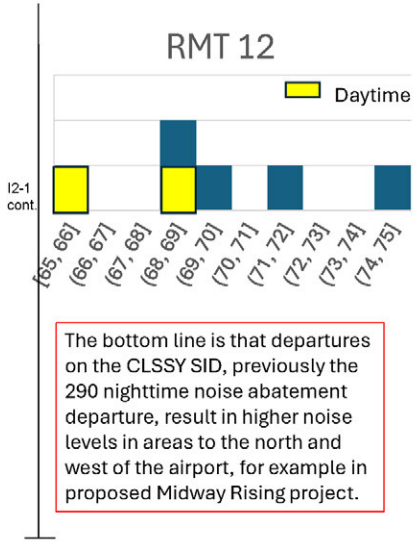


I2-1
cont.


Totals: 4Q2024 4Q2023 (Revised)
Noise Impact Area = 0.372 0.371 Sq Miles
Military Impact Area = 0.133 0.142 Sq Miles
Population = 6,967 6,501
Dwelling Units = 3,348 3,117
The CLSSY SID illegally increases noise in low cost, multifamily housing in the shaded area north of the airport in protected Midway District (Midway Rising project)
SAN DIEGO INTERNATIONAL AIRPORT
LET'S GO.
2024 4th Quarter 65 dB CNEL Contour
2023 4th Quarter 65 dB CNEL Contour (Revised)
Airport Property
RMT Site Location
Comparison of the 2023 (Revised) and 2024 Fourth Quarter 65 dB Community Noise Equivalent Level

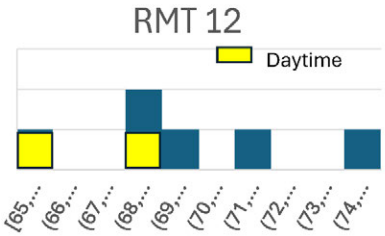
I2-1
cont.


Area of multifamily affordable housing
Sunset Cliffs B
West Point Loma Bl
Sports Arena Bl
Kemper St
Nimitz Bl
Famosa Bl
POINT LOMA HEIGHTS
Chatsworth Bl
Lytton St
Barnett Av
Rosecrans St
Kurtz St
Midway Dr
Taylor St
Juan St
Old Town Av
24
12
13
10
65



The bottom line is that departures on the CLSSY SID, previously the 290 nighttime noise abatement departure, result in higher noise levels in areas to the north and west of the airport, for example in proposed Midway Rising project.

- These two noise monitors are located in the multifamily affordable housing areas in the Midway District.
- The nighttime departures shift the noise closer to the Midway District.
- The nighttime noise level trend is for higher magnitudes for this relatively small number of measurements.



Comment Letter I3: John Ziebarth, April 6, 2025

I3

From: John Ziebarth
To: DSD.EAS
Subject: [EXTERNAL] Comments Midway Rising Specific Plan
Date: Sunday, April 6, 2025 10:22:42 AM
Attachments: Comments Midway Rising-Draft Specific Plan & EIR 4-6-25.pdf

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Anne
Attached are my comments on the Midway Rising Specific Plan. Unfortunately, I can not support the changes in the Specific Plan and the rezoning from what was originally proposed in 2022 when it was selected. I believe that it has some significant environmental impacts that could be avoidable.

John Ziebarth

John C Ziebarth
[redacted]
April 6, 2025

Anne B. Jarque
City of San Diego Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Re: Midway Rising Proj No. PRJ-1106734
SCH No: 2023120451

I3-1

Dear Ms. Jarque:

I appreciate the opportunity to review the (Midway-Pacific Highway) Midway Rising Specific Plan/ Project No. 1106734/ Draft Subsequent Environmental Impact Report/ SCH No. 2023120451.

The following are my comments based on my review of the recently released documents on March 24, 2025, plus my knowledge and involvement with the 2018 Midway/ Pacific Highway Community Plan Update and my review of the 2022 Supplemental EIR and the environmental document for the proposed NAVWAR redevelopment:

General comments regarding the history of Midway Rising.

1. When the competitors were analyzed for selection by the city council in September of 2022, Midway Rising had the highest number of affordable units. The number of units, 2,000 affordable units, was based on 4, 254 dwelling units. Developing 4,254 units on 49.26 acres was not possible with the CC-3-6 zone which allows 44 dwelling units (du)/ acre + 20% affordable housing bonus would allow only 2,601 du. Thus, Midway Rising never intended to comply with the underlying zoning or the recently adopted community plan update. As part of the Specific Plan, they propose changing the zoning from CC-3-6 to RMX zoning which does not have a density criterion. The proposed RMX-2 zone allows as many units as desired if the Floor Area Ratio (FAR) is less than 5.
The current proposed plan is only an FAR of .73. Current CC-3-6 zoning allows Mixed use with an FAR of 4 which is still more than proposed. It appears that a purpose of rezoning is to eliminate any limit on density. A CC-3-8 zoning would allow 4,292 du

I3-1: Please refer to Final SEIR Chapter 3.0, Project Description, Appendix C, Midway Rising Specific Plan (Specific Plan), and Appendix O, Conceptual Site Plan/Vesting Tentative Map, for questions related to floor area ratio and density. As discussed in Final SEIR Chapter 3.0, the Project would include a rezone to change the Project site's base zone from CC-3-6 (Community Commercial) to a Mixed-Use Residential base zone (RMX-2), which allows residential and commercial uses.

Development on site would be governed by the development regulations in the San Diego Municipal Code (SDMC) and the supplemental development regulations provided in the Specific Plan. Where development regulations in the SDMC conflict with the Specific Plan, the Specific Plan shall prevail.

I3-1 cont.

including affordable housing bonus but put a cap on allowable density which RMX does not.

2. The Supplemental Environmental Impact Report in July and August of 2022, which was prepared due to a lawsuit, analyzed the visual impacts of 65 feet in height as allowed by the underlying CC-3-6 zone and called for in the community plan. The public raised concerns at the adoption hearings by the City Council in July and August 2022, that the proposed developments were over 65 feet in height. The council responded that the development would be consistent with the 65 feet height limit in the underlying zoning. At the council selection of the preferred developer in September of 2022, all the competitors represented that their proposals planned 86 feet in height (5 stories over podium construction) except for the Entertainment Center which would go up to 120 feet in height. No mention was made of this increased height by the city prior to the November 2022 vote on Proposition C to eliminate the height limit in this area. I asked Midway Rising in 2022 at a presentation to the Pt Loma Association prior to the Proposition C vote, if they would go above 86 feet if someone paid them several million dollars for an ocean view unit on the 20th floor. Their response was that their proposal was for 86 feet in height. Yet today, Midway Rising is proposing 250 in height for 10% of the site. Ironically, 250 feet is 10 feet higher than the 240 feet height limit in their newly requested RMX-2 rezoning. Are they asking for a variance or an affordable housing incentive? Let us be clear and honest before moving forward. A rezone to CC-3-8 zone with its 100 feet height limit would accommodate the initially proposed 86 feet of height. The existing Sports Arena already exceeds the 100 feet limit and is an existing non-conforming development. This existing non-conformity could justify the increased height for the new Entertainment Center but not for the rest of the project.

I3-2

3. When selected in 2022, Midway Rising proposed 250 middle income level housing units (6% of the housing units). In 2023, Midway Rising said that they could not afford to build those 250 middle income housing units. Today, Midway Rising request permission to build 10% of the housing area in towers up to 250 feet high. Market rate housing for units in a 250 feet high tower with a view to the ocean would probably be considered luxury units. And yet the profit from these luxury units could not offset the cost of 250 middle income level housing units?

I3-3

The last two and a half years have demonstrated that Midway Rising can not trusted or believed. One change after another. What is next?

The following are my comments on the Specific Plan and environmental documents that were released March 24, 2025:

I3-4

I3-2: Please see Thematic Response: Height Limit and Final SEIR Section 5.1, Land Use, for a discussion of the height limit propositions and a land use consistency analysis. The heights onsite would be allowed via the approval of the Specific Plan. Development on site will be governed by the development regulations in the SDMC and the supplemental development regulations provided in the Specific Plan. Where development regulations in the SDMC conflict with the Specific Plan, the Specific Plan shall prevail. The Project application does not include a variance or affordable housing incentive regarding height.

I3-3: Please refer to Final SEIR Chapter 3.0. This comment raises economic, social, or political issues that do not relate to any physical effect on the environment under the California Environmental Quality Act (CEQA).

This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

I3-4: Please refer to Response to Comment I3-2 regarding height limits, Project zoning, and propositions. Also refer to Thematic Response: Height Limit. As discussed in Final SEIR Chapter 4.0, History of Project Changes, after the Notice of Preparation was distributed, the Project footprint was decreased from 52.1 to 49.23 acres to remove all privately owned parcels (sometimes referred to as the outparcels), which are zoned CC-3-8, from the Specific Plan.

I3-4 cont.

A. Land Use

1. There are minor discrepancies in the size of project elements in project description in Appendix A – Scoping and Appendix C – Specific Plan and the Local Mobility Analysis, but they are not significant. The environmental analysis in each case utilizes a more conservative number than incorporated in the Specific Plan. The Tentative Map identifies a lower residential parking than the Mobility Analysis, but it has no significant impact like the conclusion of Appendix D-7. However, there is a significant discrepancy in the proposed rezoning. The Scoping says that the property is being rezoned from CC-3-6 and CC-3-8 to CC-3-8 and CC-3-9. However, the Specific Plan requests that it is being rezoned from CC-3-6 and CC-3-8 to RMX zoning. Further as you get into the Specific Plan and its Supplemental Development Regulations (SDRs), you discover that the SDRs are being used to modify the RMX zoning and the municipal code. This should be addressed up front in the document and not buried in the text.
2. There was inadequate Land Use analysis of the changes and impact on the community and the community plan from the rezoning of the property from CC-3-6 to RMX zoning.
   a. The 2022 Supplemental Environmental Impact Report (SEIR) which analyzed Visual Impacts was based on a height of 65 feet per the underlying Community Plan and CC-3-6 zoning. At the adoption of the SEIR with a Statement of Overriding Consideration to accept the significant visual impacts, the Council stated that the development would not exceed 65 feet in the community plan and underlying zoning. Based on that reassurance by City Council, Proposition C to eliminate the Proposition Height Limit was narrowly passed.
   b. Two months after approval of SEIR, the Council selected Midway Rising's proposal but never addressed that Midway Rising's proposal for 86 feet height for the mixed use/ residential and 120 feet for the entertainment structure deviated from the SEIR. Nor was this mentioned to the public during the discussion of Proposition C. It is clear based on the Specific Plan, that Midway Rising had no intention of complying with the height restriction in the Community Plan or underlying zoning.
   c. Now Appendix C Specific Plan asks for more height:
      SDRs-7- Structure Height request:

      The maximum structure height shall be 105 feet with the following exceptions:

      a) The maximum structure height of the Entertainment Center use shall be 165 feet.

The modified footprint, which is the City of San Diego (City)-owned parcel, requires a rezone to change the Project site's base zone from CC-3-6 (Community Commercial) to a Mixed-Use Residential base zone (RMX-2), which better aligns with the 2018 Midway-Pacific Highway Community Plan's (2018 Community Plan's) vision and policies for a mixed-use village. As a result, the proposed zoning designation was revised from Community Commercial (CC-3-8 and CC-3-9) to Mixed Use Residential (RMX-2). Please refer to Final SEIR Section 5.1.4.1, Issue 1, Conflicts with Applicable Plans, which details the Project's consistency with the 2008 City of San Diego General Plan, 2018 Community Plan, SDMC, the San Diego Association of Governments 2021 San Diego Forward: The Regional Plan, and the City's Climate Action Plan. Land use consistency is adequately addressed in the Final SEIR.

I3-4 cont.

I3-5

b) Up to 10 percent (10%) of the total Specific Plan Area (approximately 214, 446 square feet) may include structures with a height that exceed 105 feet to a maximum of 250 feet in any location within the Specific Plan. The area equivalent to the footprint of the building shall be counted towards the 214, 446 square feet. The 10% height allowance shall be tracked in the Implementation and Tracking Table (see Appendix E)

Comments:

1.RMX zone only allows 240 feet of height. What is the basis for requesting 250 feet? Affordable Housing incentive? Complete Communities? Hardship variance?

2. Total Residential area per Tentative Map is 1,230,100sf. Thus, 214,446 sf would represent 17.5% of the ground floor residential building area which could go up 250 feet high. That is a significant percentage of the site, when 191,870 additional square feet of Entertainment Center will be at 165 feet instead of 120 feet. Thus, over a third of the building development area is over 105 feet, which is 60 percent higher than what the city presented to the public with the vote on Proposition C in 2022 when the 30 feet height limit was removed.

d. Appendix C Specific Plan calls for increased density over what was allowed in the Midway/ Pacific Highway Community Plan. Density in the Midway Pacific Highway Community Plan and underlying CC-3-6 zoning allowed 44 du/ac on 49.23 acres which allowed 2,166 dwelling units versus the 4,254 dwelling units proposed by the Project. Affordable Housing Density Bonus of 20% would have allowed 2,599 du. To achieve a net zero land use impact on the community plan, development rights for 1,655 dwelling units planned elsewhere in the community need to be transferred to this Project. This has environmental impacts on the development rights of other properties in the community. Since Midway Rising originally proposed 4,254 dwelling units back in 2022, it is clear that Midway Rising had no intention of complying with the underlying zoning with respect to density. By not complying with the underlying zone, they were able to promise more affordable housing than their competitors to secure their selection. Their additional amount of affordable housing was instrumental in Midway Rising being selected. Even with an affordable density bonus, Midway Rising could not have achieved the desired density with the underlying CC-3-6 zone.

"Community Village" land use designation (0-72 du/ac) on page 16 of the Specific Plan is not a land use designation in the existing Midway Pacific

I3-5: As discussed in Final SEIR Chapter 3.0, based on the proposed land use designation and zoning, the Project would allow development of up to 3,545 residential units. The Specific Plan proposes up to 2,000 affordable residential units to be restricted at 80 percent area median income and to apply a density bonus of 20 percent above the base density for a total of 4,254 residential units.

As discussed in Final SEIR Chapter 3.0, the Project would require a Community Plan Amendment (CPA). The CPA would redesignate the site from Community Commercial – Residential Permitted (0–44 dwelling units/acre [du/ac]) to Community Village (0–72 du/ac) and revise policies for consistency with the Specific Plan. Refer to Final SEIR Section 5.1 for a discussion of the land use consistency analysis.

The Specific Plan provides guidance and direction for future development and does not reflect a final development, building configuration, public space shape or size, or land use location. In accordance with the Midway-Pacific Highway Community Plan Implementation Overlay Zone SDMC regulations and Supplemental Development Regulation 3, all development within the Specific Plan Area shall calculate maximum allowable residential density and/or floor area based on the entire parcel area, including the public right-of-way provided for new streets and the area provided for new parks and public spaces. Individual

Highway Community Plan LU-19. Where did this designation come from? Even with this "community village" designation (0-72 du/ac) a 20% affordable housing bonus is needed to allow 4,254 du.

The Specific Plan SDR-2 notes that the density (72 du/ac + 20% affordable housing density bonus = 86.4 du/ac) is calculated on the entire 49.26 acres including non-residential buildings and entertainment areas, parks, squares, private streets, and dedicated public streets. Per Table 1 Land Use Summary, only 27.64 acres are used for residential areas, non-residential areas and entertainment areas while excluding parks, squares, and roadways. Based on 27.64 acres, the density of 4,254 units would actually be 154 du/ac plus 130,000 sf of commercial and 191,870 sf of entertainment center.

Per the municipal code, publicly owned dedicated streets are not part of the *lot* or *premise* to base density calculations on, because it is not intended to be owned, used, or developed. When subdivision maps are created such as the proposed Tentative Map, public streets are not lots intended for private ownership. Thus, the density should not be calculated based on the 5.72 acres of the publicly owned and maintained streets as identified in Table 1 below.

I3-5 cont.

Per Municipal Code Sections *113.0222 Calculating Maximum Permitted Density*

a. *Multiple Dwelling Unit Development For multiple dwelling unit development, the maximum number of units that may be permitted on any premises is determined by dividing the lot area of the premises by the number of square feet required for each dwelling unit (maximum permitted density), as prescribed by the applicable base zone.*

Per Municipal Code Section 113.0103 Definitions

b. *Lot means a parcel, tract, or area of land established by plat, subdivision, or other legal means to be owned, used, or developed. See Section 113.0237 for additional information on determining a lot.*

development may exceed the maximum allowable residential density and/or floor area provided that the maximum allowable residential density and/or floor area specified in the Specific Plan is not exceeded for the entire Specific Plan Area. Therefore, the density was calculated correctly. The Specific Plan would include an Implementation Tracking Table to track individual building permit applications.

I3-5 cont.

LAND USE	SITE AREA (ACRES)	MAXIMUM DEVELOPMENT
Community Village[3]	**27.64**	10,722,294 gross square feet max.
Residential[1]		3,545 Homes
Commercial		130,000 gross square feet[2]
Entertainment		16,000 seat Entertainment Center
Parks & Public Space	**14.54**	
Parks	8.12	
Public Space	6.42	
Circulation	**7.05**	
Public Streets	5.74	
Private Drives	1.31	
Total	**49.23**	

Table 1 - Land Use Summary

1. With affordable housing density bonus of 20 percent, up to 4,254 homes may be constructed.
2. Entertainment use is excluded from the 130,000 gross square feet of commercial use.
3. Mixed-Use contains a combination of residential and commercial uses.

I3-6

B. Appendix C Specific Plan Section 5 and Appendix D3-Community Plan Amendment Report
   1. Section 5.3 Street Classification of the Specific Plan
      5.3.1 Public Streets
      This section indicates that Sports Arena is being reconfigured as a 6 lane Major. Is the Project responsible for rebuilding and reconfiguring Sports arena without additional right of way from adjacent properties? Is it from Midway to Rosecrans? What is the extent? It appears that much of the improvements are on the Project's side, but it indicates the center line of the Right of Way is not being adjusted? Elsewhere in Appendix D3 page 3, one of the lanes each way is described as a Business Access and Transit (BAT) lane. Please confirm. Who is implementing these improvements?

I3-7

   2. Appendix-D3 page 8 reflects valuable improvement provided by the Project. I want to specifically commend the Project for the implementation of improvements at Intersection #19-Camino del Rio West/ Rosecrans Street and Sports Arena Boulevard as called for in the community plan and as modified in Appendix D3. This is extremely valuable.

I3-6: Please refer to Response to Comment Letter I-14 regarding the reconfiguration of Sports Arena Boulevard to include Business Access and Transit (BAT) lanes, which would be dedicated between Midway Drive/West Point Loma Boulevard and Rosecrans Street as a Condition of Approval. Refer to Final SEIR Section 5.2, Transportation and Circulation, and Appendix D1, Local Mobility Analysis (LMA), as well as Appendix O, regarding the extent of the Sports Arena Boulevard improvements. This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

I3-7: This comment supports the Project's proposed intersection improvements at the intersection of Camino Del Rio West/Rosecrans Street/Sports Arena Boulevard.

This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

I3-8

I3-9

I3-10

I3-11

I3-12

3. Is the Project modifying the entire length of Kurtz from Hancock to Camino del Rio West?
4. How is the transition of the multi-use path transitioning at Camino del Rio West/ Rosecrans? Specific Plan Figures 11 and 12.
5. Figure 12 indicates that Rosecrans is being modified to a 4-lane collector when it is failing today as a 6 lane Prime Arterial. There appears to be conflicts between the Specific Plan and the Mobility Analysis in Appendices D.

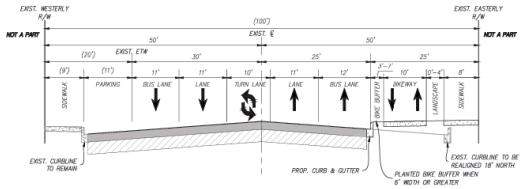

*Figure 12 - Rosecrans Street - Street Section - (4-Lane Collector with Center Left-Turn Lane - 2 General Purpose Lanes + 2 Flexible Lanes)**

6. Per the scoping letter, the review was requested to address the cumulative impacts of the proposed NAVWAR project. I saw one brief reference that indicated that it was included in the Base 2035 on page ES-2 of Appendix D-1 Local Mobility Analysis (LMA). Please elaborate. NAVWAR environmental review indicated approximately 26 significant unmitigable intersections and roadway segments. NAVWAR has at least a cumulative impact on this Project. Often the project first-in bears the least burden of traffic improvements. NAVWAR should be identified as a cumulative project as has the entire Midway Pacific Highway Community Plan. The Specific Plan is requesting an increase in development rights over what was proposed in the Community Plan. Therefore, the impact of those increased development rights should be assessed as if the improvements to satisfy the Community Plan including the portion allocated in the plan to this site and NAVWAR have been addressed.
7. Specific Plan 5.6 Event Parking Access and Access Management and 5.7 Parking for Parks and Public Spaces address specific parking, but Specific Plan fails to address how much parking will be provided for residential and non-residential uses. Parking Standards Transit Priority Area (PTSPA) as defined by California Public Resources Code Section 21099 no parking is required for residential or commercial, which is not realistic. The City leaves it to the discretion of the developer, who is hopefully experienced. There are varying parking tables in the

I3-8: As discussed in Final SEIR Chapter 3.0, the Project would convert the segment of Kurtz Street between Hancock Street and Sherman Street from one-way to two-way travel. The Project would improve the segment of Kurtz Street between Sherman Street and Camino Del Rio West to a one-way (southeast-bound) two-lane collector with a Class I multi-use urban path along the southern side of the street (refer to Final SEIR Figure 3-15, Kurtz Street).

This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

I3-9: Refer to Final SEIR Appendix O for information regarding the proposed multi-use urban path along Kurtz Street and its proposed pedestrian improvements including continental crosswalks and curb ramps across the intersections of Kurtz Street/Camino Del Rio West and Kurtz Street/Rosecrans Street.

This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

I3-10: Please refer to Response to Comment Letter I-14 regarding the reallocation of vehicular travel lanes to include BAT lanes on Rosecrans Street and Thematic Response: Traffic Congestion. The Project would change the roadway classification for Sports Arena Boulevard from six-lane

documents, but the Tentative Map (TM) appears to be the most accurate. Please confirm that the TM is the most accurate and will be required as part of the Specific Plan. The TM indicates parking for residential uses at approximately 1 space per dwelling unit. Parking for commercial is 3.3/1,000 sf which based on Urban Land Institute standards seem low—especially for 40,000 sf of **regionally** serving restaurant uses (Appendix D3 Community Plan Amendment Report page 7 of VMT) out of the 130,000 sf or retail uses. "Regional" generally means that clientele is driving due to the distance. The analysis indicates an assumption that many retail customers will not come when there is a special event. Is this simply based on common sense? Is traffic congestion and lack of parking a disincentive not only for this site, but for adjacent sites? How is parking on the site regulated? Do residents have reserved spaces based on paying rent for the parking space? Can retail customers use the parking spaces for the entertainment center when there is not an event? A parking management plan should be submitted prior to approval of the Specific Plan. Should a shared parking analysis be prepared?

I3-12 cont.

8. Parking provided for Entertainment Center is 2,100, which is assumed to be adequate for 10,000 seats. Currently there are 3,861 parking spaces for the existing 16,000-seat arena. There is a potential with the arena and theater to have 20,000 attendees. If additional parking is needed, the documents indicate that agreements will be made with adjacent businesses such as Sea World and West Office Parking Lot. How will someone coming to the entertainment center know that they need to go over to Sea World to find parking? How much additional traffic will that create on the roadways? Per the Municipal Code 142.0535, Off-site Shared Parking Agreements recorded against the deed of property should be required at time of building permits to assure sufficient parking. Why should the Sports Arena Shopping Center across the street have to monitor and control potential overflow parking due to shortage of parking at the Project. A stated goal is to encourage mass transit by not providing parking. If mass transit does not work, then there is a problem. Entertainment Parking Requirements: Per Section 141.0622 (d) of the SDMC (Sports Arena and Stadiums), off-street parking shall be provided at a level sufficient to serve the facility without impacting adjacent or nearby property. That does not mean providing adequate parking space for half of those attending.
9. Specific Plan Section 5.6 Event Parking Access and Access Management b) *Reduce trips routed through the intersection of Sports Arena Boulevard/ Camino del Rio West/ Rosecrans Street*. Sounds great but how? Not addressed.

prime to four-lane prime with bus-only lanes. There is no conflict between the Specific Plan and Final SEIR appendices. This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

I3-12 cont.

10. Specific Plan Figure 24 indicates two of the event parking locations are in Phase Two. Will there be adequate parking for events in Phase 1?
11. Per Appendix D-1 Local Mobility Analysis Figures 2a, 2b, and 2c, there is an additional 11,546 (18% increase due to events) ADTs coming off the freeway to Camino del Rio West. Of those 11,546 ADTs for events, only 1,411 turns onto Hancock and 4,582 turn onto Kurtz while 6,459 turn at Sports Arena from west bound Camino del Rio West and East bound from Rosecrans. Coming from West Pt Loma Boulevard and Midway intersection is an additional 4,084 cars onto Sports Arena. If the volume of vehicles for events is so much more on Sports Arena, why are 2 of the 3 parking areas for events on Kurtz Street rather than on Sports Arena. Doesn't that create more traffic congestion going through the Project?

I3-13

12. How does someone know which parking location to go to park for an event?

I3-14

13. Appendix D-1 Local Mobility Analysis 6.4 Queuing Analysis reflects a significant impact on queuing at intersections from this project whether there is an event or not. One additional intersection is impacted when there is an event thus totaling 12 intersections instead of 11 intersections with inadequate queuing in the PM peak.

I3-15

14. Signage:
    a. Why are signs allowed to go 50' high when surrounding properties are limited to 30' per Municipal Code? Freeway oriented signs per municipal code are limited to 50' high.
    b. Why aren't Building Mounted signs based on tenant frontage or building frontage and proportional to the wall area that it is mounted on as currently regulated in the Municipal Code? Why shouldn't the Municipal Code apply to this project? Identify for the decision makers what the differences are and why they are justified.

I3-16

C. Appendix C Specific Plan (page 11)

Final Supplemental EIR for Removal of the Midway-Pacific Highway Community Plan Area from the Coastal Height Limit (2022)

In 2022, the City prepared a Supplemental Environmental Impact Report (SEIR) for the removal of the Midway-Pacific Highway Community Plan Area from the Coastal Height Limit (SCH #2022030324) which limits development height in this area to 30 feet. The analysis conducted identified that the proposed project could result in significant and unavoidable impacts in the areas of Visual Effects and Neighborhood Character (Scenic Vistas or Views, and Neighborhood Character). All other impacts analyzed in this Draft PEIR were found to be less than or not significant. The Subsequent EIR processed for the Midway Rising

I3-17

I3-11: This comment states that the Final SEIR should thoroughly analyze the cumulative impacts associated with other reasonably probable projects, including Naval Information Warfare Systems Command. Please refer to Thematic Response: Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) (Transportation), Thematic Response: Cumulative Projects, and Final SEIR Chapter 6.0, Cumulative Impacts, where cumulative impacts were analyzed for each resource area.

I3-12: This comment discusses parking in relation to the Project. Please refer to Response to Comment O5-3 regarding how parking is allocated for each land use and concerns regarding off-site parking at the Sports Arena Shopping Center. However, please note that parking is not considered an issue under CEQA.

This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

I3-13: Please refer to Thematic Response: Traffic Congestion for discussion of average daily traffic counts and traffic congestion. The Project proposes multi-modal improvements providing a multitude of transportation options intended to balance vehicular traffic across the roadway network in the Midway-Pacific Highway Community so as not to offload all traffic onto Sports

Project analyzed potential impacts associated with the proposed height of buildings within the project independently of the CEQA analysis which is the subject of litigation. Consequently, the outcome of the judicial challenge referenced has no effect on environmental analysis for the Midway Rising Project

Comment:

1. I agree that the outcome of the judicial challenge referenced has no effect on the environmental analysis for the Midway Rising Project. However, to avoid future litigation, adequate environmental analysis is necessary.
2. I do not believe that Appendix J Visual Impact Analysis by Harris & Associates is accurate. According to their analysis, the potential aesthetic or visual impacts of the Project are not considered significant. How is that conclusion made when the analysis itself identified five viewpoints as high with respect to Viewer Sensitivity and Level of Change. Visual impacts as reflected in this analysis should be identified as a significant impact. It should identify that the proposed height and visual impacts exceed the **significant impacts** identified in the previous Supplemental EIR that only analyzed 65 feet. The Project is proposing up to 250 feet high which is approximately 4 times the 65 feet height limit in the current CC-3-6 zone that was claimed as the limit by city council prior to the Ballot C which removed the Prop D height limit on this site. Thus, the Prop C vote would appear to be based on a fraudulent representation of what was to be built. When Midway Rising was selected, they represented the height of the buildings at 86 feet consistent with their competitors, apart from 120 feet for the Entertainment Center. All the competitors based that height on the optimum height for 5 stories of wood frame construction over concrete podium construction. I believe that the originally proposed height of 86 feet and 120 feet (which is still a significant visual impact) is reasonable. I could support a Statement of Overriding Considerations. At a meeting of the Pt Loma Association prior to the vote on Proposition C to eliminate height restrictions, I asked Midway Rising if they would go over 86 feet if someone offered millions for the view from a 200 feet high residential tower to the ocean. Their response was that they were proposing 86 feet height. A simple look at the visual simulations reveals that the proposed Midway Rising is completely out of scale with the surrounding area. I cannot support the excessive height and the bait and switch approach currently proposed by the Project in the Specific Plan.

I3-17 cont.

Arena Boulevard and Kurtz Street. Please refer to Final SEIR Appendix D1, LMA. In addition, parking is not considered an issue under CEQA. Please refer to Response to Comment O5-3 regarding the Project's plan to manage parking.

I3-14: This comment discusses parking for an on-site event. Refer to Responses to Comments O5-3, O7-5, and O12-3 regarding parking strategies that the Project intends to use. However, please note that parking is not considered an issue under CEQA.

This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

I3-15: As discussed in Final SEIR Section 5.2, an LMA was conducted to evaluate the potential transportation effects associated with the Project per the City's Transportation Study Manual and is provided in Final SEIR Appendix D1. Per the CEQA Guidelines, transportation impacts are related to VMT only—operational degradation at intersection and roadway segments are not considered CEQA impacts, and no mitigation is required. Please also refer to Thematic Response: Traffic Congestion.

I3-16: As discussed in Final SEIR Chapter 3.0, the Project, including Project signage, is governed by the development regulations in the SDMC and the supplemental

I3-17 cont.

In conclusion, I can not support the rezoning to RMX, nor the Specific Plan with its proposed increase in height, nor the environmental analysis as prepared.

Respectfully,

John C. Ziebarth
Retired Architect
Member of Zoning Code Update 1992-2000
Member of Code Monitoring Team 2000-2019

cc: Midway/Pacific Highway Community Planning Group
Peninsula Community Planning Group
Ocean Beach Community Planning Group
Mission Hills Community Planning Group

development regulations provided in the Specific Plan. Where development regulations in the SDMC conflict with the Specific Plan, the Specific Plan shall prevail. Freeway-oriented signs are not proposed as part of the Specific Plan.

I3-17: The Final SEIR received numerous similar comments regarding visual impacts in relation to the height limits. Please refer to Final SEIR Section 5.8, Visual Effects and Neighborhood Character, and Thematic Response: Height Limit for a discussion of the height limit propositions and a discussion of the Project being within a Transit Priority Area, thus excluding it from significant visual impacts.

Comment Letter I4: Steph Leif, April 7, 2025

I4

From: S Leif
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Midway Rising Stormwater Quality Management Plan
Date: Monday, April 7, 2025 9:22:03 AM

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I4-1

Section: PDP Struictural BMPs
Page 40
"The project meets pollutant control and volume retention requirements outlined in the City of San Diego's Stormwater Standards. The first step was to assess Harvest and reuse. Harvest and reuse was not feasible onsite."

There is no explanation why harvest and reuse is not feasible onsite. They will have an irrigation system for the planting. There is no reason they cannot have rainwater storage to use for their irrigation system. Harvest and reuse is definitely feasible on site.

Steph Leif

[redacted]

CA Real Estate Broker license 01450735
member SDAR

I4-1: Harvesting and use of rainwater was deemed infeasible based on the City of San Diego (City) Stormwater Manual Harvest and Use Feasibility Checklist, Worksheet B.3-1, Form I-7 (Appendix I2, Priority Development Project Storm Water Quality Management Plan). During the final engineering phase, more detailed estimates of the water use demand will be provided based on project population estimates. Rainwater harvesting in San Diego is generally considered infeasible due to low rainfall, seasonal variability, and high infrastructure costs. Irrigation for the Project would be discussed in the Project landscape plan. As discussed in Final Subsequent Environmental Impact Report (SEIR) Chapter 3.0, Project Description, the Project landscape plan would comply with all City standards and regulations, including the City's Land Development Manual, Street Tree Selection Guide, and Landscape Regulations. This comment does not raise an environmental issue related to the adequacy or accuracy of the Final SEIR for the Project, and no further response is required.

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Comment Letter I5: Alex Tahan, April 20, 2025

I5

From: Alex Tahan
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Midway Rising DEIR Comment
Date: Sunday, April 20, 2025 9:58:01 PM

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I5-1 1. The project should ensure that new bike lane fully connect to existing paths without gaps for dangerous crossings, and are supported with protected intersections, specifically at
Sports Arena Blvd/Midway Dr/Point Loma Blvd,
Kurtz St/Camino del Rio,
Kurtz St/Rosecrans St, and
Sports Arena Blvd/Camino del Rio/Rosecrans St

I5-2 2. The Midway/Pacific Highway Community Plan outlines a multi use path connection over I-8 near the Kurtz St/Hancock St intersection (UD-86). This should be included as mitigation as part of this project.

I5-3 3. The community plan also outlines that streets with bus routes should have transit priority, including queue jumps and signal priority (ME-4.4). These should be included as part of the upgrades to surrounding roads.

I5-4 4. Kurtz St, as well as several internal streets, have lane widths of 13 feet, which exceeds the maximum specified by the Street Design Manual Update.

I5-1: As described in Section 5.2, Transportation and Circulation, of the Final Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project), Class I multi-use paths are proposed along the westbound lanes of Sports Arena Boulevard, northbound lanes along of Frontier Drive, southbound lanes along the Project frontage along Kurtz Street, and eastbound lanes along Rosecrans Street, as shown on the Conceptual Site Plan/Draft Vesting Tentative Map, included as Appendix O in the Final SEIR. The Project would provide vehicular, pedestrian, and bicycle improvements, including continental crosswalks and striping across each of the intersections described in the comment. These paths would connect to Class II bike lanes on Pacific Highway and Sports Arena Boulevard. Final SEIR Appendix D1, Local Mobility Analysis, includes further details regarding bicycle facilities on the Project site.

This comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

I5-2: This comment states that the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) identifies a non-vehicular connection across Interstate (I-) 8 near the Kurtz Street/Hancock Street intersection (UD-86) to connect the Project site to the San Diego River regional bicycle path.

This facility is not included as part of the Project design and was not identified as a transportation improvement to address the Project's effect on the study network. However, the multi-modal facilities proposed by the Project do not preclude future connectivity over I-8 via a multi-use path as intended in the 2018 Community Plan. Refer to Final SEIR Chapter 3.0, Project Description, for a discussion on the pedestrian and off-site improvements.

This comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

I5-3: This comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

I5-4: The City of San Diego's (City's) Street Design Manual (current version 2017) provides guidelines for typical roadway design but does not specify a maximum lane width. Existing streets in the City may vary within typical design parameters, and each roadway design was evaluated by a California-registered civil engineer. This comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

Comment Letter I6: Clifford Weiler, May 1, 2025

I6

From: Clifford Weiler
To: DSD EAS
Subject: [EXTERNAL] Midway Rising/PRJ-1106734 - response to draft EIR of March, 2025
Date: Thursday, May 1, 2025 3:53:23 PM
Attachments: SPt Loma Po25050200160.pdf

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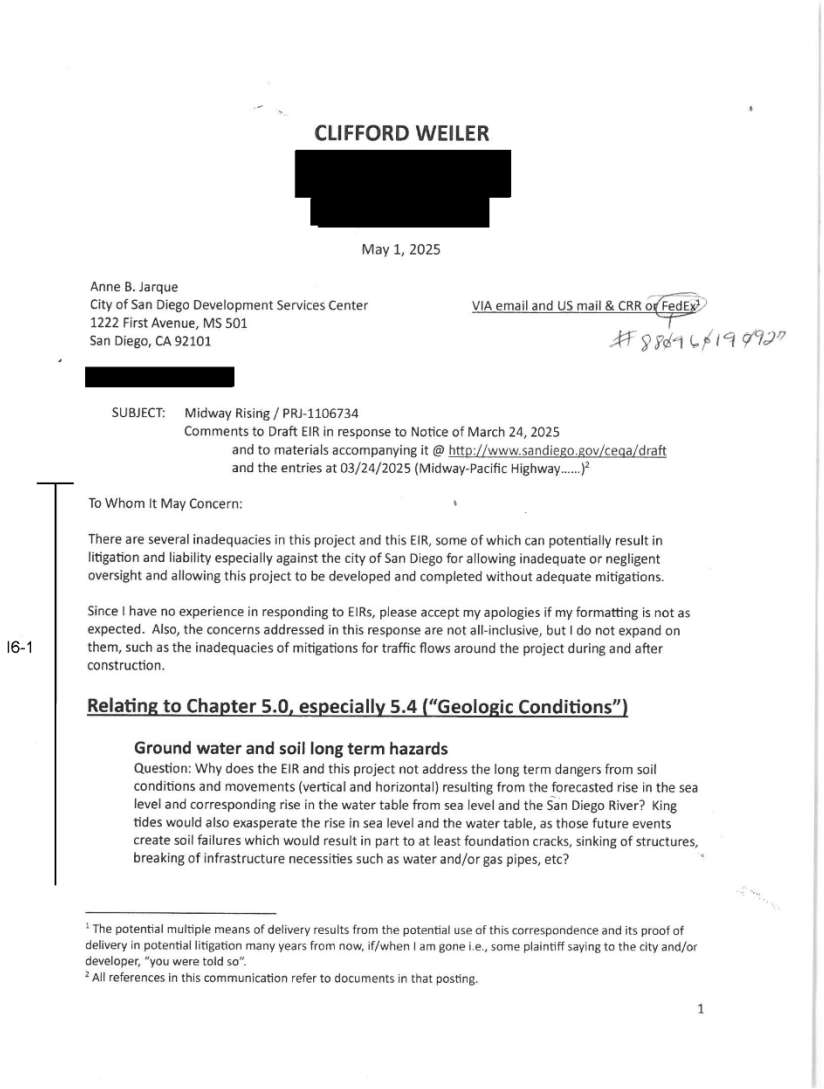
Please see attached.

I also FedEx'ed and will mail USPS.....



CLIFFORD WEILER

[redacted]

May 1, 2025

Anne B. Jarque
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101

VIA email and US mail & CRR or FedEx[1]
#[redacted]

[redacted]

SUBJECT: Midway Rising / PRJ-1106734
Comments to Draft EIR in response to Notice of March 24, 2025
and to materials accompanying it @ http://www.sandiego.gov/ceqa/draft
and the entries at 03/24/2025 (Midway-Pacific Highway.....)[2]

To Whom It May Concern:

There are several inadequacies in this project and this EIR, some of which can potentially result in litigation and liability especially against the city of San Diego for allowing inadequate or negligent oversight and allowing this project to be developed and completed without adequate mitigations.

Since I have no experience in responding to EIRs, please accept my apologies if my formatting is not as expected. Also, the concerns addressed in this response are not all-inclusive, but I do not expand on them, such as the inadequacies of mitigations for traffic flows around the project during and after construction.

I6-1

Relating to Chapter 5.0, especially 5.4 ("Geologic Conditions")

Ground water and soil long term hazards

Question: Why does the EIR and this project not address the long term dangers from soil conditions and movements (vertical and horizontal) resulting from the forecasted rise in the sea level and corresponding rise in the water table from sea level and the San Diego River? King tides would also exasperate the rise in sea level and the water table, as those future events create soil failures which would result in part to at least foundation cracks, sinking of structures, breaking of infrastructure necessities such as water and/or gas pipes, etc?

[1] The potential multiple means of delivery results from the potential use of this correspondence and its proof of delivery in potential litigation many years from now, if/when I am gone i.e., some plaintiff saying to the city and/or developer, "you were told so".
[2] All references in this communication refer to documents in that posting.

1

I6-1: This comment raises concerns with sea-level rise, which is an existing condition that could affect the Midway Rising Project (Project) site and is not considered an issue under the California Environmental Quality Act (CEQA). CEQA's primary focus is to analyze a project's impact on the environment and not the environment's impact on the project.

As discussed in Chapter 3.0, Project Description, and Section 5.7, Hydrology/Water Quality, of the Final Subsequent Environmental Impact Report (SEIR) for the Project, the Project site runoff is conveyed downstream by the existing City of San Diego (City) pump station and levee system immediately north of Interstate 8. The proposed building finish floor elevations would be a minimum of 1 foot higher than projected flooding levels in the proposed street sections. The areas on site that would be raised above the projected flooding levels are not anticipated to impact the surrounding area's flooding conditions because the relatively flat and open topography of the surrounding Midway area allows flooding to flow between multiple drainage basins through surrounding streets and multiple storm drain systems that drain to San Diego Bay, Famosa Slough, and the San Diego River. Because the surrounding areas are not confined to a single drainage basin, the placement of fill would not increase the flooding of the surrounding areas.

Stated in more "layman" terms: The soil is bad, it will worsen as the groundwater nears the surface due to global warming, with or without King Tides, basically softens or even liquifies the soil, and the plans do not address such long term realities. Other governmental entities recognize the problems and, since there was no prior consideration of the issue when structures were built, now contemplate "managed retreat".... But that and its related costs can be avoided in the future by addressing the rise in the water table and soil failures, now.

CONTEXT: The report addresses the soil conditions, potential results and potential response *under the current soil conditions*. However, even if those mitigations are implemented, the longer term necessary mitigations for the life of this project are not addressed.

DETAILS: For details in the reports, see at least:

> "Potentially liquefiable soils occur at the design groundwater level (+3 feet NGVD 29) and extends to about 60 feet below existing grades (-50 feet NGHVD 29.)" Appendix F2, part 4.3.1.1, page 7, first bullet.

I6-1 cont.

> "Estimated settlements range from 7 to 10 inches in our calculations." *Id*, second bullet

> "Groundwater levels are closely related to the water surface elevation within the San Diego River and subject to tidal influences. Groundwater was measured in the various subsurface explorations at depths ranging from 6 feet to 16 feet..." Appendix F2, part 3.4, page 5.

> 'Groundwater levels will fluctuate from tidal influences. Daily tidal fluctuations recently measured at the nearby Quivira Basin recording station ranged from about 0.0 to 8.0 feet...." [Maybe those readings did not encompass King Tides which are greater.] *id*.

> "Geologically young, loose, and soft soils associated with the changing coastline and growth of the San Diego River Delta underlie the site. These soils occur as fill from land reclamation and as alluvial/estuarine sediments deposited from the ancient San Diego River Delta." Appendix F2, part 3.0, page 4.

> "Undocumented fill soils (fill) were observed in all exploratory borings. The soils were interpreted to range from 7 to 13 feet in thickness." *Id*, part 3.1, page 4

> "Paralic estuarine deposits were observed below the fill to elevations ranging from 3.0 to -1.0 feet NGVD 29. The soils were interpreted to extend to depths of about 100 to 105 feet." Appendix F2, part 3.2, page 4

Those comments reflect current conditions, without any reference to the projected rise in sea level and corresponding ground table levels. A topographical map of San Diego indicates the general ground level to be 14-17 feet. Projections for future sea level increases range, such as up to 10 feet in a couple decades (and certainly during the life of this project)....but the point is, there is NO reflection of those realities in the report.

Those lacks of future realities are carried over into the analysis of construction; the present conditions are addressed, not the future. See for example:

Also refer to Final SEIR Section 5.4, Geologic Conditions, and Section 5.7 for discussions related to soil conditions and groundwater. A site-specific Preliminary Geotechnical Investigation Report, included as Final SEIR Appendix F2, was prepared for the Project and provides recommendations for ground improvement, earthwork, and structural design, including foundations, civil design, and construction. As a condition of approval, compliance with applicable regulatory requirements and the site-specific Preliminary Geotechnical Investigation Report recommendations would reduce any impacts to a less than significant level. This issue has been adequately addressed in the Final SEIR.

> "The total static settlement from the placement of about 3 feet of fill is estimated to range from about 1.5 to 2.5 inches. The duration for this settlement to be substantially complete is estimated to range from 2 months, up to 12 months, after the completion of fill placement." Appendix F2, part 5.1, first bullet, page 9.

Months are addressed, but what about the impact of the increase in the water table in the future, especially given the depth of the questionable soil structure?

The Conclusions section is also disturbing, even when not considering the rise in the water table. In part 6.0, reference is made to the ground level to a depth of about 60 feet consisting mostly of silty sand and non-plastic sandy silt, an approximately 10 foot thick layer of fat clay at about 40 to 50 feet in one portion, an "observed presence of mica, organics, and/or seashells", and soils consisting of "silty sand (SM), sand(SP-SM, SP) and sandy silt ***"extending from ground level to about 100 to 105 feet"*** (emphasis added by the undersigned). See Appendix F2, page 11, especially the last 2 sentences of the second bullet:

I6-1 cont.

> "These soils are liquefiable. The liquefaction-induced settlement was estimated to be from 7 to 10 inches."

The conclusions include reference to foundations and long term, but ONLY in the context of the current soil conditions, not the rise in sea level and the water table which other governmental agencies are currently addressing for future considerations, to avoid future chaos and financial catastrophes. The last conclusion in the listing at page 11, in part;

> "The buildings proposed for the redevelopment have high structural loads that will require, individually or combined, ground improvement and/or deep foundations to provide satisfactory long-term performance."

More is discussed in part 7.0 (GROUND IMPROVEMENT AND EARTHWORK CONSTRUCTION RECOMMENDATIONS) but to avoid undue repetition and comments too lengthy for the reader(s) , the same problems exist related to those discussions.

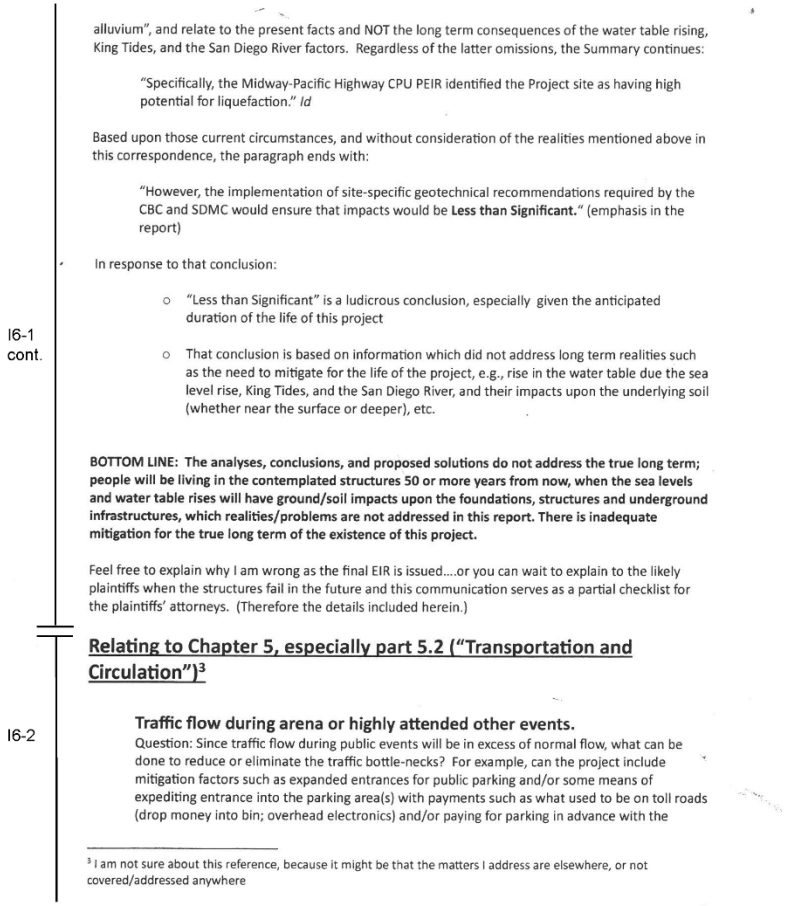
The same factors are transposed but in more general form into the draft EIR dated March 2025, within its section 5.4, beginning at page 5.4-1. However, a more specific reference includes:

> "The project is mapped as Geologic Category 31, High Potential, under Liquefaction (Figure 5.4-2, Geologic Hazards)." EIR of March 2025, section 5.4.1.3 at page 5.4-3.

The EIR analysis in Summary also provides, in part:

> "The Midway-Pacific Highway CPU PEIR determined that the potential for liquefaction and lateral spread is considered high in areas of human-placed artificial fill and underlying young alluvium." *Id*, section 5.4.4.3 at page 5.4-9

That purported summary is evasive and incomplete – the problems short term AND long term are more (deeper; down to 105 feet?!) than in "areas of human-placed artificial fill and underlying young



alluvium", and relate to the present facts and NOT the long term consequences of the water table rising, King Tides, and the San Diego River factors. Regardless of the latter omissions, the Summary continues:

> "Specifically, the Midway-Pacific Highway CPU PEIR identified the Project site as having high potential for liquefaction." *Id*

Based upon those current circumstances, and without consideration of the realities mentioned above in this correspondence, the paragraph ends with:

> "However, the implementation of site-specific geotechnical recommendations required by the CBC and SDMC would ensure that impacts would be **Less than Significant.**" (emphasis in the report)

In response to that conclusion:

- "Less than Significant" is a ludicrous conclusion, especially given the anticipated duration of the life of this project
- That conclusion is based on information which did not address long term realities such as the need to mitigate for the life of the project, e.g., rise in the water table due the sea level rise, King Tides, and the San Diego River, and their impacts upon the underlying soil (whether near the surface or deeper), etc.

I6-1 cont.

BOTTOM LINE: The analyses, conclusions, and proposed solutions do not address the true long term; people will be living in the contemplated structures 50 or more years from now, when the sea levels and water table rises will have ground/soil impacts upon the foundations, structures and underground infrastructures, which realities/problems are not addressed in this report. There is inadequate mitigation for the true long term of the existence of this project.

Feel free to explain why I am wrong as the final EIR is issued....or you can wait to explain to the likely plaintiffs when the structures fail in the future and this communication serves as a partial checklist for the plaintiffs' attorneys. (Therefore the details included herein.)

Relating to Chapter 5, especially part 5.2 ("Transportation and Circulation")[3]

I6-2

Traffic flow during arena or highly attended other events.
Question: Since traffic flow during public events will be in excess of normal flow, what can be done to reduce or eliminate the traffic bottle-necks? For example, can the project include mitigation factors such as expanded entrances for public parking and/or some means of expediting entrance into the parking area(s) with payments such as what used to be on toll roads (drop money into bin; overhead electronics) and/or paying for parking in advance with the

[3] I am not sure about this reference, because it might be that the matters I address are elsewhere, or not covered/addressed anywhere

4

I6-2: This comment states that the Final SEIR should thoroughly analyze the effects associated with traffic congestion, advance payment methods for onsite parking, issues related to emergency access, the potential for a dedicated freeway exit, and shuttles to and from the Old Town Transit Center before and after events.

Regarding question 1, please refer to response to comment O12-3 and O5-3 in regards to onsite parking and the proposed shuttles.

Regarding question 2, emergency vehicle access was reviewed by the Fire Marshall. Final SEIR Appendix O Vesting Tentative Map (VTTM), shows emergency vehicle access, fire access roads, roof access stairwells, fire hydrants, hoss pull, red curb, and commercial driveways.

Regarding question 3, this comment discusses adjacent businesses. It raises economic, social, or political issues that do not relate to any physical effect on the environment under CEQA.

Regarding question 4, the construction of a dedicated freeway exit was not identified as a project improvement that would be triggered by the development per the Transportation Study Manual (current version 2022) guidelines, and is therefore beyond the scope of this Project.

purchase of the event's ticket or later (such as done with the San Diego Symphony events at the Shell)?

I6-2 cont.

The traffic flow also implicates air pollution and safety (such as the inability for emergency vehicles and staff to achieve access). It will also suffocate the local businesses, e.g., there is no way saine people will go to Panda Express or even Inn and Out Burger during the lead-in or exit times of public events. (If those businesses are no longer existing because of the footprint of this project, whatever businesses are a part of this mixed use project and the existing businesses remaining in the neighborhood would suffer the adverse impacts of customers' inability to access those businesses....but maybe the resulting blight is acceptable to the city?)

A dedicated freeway exit would also help. And if not included in any mitigation, shuttles (frequent, large and numerous) from and to the Old Town Transit Center should be required, especially before and after public events. The latter if fares were discounted would also encourage the use of the Trolley system, reduce traffic and congestion, and reduce air pollution.

(I suspect the mental health of those waiting in traffic lines for many minutes or even hours is not part of an EIR concern....but it should be.)

If I need to correct any formatting or narrative for these matters to be addressed, please let me know. Thank you.

Sincerely,

Clifford Weiler

[redacted]

5

Comment Letter I7: Brian Austin, May 3, 2025

I7

From: Brian Austin
To: DSD EAS
Cc: John Rankin [redacted]
Subject: [EXTERNAL] Opposition to Midway Rising project
Date: Saturday, May 3, 2025 2:12:32 PM

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I have lived in San Diego since 1988, and in the same zip code (92110) as the Sports Arena since 1996.

This redevelopment project will cause the loss of three San Diego iconic businesses:

1. Kobey's swap meet - many people make their sole living off of their Swap Meet transactions.

I7-1

2. SOMA concert venue - one of the few underage concert venues in the city.

3. "Rock n Roll San Diego" music practice place - many musicians & bands use this business to practice, thereby greatly supporting the arts and live music throughout the city.

This reminds me of the ballpark development downtown. Many great businesses that I used frequently were told to hit the road, you're in the way.

Is it too late to block this project?

Brian Austin
Morena district

I7-1: This comment expresses concern for existing businesses that may be affected by the Midway Rising Project (Project).

The comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final Subsequent Environmental Impact Report for the Project. Therefore, no further response is required.

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Comment Letter I8: Taco Jones, May 3, 2025

I8

From: Taco Jones
To: DSD EAS
Subject: [EXTERNAL] Midway Rising Specific Plan EIR - PRJ-1106734
Date: Saturday, May 3, 2025 10:30:46 AM

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I8-1 1. Specific Plan Table 1 states 3,545 homes versus 4,254 from the project description.

I8-2 2. MM TRANS 5.2-1 should be revised to free shuttle for the operational life of the entertainment center as impacts from the specific plan area will not cease.

I8-3 3. Per the Midway CP, Midway Rising homes will account for 52% of the increase in homes in the CP. The project should be required to pay 52% of all mobility improvements in the surrounding area.

I8-4 4. SDMC Section 142.1304 requires affordable housing throughout the project area & should be included in all phases of the development (Change SDR-12 a. and b).

I8-1: Table 1 in the Midway Rising Specific Plan, included as Appendix C to the Final Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project), states that, "with affordable housing density bonus of 20 percent, up to 4,254 homes may be constructed."

This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

I8-2: Please refer to Response to Comment O5-1 regarding the revised timeframe for the implementation of Mitigation Measure TRANS-5.2-1.

I8-3: This comment raises economic, social, or political issues that do not relate to any physical effect on the environment under the California Environmental Quality Act (CEQA). Please refer to Final SEIR Section 5.2, Transportation and Circulation, for information on the Project's proposed infrastructure improvements.

This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

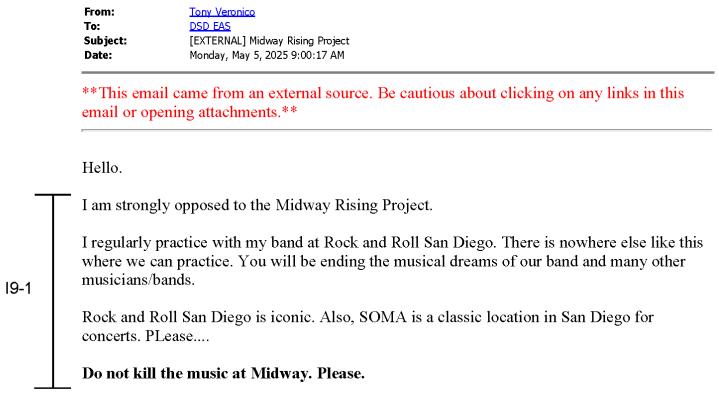
I8-4: Please refer to Table 3-3, Proposed Land Uses per Phase, in Final SEIR Chapter 3.0, Project Description, which shows the

approximate number of affordable housing units being constructed per Project phase.

This comment does not raise an environmental issue regarding the adequacy or accuracy of the Final SEIR, and no further response is required.

Comment Letter I9: Tony Veronico, May 5, 2025

I9



From: Tony Veronico
To: DSD EAS
Subject: [EXTERNAL] Midway Rising Project
Date: Monday, May 5, 2025 9:00:17 AM

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Hello.

I9-1

I am strongly opposed to the Midway Rising Project.

I regularly practice with my band at Rock and Roll San Diego. There is nowhere else like this where we can practice. You will be ending the musical dreams of our band and many other musicians/bands.

Rock and Roll San Diego is iconic. Also, SOMA is a classic location in San Diego for concerts. PLease....

Do not kill the music at Midway. Please.

I9-1: This comment expresses general opposition to the Midway Rising Project (Project) and does not raise an environmental issue regarding the adequacy or accuracy of the Final Subsequent Environmental Impact Report for the Project. No further response is required.

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Comment Letter I10: Daniel and Carolyn Weider, May 6, 2025

I10

From: Dan Wieder
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Comments About the Midway Rising EIR
Date: Tuesday, May 6, 2025 6:06:51 AM

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I10-1

It is disappointing that the City has decided to proceed with the Midway Rising project despite the concerns raised by many constituents regarding the increased traffic that will exacerbate the existing traffic congestion. Many individuals have expressed their belief that unless modifications to the freeway access are implemented in conjunction with this project, it will result in excessive traffic congestion.

As per the Environmental Impact Report (EIR),

"The Project would enhance the street system, balancing the needs of multiple users. It does not propose any modifications to the freeway system. The Project would provide opportunities for multimodal interconnected travel, including pedestrian and bicyclist connectivity, which would increase connections for multiple users to surrounding communities."

You have overlooked the actual, tangible problem that will affect residents of the Point Loma Peninsula. You have essentially permitted the project to assert that "freeway modifications are not our concern; we comply with the established guidelines." However, as residents, we will be burdened with the increased traffic flow, which will exacerbate an already dire situation for years and even decades to come.

I10-2

You have also indicated that potential noise impacts from outdoor events could be "Significant and Unavoidable." Noise can travel several miles and could easily impact the lives of homeowners in the surrounding areas, including Loma Portal.

I10-3

It is also regrettable that no informational meetings were held in the Midway or Point Loma areas. Instead, meetings were held around the county, far away from the area where the development will occur. As with other developments, the people designing and building the new developments do not reside in the area. They complete the project and move on to the next one. The impact they leave behind on the community is not their concern, which is disappointing.

It is regrettable that the short-sightedness of the project's impact on local residents is being disregarded. When significant and unavoidable impacts are identified through the EIR process, and those impacts cannot be mitigated, then a modified/different project plan should be created.

Daniel and Carolyn (Becky) Wieder
[redacted]

I10-1: The Final Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project) received numerous similar comments regarding traffic congestion. Please refer to Thematic Response: Traffic Congestion; Final SEIR Section 5.2, Transportation and Circulation; and the Response to Comment Letter I14.

I10-2: This comment recites the fact that the Final SEIR concluded that the Project would result in significant and unavoidable noise impacts. The comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

I10-3: This comment raises economic, social, or political issues that do not relate to any physical effect on the environment under the California Environmental Quality Act (CEQA). Community meetings were held in the Midway area, specifically at the Salvation Army on the Project site.

Findings and Statement of Overriding Considerations were prepared for the Project and are included with the Final SEIR. Project alternatives are presented in Final SEIR Chapter 8.0, Alternatives, for consideration, as requested. No further response is required.

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Comment Letter I11: Janene Bacica, May 8, 2025

I11

From: Janene Bacica
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Keep 6 lanes in Midway District
Date: Thursday, May 8, 2025 8:44:11 PM

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I11-1 I am writing in opposition of a proposal to eliminate lanes of traffic on Rosecrans and Sports Arena. There is housing being built all over the Point...from ADUs, huge apartment complex at the old postal office location, and the new Midway development. Traffic is always an issue even before the increase in housing and to eliminate a lane of traffic for the occasional bus will slow commuting in a busy business district and slow access to the highway. The commute to and from the military base backs up Rosecrans and this proposal will be a huge traffic nightmare.

Thanks,
Janene Bacica
[redacted]

I11-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I12: Sara Hickmann, May 8, 2025

I12

From: Sara Hickmann
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Oppose high density lane reductions
Date: Thursday, May 8, 2025 10:36:51 PM

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

I12-1 I oppose reducing traffic lanes from 6 to 4 on Sports Arena. Please stop proposing changes that will create grid lock in Point Loma. It took me 20 minutes to go 4 miles today. I am going to leave this state and take my tax money with me. You are making it impossible to live here. Please. Stop.

Sara Hickmann, Ph.D.
Sent from my iPhone

I12-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I13: Eric Law, May 8, 2025

I13

From: Eric Law
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Rosecrans lane reduction
Date: Thursday, May 8, 2025 8:15:03 PM

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I13-1 I am unequivocally opposed to reducing traffic lanes on Rosecrans. This is perhaps the worst idea to come out of the city in a decade. Narrowing Rosecrans will create worse traffic, impede any emergency evacuation, increase idle time and commensurate carbon emissions. The city, SANDAG, and MTS do not have the budget, ridership, infrastructure, and resources needed to service any enhancement of the existing line. Moreover, there is no demand for increased bus or bicycle traffic on this thoroughfare. This is a waste of money and precious resources that can be better used to address the budget shortfall elsewhere.

Eric Law

I13-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Rosecrans Street. Please refer to Thematic Response: Traffic Congestion for further discussion regarding traffic and circulation on the Midway Rising Project (Project) site. Also refer to Section 5.6, Health and Safety, regarding emergency evacuation and Section 5.10, Greenhouse Gas Emissions, regarding carbon emissions in the Final Subsequent Environmental Impact Report for the Project.

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Comment Letter I14: Jeremy Shields, May 8, 2025

I14

From: Jeremy Shields
To: PLN_PlanningCEQA
Cc: Heather Shields
Subject: [EXTERNAL] Midway Rising projects
Date: Thursday, May 8, 2025 5:14:29 PM

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Hi,

I14-1 I am writing to strongly oppose reducing the lanes from 6 to 4 in order to add two dedicated bus lanes. I've lived in this area and used Midway, Sport Arena and Rosecrans to access the freeway for the last 30 years. There has never been an issue of congestion and traffic caused by buses. During heavy traffic times, it takes up to 30 minutes to get from the trolley station in Old Town to Cannon taking Rosecrans. Adding 4550 residences, which potentially have 2-3 vehicles per household is dramatically increasing the traffic load on these 3 streets. Reducing available lanes to vehicles is the last thing this area needs. Clearly adding or keeping all available lanes is better for the traffic you are adding with this new development.

Thank you,

Jeremy Shields

I14-1: The Midway Rising Project (Project) is a mixed-use development located in a Transit Priority Area (TPA) and within 0.5 to 1 mile of the Old Town Transit Center, which provides connectivity to the regional transit network. Mixed-use developments, such as the Project, are designed to reduce vehicle trips by combining different land uses within a development site.

The Project has been designed to support car-free living by providing robust public transportation options, comfortable pedestrian infrastructure, and convenient bicycling facilities and routes to access many destinations. By incorporating dedicated bus lanes and bus stops along its frontage, the Project aims to support convenient public transit options, making public transit a more convenient option for daily commutes. The improvements made by the Project aim to foster a sustainable and multimodal transportation network.

Final Subsequent Environmental Impact Report Appendix D1, Local Mobility Analysis, specifically Table ES-5, summarizes the capacity and demand for the various segments of Sports Arena Boulevard under each analysis scenario. The Project proposes Business Access and Transit (BAT) lanes between Kemper Street to Camino Del Rio West. These segments currently operate at level of service (LOS) A or B, and with the addition of Project trips and the

proposed BAT lanes, these segments are anticipated to operate at LOS D or better, which is an acceptable level of traffic operations.

There is no residential or commercial minimum parking requirement for projects in a TPA. Nevertheless, the Project would provide 4,550 residential parking spaces for the 4,254 residential units (averaging just over one vehicle per unit). Please refer to Thematic Response: Traffic Congestion for further discussion on the circulation system associated with the Project.

Comment Letter I15: Ben J. Spiegel, May 8, 2025

I15

From: Ben Spiegel
To: PLN_PlanningCEQA
Subject: [EXTERNAL] BUS LANES ON ROSECRANS AND SPORTS ARENA BLVDS IS A BAD IDEA
Date: Thursday, May 8, 2025 10:11:55 PM

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I15-1

There is already way too much traffic for several hours of the day on each of these streets. Did the impact study just look at traffic from 8pm until 6am? Did they even look at rush hour times to study the traffic?

I guess none of you live anywhere near the village of Point Loma.

I object to this change --as well as the ridiculous number of new apartments and other housing units being built.

Please do not add dedicated bus lanes.

Ben J. Spiegel
Udall Street-(Loma Portal)
San Diego, CA 92106

I15-1: The Local Mobility Analysis, included as Appendix D1 to the Final Subsequent Environmental Impact Report for the Midway Rising Project (Project), states that the transportation analysis evaluated the weekday commuter AM peak hours (7:00 a.m. to 10:00 a.m.), weekday commuter PM peak hour (4:00 p.m. to 6:00 p.m.), and weekday pre-event peak hour (6:00 p.m. to 7:00 p.m.) on a weekday evening for the entertainment center. Please refer to Thematic Response: Traffic Congestion.

Additionally, refer to Thematic Response: Traffic Congestion and Response to Comment I14-1 regarding the reallocation of vehicular travel lanes to include Business Access and Transit lanes.

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Comment Letter I16: Jason Vieira, May 8, 2025

I16

From: Jason Vieira
To: DSD.EAS; PLN_PlanningCEQA; [redacted]
Cc: Jason Vieira
Subject: [EXTERNAL] MPHCPG Comments on Midway Rising Specific Plan / Project No. 1106734 / Draft Subsequent Environmental Impact Report / SCH No. 2023120451
Date: Thursday, May 8, 2025 5:03:01 PM
Attachments: image001.png
VIEIRA- Midway Rising EIR-Specific Plan comments 05.08.25.pdf

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To whom it may concern-

Please see attached comment letter in regards to this project. Many of our clients are generally supportive in seeing this project move forward however they want to make sure it done in a smart and well thought out way that benefits everyone in the community.

Thanks-

Jason Vieira
Senior Advisor- Sales & Leasing
www.PrivateInvestmentTeam.com

[redacted] | [redacted] | [redacted]
[redacted] | AZ DRE Lic. SA552188000 | CA DRE Lic. 01896589
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May 8, 2025

City of San Diego Development Services Department
Anne B. Jarque, Raynard Abalos, Martha Blake, Elizabeht Shearer-Nguyen
1222 First Avenue, MS 501
San Diego, CA 92101

[redacted]

Subject: MPHCPG Comments on Midway Rising Specific Plan / Project No. 1106734 / Draft Subsequent Environmental Impact Report / SCH No. 2023120451

I16-1

I am writing on behalf of myself as a local Commercial Real Estate agent who works with various business and properties owners in the 92110 zip code who have reached out to me with various questions and concerns about the Midway Rising project.

Generally, most are all supportive and understand it will be a transformational project for not just the area but the City of San Diego as a whole. It will generate substantial tax revenues and help fix a blighted part of that has great potential to be a housing and entertainment hub for the whole county.

They also generally support the idea of an Enhanced Infrastructure Financing District (EIFD) but would prefer to see this be extended to the entire Midway Pacific-Highway Community Planning area so all business could benefit from not only Midway Rising but other future development projects.

In relation to future development of privately owned land, a common concern is if the upzoning will affect any future density upon Midway Rising's completion. Will this upzoning result in less available density in privately held land? Below are additional concerns and questions, informed by the EIR's "significant and unavoidable" impacts on land use, transportation, noise, and cultural resources, to be addressed in the Final EIR.

I16-2

Zoning and Land Use Compliance Concerns:

- What Floor Area Ratio (FAR) calculations and infrastructure studies justify 109 du/acre under RMX-2 zoning?
- How will transferring 1,655 dwelling units' development rights impact other community properties?
- **Specific Plan-Specific:** How does Table 1's parcel-level land use distribution (Page 17) ensure FAR compliance and infrastructure capacity for 4,250 units and 130,000 sq ft of commercial space?
- What justifies the density bonus (Table 3, Page 43)?

I16-3

Vesting Tentative Map Parcel Design Concerns:

- What is the parcel-specific parking allocation for residential, commercial, and arena uses, and how does it address the 2,100-space shortfall?
- Does the 14,000-person concert capacity also include additional capacity from opening the floor? Please confirm total fixed seat count less any temporary seating areas and maximum occupant capacity i.e. fixed seats + floor seating/standing area at largest potential sold-out event.
- There will be a deficit of over 1,000 parking spaces compared to the current design. What is the current number of parking spaces occupied for maximum concert capacity?

I16-4

Specific Plan Design and Implementation Concerns. It is understood that the development team does not currently anticipate exceeding 165 feet for the entertainment center and 105 feet for 90% of all other buildings in the project. (Appendix C, Specific Plan, page 44, Section 8.11.3, SDR-7 Structure Height). Please clarify the following:

I16-1: Please refer to Responses to Comments O7-2 regarding the Enhanced Infrastructure Financing District. Additionally, refer to Section 5.1, Land Use, and Section 5.8, Visual Effects and Neighborhood Character, of the Final Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project) for a discussion on zoning for the Project site and impacts on the surrounding areas. This comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Therefore, no further response is required.

I16-2: Please refer to Response to Comment O7-4 regarding zoning and land use compliance. Individual project applications would be reviewed for conformance to the Midway Rising Specific Plan (Specific Plan). Each project would submit a project-wide table that outlines any prior approvals' floor areas and density to ensure all projects would remain within the Specific Plan's allowable commercial land uses floor area and number of residential units. The affordable housing density bonus would be granted to the Project, as it would provide affordable units in accordance with State Density Bonus Law. The Specific Plan requires that a specified number of affordable units be provided within the Specific Plan Area. In addition, refer to Final SEIR Section 5.12, Public Utilities, and Appendices M1, M2, M3, and M4, regarding adequate infrastructure for the Project.

I16-3: Please refer to Response to Comment O7-5**.**

This comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR. Vehicular parking and loading is addressed in Section 11.0 of the Local Mobility Analysis (LMA), included as Appendix D1 to the Final SEIR. Currently, vehicular parking is available via parking structures and on-street parking spaces throughout the site within proximity to residential, commercial, and entertainment land uses. As discussed in the LMA, the proposed parking spaces for the entertainment center are not considered a short-fall but rather "right-sized" for events, as allowed per City of San Diego Municipal Code Section 141.0622(d).

As part of the operational analysis for a weekday pre-event for PM peak hour (6:00 p.m. to 7:00 p.m.), the LMA (Final SEIR Appendix D1) evaluated the scenario for a 20,000-spectator event that would occur at maximum occupancy of the arena to include floor seating and a standing area.

Parking is not considered a significant impact per the California Environmental Quality Act. Therefore, this comment does not raise an issue regarding the adequacy or accuracy of the analysis of the Final SEIR for the Project.

I16-4 cont.
- What is the approval/notification process if Midway Rising, at a later date, wishes to exceed its self-imposed limitations?
- Confirm RMX-2 zoning/use guidelines are governed by proposed Specific Plan Amendment limitations and specifications, including but limited to, restricted structure heights of 105' for residential and 165' entertainment arena.
- Confirm any upzoning in residential density will be noted in the Specific Plan Amendment and added to Midway's allowable density total at full buildout with corresponding before and after residential density tables. No residential density shall be removed from any privately held parcels which shall maintain their current zoning designations.
- Will any privately owned land need to be taken by eminent domain or otherwise utilized for any proposed multiuse paths (Kurtz Street), cycle tracks, bus lanes or crosswalks?
- Will any publicly owned land, streets, or sidewalks be adjusted or removed to accommodate said multiuse paths, more specifically on Kurtz Street? We believe any additional land needed to accommodate any infrastructure modifications should first be taken from city owned land (Midway Rising project) before any privately owned land or existing street parking is removed.

I16-5 **Transportation and Mobility Concern**s:
- What parking management plan prevents overflow from 2,100 arena spaces?
- **Specific Plan-Specific:** Which parcels host the reduced Sports Arena Boulevard lanes (Figure 7, Page 19) and Kurtz Street parking (Figures 9–11), and what mitigations address LOS E intersections?
- Is the State or County expected to invest in addressing the missing/inadequate Interstate connections?
- **Section 6:** Where specifically is the "off-site business park lot?" If not determined, when will it be determined and whose responsibility is it to establish this?
- Will the SeaWorld event shuttles replace the event shuttles in Phase 1 or be in addition to them?

I16-6 **Geologic and Flood Risks Concern**s:
- What tsunami evacuation plan includes routes and signage?
- What parcel-specific foundation designs mitigate liquefaction risks for residential buildings and the arena?

I16-7 **Noise Impacts Concern**s:
- What monitoring framework will track noise post-construction?
- Will an event permit be required for "special events" when above normal levels of attendance or noise is expected (concerts, music festivals, etc.)? Larger events should not be exempt from the city's regular process for permitting special events and should include customary limits i.e. when those events can end.

I16-8 **Public Services and Facilities Concerns**:
- What are projected service demand increases, and which facilities will absorb them?
- What specific mitigations (e.g., school expansions) are planned?
- How will emergency routes remain viable during floods or events?
- **Specific Plan-Specific**: What EIFD-funded service expansions (e.g., schools, fire stations, Page 43) are allocated to which parcels, and what is the budget?

I16-9 **Community Benefits and Equity Concerns**:
- What measures are planned to prevent park and open spaces from loitering, camping/sleeping, etc.?

I16-10 **Cumulative Impacts and Alternatives Concerns**:
- What cumulative NAVWAR VMT, noise, and geologic impacts were modeled?

I16-11 **General Requests**:
- Extend the EIR comment period by 30 days if significant revisions occur.
- Provide point-by-point responses to all questions, including VTM and Specific Plan specifics, in the Final EIR.

I16-4: Please refer to Response to Comment O7-7 regarding Specific Plan implementation.

Any modifications to the Specific Plan, such as height, would require a Specific Plan Amendment per the procedures identified in the Specific Plan. The Mixed-Use Residential (RMX-2) zoning prevails unless otherwise stated in the Specific Plan. Individual project applications would be reviewed for conformance to the Specific Plan. Each project would submit a project-wide table that outlines any prior approvals' floor areas and density to ensure that all projects would remain within the Specific Plan's allowable commercial land uses floor area and number of residential units. The Specific Plan does not impact land or the development rights of land outside of the Specific Plan Area. The Community Plan Amendment updates the total projected population and dwelling units for the Midway-Pacific Highway Community planning area to reflect the development proposed by the Specific Plan.

The proposed multi-use urban paths, cycle track, bus lanes, and crosswalks that the Project would construct would be located within the public right-of-way.

The Project would dedicate land along its Kurtz Street frontage to construct the multi-use urban path. South of the Project frontage, the existing curb-to-curb along Kurtz Street would be narrowed, and on-street parking would be

removed to construct the multi-use urban path between the Project site and Rosecrans Street.

I16-5: Please refer to the LMA (Final SEIR Appendix D1), which states that overflow parking lots west of the site, as well as the Sea World Drive parking lot, would be used for full-capacity events. Additionally, the LMA identifies the proposed event parking space locations by block and phase on the Project site.

The proposed Bus Access and Transit lanes would be constructed along Sports Arena Boulevard along the Project frontage between Kemper Street to Camino Del Rio West/Rosecrans Street. Refer to Final SEIR Chapter 3.0, Project Description, for a discussion on the improvements to address the Project's transportation effects and a summary of the proposed multi-modal improvements.

The off-site business park lot location is not determined at this time. A long-term contract with off-site lot owners would be negotiated once the Project has been approved.

The Project would provide event shuttles in Phase 1 and would not replace another existing shuttle service.

Please refer to Response to Comment O7-8 regarding transportation and mobility.

I16-6: Please refer to Response to Comment O7-9 regarding geology and flooding associated with the Project.

I16-11 cont.

- Share detailed VTM and Specific Plan parcel maps, Table 1 data, and Figures 6–36 to clarify site design.

Looking forward to reviewing responses to these questions and the final EIR.

Sincerely,

Jason Vieira
Senior Advisor- Sales & Leasing
Pacific Coast Commercial
[redacted]

I16-7: Please refer to Response to Comment O7-10 regarding operational noise.

I16-8: Please refer to Response to Comment O7-9 regarding emergency access and flooding. Please refer to Response to Comment O7-12 regarding public services and facilities.

I16-9: Please refer to Response to Comment O7-13 regarding community benefit and equity.

I16-10: Please refer to Response to Comment O7-14 regarding cumulative impacts. Please also refer to Thematic Response: Navy Old Town Campus Revitalization at the Naval Base Point Loma Old Town Campus (Navy OTC Revitalization Project) (Transportation).

I16-11: Please refer to Response to Comment O7-15 regarding the Final SEIR comment period and other comments. All responses to comments are provided with the Final SEIR. In addition, please refer to Final SEIR Appendix C, Midway Rising Specific Plan, and Appendix O, Conceptual Site Plan/Draft Vesting Tentative Map, for detailed parcel maps.

Comment Letter I17: Ron Cota, May 9, 2025

I17

From: Ron Cota
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Modifying traffic lanes on Sports Arena and Rosecrans
Date: Friday, May 9, 2025 1:48:43 PM

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I17-1

This idea is right up there with the seldom used bike lanes.....nonsensical. has a resident in the Loma Portal and Point Loma area for 75 years I am strongly opposed

When you the existing Rosecrans submarine base traffic and the Catalina Blvd. Military installation traffic add to that the proposed Sports Arena redevelopment traffic, the idea is insanity on display.

I17-1: This comment expresses general opposition to the Midway Rising Project and increased traffic. Refer to Thematic Response: Traffic Congestion.

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Comment Letter I18: Janis Gordon, May 9, 2025

I18

From: janis gordon
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Sports Arena Blvd.
Date: Friday, May 9, 2025 7:20:25 AM

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I18-1

Reducing the number of traffic lanes to provide "bus only" lanes is an asinine idea. Think beyond the nose on your face-the Planning Board should do just that: PLAN!

Janis Gordon
Point Loma
92106

Sent from my iPad

I18-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I19: Lauren Haskin, May 9, 2025

I19

From: Lauren Haskin
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Lane reductions in the Midway/Sports Arena area
Date: Friday, May 9, 2025 2:44:19 PM

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I19-1

PLEASE reconsider reducing the number of traffic lanes in this area. Traffic is already congested in this area. City busses should be required to used the current infrastructure. Space is already being lost to the ever-increasing number in bike lanes with their added marked areas separating their lane for the cars lane!
Lauren Haskin
92110 resident

I19-1: Please refer to Response to Comment I14-1 regarding the reallocation of vehicular travel lanes to include Business Access and Transit. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I20: Matthew Naiman, May 9, 2025

I20

From: Matt Naiman
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Opposition to Reducing Rosecrans Lanes from 6 to 4
Date: Friday, May 9, 2025 9:10:06 AM

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Dear Planning Department,

I20-1

I am writing to strongly oppose the proposed reduction of Rosecrans from six lanes to four to accommodate dedicated bus lanes. Combined with the lane reduction on Sports Arena, this change will significantly worsen the already severe traffic congestion, adversely affecting commuters, businesses, and residents. Furthermore, it will increase pollution and emissions from idling vehicles due to heightened congestion.

I urge you to reconsider this plan and explore alternative solutions that maintain the current lane configuration while improving public transit. Please prioritize the needs of all road users and ensure that any changes are thoroughly studied for their broader impact on traffic flow and community well-being.

Thank you for your attention to this matter. I respectfully request that you halt the lane reduction proposal.

Matthew Naiman
[redacted]

I20-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I21: Carla Pekin, May 9, 2025

I21

From: C Peek
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Rosecrans and Sports Arena lanes
Date: Friday, May 9, 2025 7:45:40 AM

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I21-1

We do not need dedicated buses on both Rosecrans and Sports Arena.As a resident of Point Loma, who lives south of Talbot, it is impossible to get out of Point Loma at many times during the day due to navy traffic. Takes over a half an hour to get 2 miles down Rosecrans when the Navy gets out for The day. Reducing the number of lanes will be catastrophic for all people that live on Point Loma.Buses are not being used and most of the time only have 4 to 5 people on the Bus. Stop the insanity, do not reduce the number of lanes. Better idea would be to insist that the Navy uses the shuttle up and down Rosecrans. That would reduce the traffic for all involved.
Carla Pekin

I21-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I22: Candace Szalay, May 9, 2025

I22

From: Candace Szalay
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Traffic on Rosecrans and Sports Arena
Date: Friday, May 9, 2025 9:17:18 PM

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I22-1

Dear Planning CEQA,
I have been a longtime Point Loma resident. The traffic on Sports Arena and especially on Rosecrans has increased dramatically causing congestion entering and leaving the Point Loma Area. Reducing the number of lanes will only add to the problem. No one who commutes on those street would want to reduce the number of lanes and magnify the already existing challenging commute. If you want the evidence to oppose reducing the number of lanes for car traffic, just drive north on Rosecrans between the hours of 1:30 to 6:00. By adding bike lanes and bus lanes you are aggravating traffic congestion!!!
Sincerely,
Candace Szalay

I22-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I23: Terry Treiber, May 9, 2025

I23

From: Terry Treiber
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Oppose Reducing Rosecrans/Sports Arena Lanes For Dedicated Bus Lane
Date: Friday, May 9, 2025 11:02:34 AM

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I23-1

I oppose reducing Rosecrans/Sports Arena number of lanes to add a dedicated bus lane. Buses slowing down traffic on this corridor have Never been a problem—why give them their own lane? What traffic studies have been done before proposing this change? All the commuters to the military base at South Rosecrans need these lanes because 1) we do not have a thorough enough bus network to get them from home to the base without using a vehicle, and 2) many of them transport their children to/from Cabrillo School at Talbot and Rosecrans on their way to/from work. Taking a bus would not support this type of transport.

Ms. Terry Treiber
Point Loma Resident

I23-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I24: Joy Young, May 9, 2025

I24

From: Joy Young
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Traffic lanes
Date: Friday, May 9, 2025 11:33:21 AM

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I24-1 DO NOT
Sent from my iPhone

I24-1: This comment expresses general opposition and does not raise an environmental issue regarding the adequacy or accuracy of the Final Subsequent Environmental Impact Report for the Midway Rising Project, and no further response is required.

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Comment Letter I25: Karen Britt, May 10, 2025

I25

From: Karen Britt
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Bus Lanes
Date: Saturday, May 10, 2025 4:25:05 PM

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I25-1 I vote no to reducing lanes on Midway and Sports Arena to make room for dedicated bus lanes.

Send from My Jitterbug Smart3

I25-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard. No reduction in the number of lanes is proposed along Midway Drive. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I26: Dan Lewis, May 10, 2025

I26

From: Dan
To: PLN_PlanningCEQA
Subject: [EXTERNAL] reduction of lanes from 6 to 4 on Sports Arena
Date: Saturday, May 10, 2025 8:27:11 AM

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Hello,

I26-1 I am writing to express my opposition to the proposal to reduce lanes on Sports Arena from 6 to 4 lanes. This is an attack on our mobility and will create artificial bottlenecks in the name of sustainability initiatives, resulting in zero increase in public transportation use.

Regards,

Dan Lewis
Point Loma
[redacted]

I26-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I27: Cris Harrington, May 11, 2025

I27

From: Cris Harrington
To: PLN_PlanningCEQA
Subject: [EXTERNAL] No Bus Lanes in Midway District
Date: Sunday, May 11, 2025 8:49:35 AM

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I27-1

I am writing to strongly oppose adding bus lanes to Midway, Rosecrans or Sports Arena Blvd. Traffic is already worse than it was five years ago and we are still adding homes.

Most of the buses are less than half full. This would be a huge mistake.

Please reconsider.

Cris Harrington
[redacted]

I27-1: Please refer to Response to Comment I14-1 regarding the reallocation of vehicular travel lanes to include Business Access and Transit (BAT) lanes on Sports Arena Boulevard and Rosecrans Street. The Midway Rising Project does not propose adding BAT lanes to Midway Drive. Additionally, refer to Thematic Response: Traffic Congestion.

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Comment Letter I28: Bridget Kaluzny, May 11, 2025

I28

From: Bridget Kaluzny
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Reduction of lanes on sports arena
Date: Sunday, May 11, 2025 12:52:54 PM

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I28-1 The train why the road works well now, is because of the architecture of the traffic. Please do not reduce the number of lanes. I live here in PL and I am never stuck behind a bus on Sports Arena.
I oppose the reduction of lanes.

With Kind Regards,
Bridget Kaluzny
[redacted]

I28-1: Please refer to Response to Comment I14-1 regarding the reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I29: Paul Grimes, May 12, 2025

I29

From: Paul Grimes
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Bus lanes on Sports Arena Blvd is a bad idea
Date: Monday, May 12, 2025 3:47:37 PM

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Hi,

I am writing to oppose the remove of travel lanes to establish a dedicated Bus lane on Sports Arena Blvd. Park Ave. has a similar layout and the bus lane is empty except for less than 10 buses per hour - one bus never sees one ahead of it while the single travel lane (after lane reduction) is backed up.
It would appear less likely that Sports Arena Blvd would ever have more than 8 buses per hour/per direction. Currently, the few buses that travel on Sports Arena Blvd are almost always empty.

I29-1

Bus service in the area with Midway Rising would be most utilized between Midway Rising and the Old Town Transit Center.

The establishment of a dedicated bus lane will clog Sports Arena Blvd (creating more exhaust), which will surely have a lot more traffic in the future.

At a minimum, the Dedicated bus lane should be held off until there are more buses on Sports Arena Blvd.

Paul Grimes
[redacted]

I29-1: Please refer to Response to Comment I14-1 regarding the reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I30: Sharon Sugar, May 12, 2025

I30

From: Sharon Sugar
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Sports Arena Blvd.
Date: Monday, May 12, 2025 1:52:39 PM

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I30-1

I am waiting to let you know that I oppose you changing Sports Arena boulevard from three lanes on each side to two lanes on each side to make bus lanes.

With the amount of traffic on Sports Arena boulevard, any day of the week much less during the summer. With all the tourists it will become a nightmare.

Even on Saturday and Sunday afternoons anytime of year the traffic can really back up there because it is just such a busy street.

I30-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I31: Robert Burns, May 13, 2025

I31

From: Robert Burns
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Fwd: Hi Neighbors!!
Date: Tuesday, May 13, 2025 11:03:17 PM

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I31-1 **The bikelane freaks and YIMBY's are now attacking Midway and Rosecrans?!? What's it take to turn this CANCER out of office?!?**

--------- Forwarded message ---------
From: **Northwest Ocean Beach (D1) Trending Posts** [redacted]>
Date: Tue, May 13, 2025 at 10:16 AM
Subject: Hi Neighbors!!
To: [redacted]

Nextdoor logo

18

Hi Neighbors!! Just found out today is the last day to oppose reducing... See more

Heather Shields

18 27 Share

Bryan A. & 17 others replied

I31-1: This comment expresses general opposition to the Midway Rising Project (Project) and does not raise an environmental issue related to the adequacy or accuracy of the Final Subsequent Environmental Impact Report for the Project. No further response is required.

View post

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As Mankind becomes more liberal, they will be more apt to allow that all those who conduct themselves as worthy members of the community are equally entitled to the protections of civil government. I hope ever to see America among the foremost nations of justice and liberality--George Washington

I am...for freedom of the press, and against all violations of the constitution to silence by force and not by reason the complaints or criticisms, just or unjust, of our citizens against the conduct of their agents.--Thomas Jefferson

Without Freedom of Thought, there can be no such Thing as Wisdom: and no such Thing as publick Liberty, without Freedom of Speech--Benjamin Franklin

Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser--in fees, expenses, and waste of time ... Never stir up litigation. A worse man can scarcely be found than one who does this.--Abraham Lincoln.

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Comment Letter I32: Robyn Dunn, May 13, 2025

I32

From: [redacted]
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Dedicated bus lanes
Date: Tuesday, May 13, 2025 9:44:44 AM

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I32-1

Hello,

Please no more dedicated bus lanes! They are not efficient. Waste of money. They will cause more congestion confusion and accidents. They don't help the flow of traffic. Leave as is and concentrate on things the city really needs. How come the city is paving all the streets that have no potholes and not taking care of the places like the bottom of Washington street heading to Pacific Highway where there are huge potholes!

Thank you,

Robyn Dunn

Sent from my iPhone

I32-1: Please refer to Response to Comment I14-1 regarding the reallocation of vehicular travel lanes to include Business Access and Transit lanes. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I33: Shannon Jones, May 13, 2025

I33

From: Shannon Jones
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Opposition to Proposed Dedicated Bus Lane
Date: Tuesday, May 13, 2025 9:34:37 AM

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I33-1

I am writing to strongly oppose reducing the lanes from 6 to 4 on Sports Arena and Rosecrans in order to add two dedicated bus lanes. In my experience, this will be have a negative impact and will create a traffic nightmare.

I've lived in this area and used Midway, Sport Arena and Rosecrans to access businesses and the freeway for the last 14 years. There has never been an issue of congestion and traffic caused by buses. During heavy traffic times, it takes up to 30 minutes to get from the trolley station in Old Town to Cannon taking Rosecrans.

Also, current plans call for adding 4,550 residences to this area, which potentially have 2-3 vehicles per household, will dramatically increase the traffic load on these 3 streets.

Reducing available lanes to vehicles is the last thing this area needs.

Clearly adding or keeping all available lanes is better for the current traffic, and the additional traffic load that is planned with the new residential development.

Thank you for your consideration to Oppose this change to the Sports Arena and Rosecrans area.

Sincerely,

Shannon Jones

[redacted]

I33-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I34: Geri Beaty, May 14, 2025

I34

From: Geri Beaty
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Oppose lane reduction on Rosecrans
Date: Wednesday, May 14, 2025 10:54:28 AM

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I34-1 Please count this message as opposition to reducing lanes for cars on Rosecrans!

—Geri Beaty
[redacted]

I34-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I35: Mallary de Merlier, May 14, 2025

I35

From: mallary De Merlier
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Reduction of lanes on Rosecrans for buses
Date: Wednesday, May 14, 2025 11:42:08 AM

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I35-1 As a Point Loma resident for over 25 years, the traffic on Rosecrans is already awful. I strongly oppose any reduction in the number of lanes to accommodate a buses only lane. If the city wants to make changes, I suggest they look into synchronizing the lights to avoid the existing congestion. Adding a bus lane at the expense of non-bus vehicles is a terrible mistake and I vehemently oppose it. Bus traffic is not the issue!

Mallary de Merlier

I35-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I36: Brian Hughes, May 14, 2025

I36

From: Brian Hughes
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Bus lanes
Date: Wednesday, May 14, 2025 12:12:11 PM

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

I36-1 Do not cause more traffic. I know that's your plan to make more people miserable and make less lanes which makes more traffic. How about timing the signals so there's less traffic. It's very simple to drive on a road and see where the traffic goes. Our city needs to fix what it has before adding anything new.
Sent from my iPhone

I36-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I37: Alexander Pfleger, May 14, 2025

I37

From: Alexander Pfleger
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Sports arena area traffic lanes
Date: Wednesday, May 14, 2025 8:44:06 PM

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I37-1 I'd like to express my opposition to reducing traffic lanes in sports arena area for buses. It's already congested there and is only going to get worse with all the new housing. Also we need
I37-2 new housing affordable housing to porches and own not more rentals.

Alexander Pfleger
[redacted]

Get Outlook for iOS

I37-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard. Also, refer to Thematic Response: Traffic Congestion.

I37-2: This comment does not raise an environmental issue related to the adequacy or accuracy of the Final Subsequent Environmental Impact Report for the Midway Rising Project, and no further response is required.

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Comment Letter I38: Carolyn Casey, May 15, 2025

I38

From: Carolyn Casey
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Oppose bus lanes on sports arena
Date: Thursday, May 15, 2025 1:12:15 PM

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I38-1 Please add my name to the long list of residents opposing the proposed bus lanes on sports Arena Boulevard that would decrease the car lanes from 6 to 4. This would take an already congested area to a nightmare!

Thank you,

Carolyn Casey
[redacted]

I38-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard. Also, refer to Thematic Response: Traffic Congestion.

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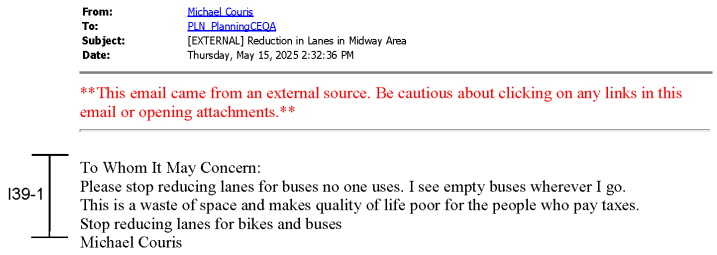
Comment Letter I39: Michael Couris, May 15, 2025

I39



From: Michael Couris
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Reduction in Lanes in Midway Area
Date: Thursday, May 15, 2025 2:32:36 PM

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I39-1

To Whom It May Concern:
Please stop reducing lanes for buses no one uses. I see empty buses wherever I go.
This is a waste of space and makes quality of life poor for the people who pay taxes.
Stop reducing lanes for bikes and buses
Michael Couris

I39-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I40: Daria and Michael Doering, May 16, 2025

I40

From: Daria Doering
To: PLN_PlanningCEQA
Subject: [EXTERNAL] opposing lane reduction at Sports Arena and Rosecrans
Date: Friday, May 16, 2025 1:14:34 AM

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

Hello,

I40-1 I am a south Mission Hills resident, writing to oppose reducing the lanes of traffic around Sports Arena and Rosecrans from 6 to 4. I go through this area frequently on the way to shopping in the Sports Arena area. It is fine for both cars and buses. But reducing the lanes will make traffic impossible, especially with the addition of thousands of new housing units.

Please reconsider and leave well enough alone! The traffic situation in San Diego is already terrible, and making it worse will reduce our quality of life substantially. I already don't go out between 3-6 pm.

Sincerely,

Daria and Michael Doering

[redacted]

I40-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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Comment Letter I41: Rae Newman, May 17, 2025

I41

From: Rae Newman
To: PLN_PlanningCEQA
Subject: [EXTERNAL] I oppose reducing lanes on Rosecrans and Sports Arena to make way for busses which few ride
Date: Saturday, May 17, 2025 2:47:15 PM

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

I41-1 Please oppose this idea!

Rae Newman
Massage Therapy, Yoga & Water Aerobics Instructor, Musician, Artist

I41-1: This comment expresses general opposition to the Midway Rising Project (Project) and does not raise an environmental issue regarding the adequacy or accuracy of the Final Subsequent Environmental Impact Report for the Project, and no further response is required.

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Comment Letter I42: Cathie Olson, May 17, 2025

I42

From: Cathie
To: PLN_PlanningCEQA
Subject: [EXTERNAL] Opposing the cut in lanes
Date: Saturday, May 17, 2025 3:14:25 PM

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I42-1

As a Point Loma resident, I STRONGLY OPPOSE taking 2 of the 6 lanes on Rosecrans as dedicated bus lanes. Traffic absolutely does not warrant this!!!! It's horrendous as it now stands… dedicating 2 for busses only would only increase the already heavy traffic in the 4 remaining lanes. Cars and trucks flow much more often than the busses do.

Cathie Olson
[redacted]
Sent from my iPhone

I42-1: Please refer to Response to Comment I14-1 regarding the proposed reallocation of vehicular travel lanes to include Business Access and Transit lanes on Sports Arena Boulevard and Rosecrans Street. Also, refer to Thematic Response: Traffic Congestion.

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MIDWAY RISING PROJECT
FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT
Project No. 1106734
SCH No. 2023120451

Prepared for:

City of San Diego

Development Services Department

1222 First Avenue, MS 501

San Diego, California 92101

September 2025

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Acronyms and Abbreviations

$\mu g/m^3$	micrograms per cubic meter
2008 General Plan	2008 City of San Diego General Plan
2018 Community Plan	2018 Midway-Pacific Highway Community Plan
2021 Regional Plan	San Diego Forward: The Regional Plan
AB	Assembly Bill
ACM	asbestos-containing materials
AF	acre-feet
AFY	acre-feet per year
AIA	Airport Influence Area
ALUCP	Airport Land Use Compatibility Plan
APN	Assessor's Parcel Number
Basin Plan	Water Quality Control Plan for the San Diego Basin
BMP	best management practice
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
Campo Band	Campo Band of Diegueño Mission Indians
CARB	California Air Resources Board
CBC	California Building Code
CCA	California Coastal Act
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFGC	California Fish and Game Code
cfs	cubic feet per second
CH_4	methane
CHRIS	California Historical Resources Information System
CHSP	Community Health and Safety Plan
City	City of San Diego
CNEL	Community Noise Equivalent Level
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
Complete Communities Program	Complete Communities: Housing Solutions and Mobility Choices
COVID-19	Coronavirus Disease 2019
CPIOZ	Community Plan Implementation Overlay Zone
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DEHQ	County of San Diego Department of Environmental Health and Quality
DIF	Development Impact Fee
DTSC	California Department of Toxic Substance Control
du/ac	dwelling units per acre
EIR	Environmental Impact Report

EIR Guidelines	City of San Diego Environmental Impact Report Guidelines
EO	Executive Order
ESA	Environmental Site Assessment
ESD	Environmental Services Department
ESL	Environmentally Sensitive Lands
EV	electric vehicle
FESA	federal Endangered Species Act
Geotechnical Investigation	Preliminary Geotechnical Investigation Report for the Midway Rising Sports Arena Complex
ghg	greenhouse gas
gpd	gallons per day
HMD	County of San Diego Department of Environmental Health and Quality, Hazardous Materials Division
Housing Program	Complete Communities: Housing Solutions
HRTR	Historical Resources Technical Report
I-	Interstate
Iipay Nation	Iipay Nation of Santa Ysabel
Jamul Band	Jamul Indian Village
Kimley-Horn	Kimley-Horn & Associates, Inc.
KVP	key viewpoint
LBP	lead-based paint
LCFS	Low Carbon Fuel Standard
LEA	Local Enforcement Agency
LED	light-emitting diode
LID	low-impact development
LIV III	Low Emission Vehicle III Standards
MBTA	Migratory Bird Treaty Act
MGD	million gallons per day
MHPA	Multi-Habitat Planning Area
MJHMP	Multi-Jurisdictional Hazard Mitigation Plan
MMT	million metric tons
Mobility Choices Program	Complete Communities: Mobility Choices
mph	miles per hour
MPO	Metropolitan Planning Organization
MRZ	Mineral Resource Zone
MS4	municipal separate storm sewer system
MSCP	Multiple Species Conservation Program
MT	metric tons
MTS	San Diego Metropolitan Transit System
MWD	Metropolitan Water District
N_2O	nitrous oxide
NAHC	Native American Heritage Commission
NASNI	Naval Air Station North Island
NAVWAR	Naval Information Warfare Systems Command
NCCP	Natural Community Conservation Planning
NF_3	nitrogen trifluoride
NOA	Notice of Availability

NO_x	oxides of nitrogen NO_x
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O_3	ozone
OES	County of San Diego Office of Emergency Services
OTC	Old Town Campus
PEIR	Program Environmental Impact Report
Porter-Cologne	Porter-Cologne Water Quality Control Act
Project	Midway Rising Project
PUD	Public Utilities Department
RAQS	Regional Air Quality Strategy
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
Regional Bike Plan	2050: San Diego Regional Bike Plan
RMP	Risk Management Plan
RWQCB	Regional Water Quality Control Board
San Pasqual Band	San Pasqual Band of Diegueño Mission Indians
SANDAG	San Diego Association of Governments
SAP	Multiple Species Conservation Program Subarea Plan
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill
Scoping Plan	Climate Change Scoping Plan
SCS	Sustainable Communities Strategy
SDCWA	San Diego County Water Authority
SDFD	City of San Diego Fire-Rescue Department
SDG&E	San Diego Gas & Electric
SDIA	San Diego International Airport
SDMC	City of San Diego Municipal Code
SDPD	City of San Diego Police Department
SDSU	San Diego State University
SEIR	Subsequent Environmental Impact Report
SF_6	sulfur hexafluoride
SFHA	Special Flood Hazard Area
SMP	Soil Management Plan
Specific Plan	Midway Rising Specific Plan
SWRCB	State Water Resources Control Board
TCR	Tribal Cultural Resource
TPA	transit priority area
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
UST	underground storage tank
UWMP	Urban Water Management Plan
Value Standard	Recreational Value-Based Park Standard
VdB	vibration decibel
Viejas Band	Viejas Band of Kumeyaay Indians
VMT	vehicle miles traveled

VOC	volatile organic compound
WAS and WSV Report	Water Supply Assessment and Water Supply Verification Report
WQIP	Water Quality Improvement Plan

Executive Summary

S.1 Project Synopsis

This summary provides a brief synopsis of: (1) the proposed Midway Rising Project (Project) and its objectives, (2) the results of the environmental analysis contained within this Subsequent Environmental Impact Report (SEIR) and applicable mitigation measures, (3) the major areas of controversy known for the Project, (4) the issues to be resolved by decision-makers, and (5) the alternatives to the Project that were considered. This summary does not contain the extensive background and analysis found in the SEIR document. Therefore, the reader should review the entire document to fully understand the Project and its environmental consequences.

S.1.1 Project Location and Setting

The Project site encompasses 49.23 acres of developed land at 3220, 3240, 3250, 3350, and 3500 Sports Arena Boulevard in the City of San Diego (City). The site is generally bounded by Kurtz Street to the north, Sports Arena Boulevard to the south, and commercial properties to the west and east. The Midway Rising Specific Plan (Specific Plan) (included as Appendix C to this SEIR) would encompass the City-owned Sports Arena site (Assessor's Parcel Number [APN] 441-590-04). Interstate (I)-8 extends in an east–west direction north of the site and separates the site from the San Diego River and Mission Bay to the north. I-5 extends in a north–south direction east of the site and forms the eastern boundary of the Midway-Pacific Highway Community. The Project site is west of the Old Town Community, east of the Peninsula and Ocean Beach Communities, and less than 2 miles north of the San Diego International Airport.

The Project site is developed with a variety of commercial and entertainment uses with approximately 97 percent impermeable areas. The Project site is generally flat with little to no topographic contours. On-site elevation ranges from approximately 10 feet to 15 feet above mean sea level. The highest elevations surround the existing San Diego Sports Arena, while the lowest elevations are in the northwestern area of the site.

Surrounding uses include community commercial services (such as grocery stores, drugstores, restaurants, hardware, and auto-related services), regional commercial (such as big box retailers and hotels), and community-serving uses (such as medical facilities and City services). Adjoining uses include commercial and office uses to the west and north, light industrial and office space to the north along Kurtz Street, and a parking structure and the Rosecrans Plaza Shopping Center to the east. The Sports Arena Shopping Center is directly south of Sports Arena Boulevard. Multi-family residential uses of varying scales and densities are located farther west and south of the Project site.

S.1.2 Project Objectives

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15124(b) the following are the basic objectives of the Project:

1. Create a focused long-range plan for an underutilized infill site that is intended to promote increased residential density and employment opportunities consistent with the General Plan, Midway-Pacific Highway Community Plan, and the Climate Action Plan.
2. Increase the City's housing supply by providing a mix of housing opportunities, including both market rate and deed-restricted affordable units, proximate to transit, jobs, amenities, and services.
3. Implement and support the General Plan and Midway-Pacific Highway Community Plan smart growth principles and goals for the Sports Arena Community Village by developing a centralized, mixed-use neighborhood that would include entertainment, housing, commercial, public parks, and recreation opportunities near transit nodes.
4. Promote multimodal travel by establishing a pedestrian and transit-oriented village with a network of promenades, ~~widened streets,~~ pedestrian paths, and bicycle facilities to provide access to internal and adjacent transit services, commercial/retail uses, and other amenities.
5. Encourage redevelopment of an underutilized infill site by increasing the urban tree canopy, instituting sustainable landscaping, and introducing shade to the area to support the City's Climate Action Plan goals.
6. Develop a modern entertainment center that would recognize and value the historic San Diego International Sports Arena.
7. Establish a phasing and implementation program that takes into account the existing long-term City property leases to provide public facilities, including on-site parks, that will serve new and existing community residents.

S.1.3 Project Description

To ensure that the Sports Arena Community Village would be planned comprehensively, the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) identified the need to prepare either a Specific Plan or a Master Planned Development Permit, and therefore, a Specific Plan has been proposed. The Midway Rising Specific Plan (Specific Plan) provides supplemental development regulations that work with the underlying base zones and development regulations in the San Diego Municipal Code (SDMC) to ensure the implementation of the vision.

The Specific Plan's purpose is to provide guidance and direction on land use, site planning, building, public space, and landscape design to ensure that future development of the Project site results in a pedestrian- and transit-oriented mixed-use entertainment destination. The Specific Plan allows for the redevelopment of the 49.23-acre site with a mix of uses, including entertainment, retail, residential, recreational, and public park uses.

The Specific Plan would provide up to 4,254 housing units, including up to 2,000 affordable units restricted to households with incomes less than 80 percent area median income, to provide a range of housing opportunities in a variety of sizes and number of bedrooms. The Specific Plan allows for the development of a multi-purpose entertainment center that may host a range of activities. The entertainment center would reach a maximum height of 165 feet and replace the existing San Diego International Sports Arena. The entertainment center would host a variety of entertainment events including but not limited to concerts, family shows, sporting events, motorsports, comedy, and musical and artistic entertainment productions. The Project would also include a maximum of 130,000 square feet of commercial retail uses, excluding the entertainment center and outdoor retail markets, such as farmers markets. Commercial uses may include restaurants, shops, and supporting neighborhood retail.

A central organizing element of the Specific Plan would be a network of public spaces consisting of approximately 8.12 acres of public parks and 6.42 acres of public space in a network of plazas, promenades, paseo greens, and streetscapes. The public parks would consist of The Green, The Square, The Plaza, paseo greens, and paseo greenways. The public space areas would consist of the promenades, streetscapes, and residential buffers.

The Specific Plan identifies a multimodal transportation network that would include new public streets, modified public streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways. Internal circulation would be facilitated by two new on-site public roadway segments, Kemper Street and Frontier Drive, which would run north–south through the Project site and provide a connection between Sports Arena Boulevard and Kurtz Street. The Project also includes frontage and off-site transportation improvements.

Automobile and parking access to the Project site would include 12 ingress and egress points through internal private drives. The Project would provide on-site parking per California Building Standards Code, Title 24, and the SDMC parking requirements. Parking would be provided in structures integrated with housing and mixed-use development. Parking associated with entertainment, retail, parks, and public space uses would be integrated with the parking structures of residential uses.

S.1.3.1 Summary of Discretionary Actions

The Project would require a General Plan Amendment to redesignate the site from Community Commercial – Residential Permitted to Community Village. In addition, a Community Plan Amendment would be required to redesignate the 2018 Community Plan Community Commercial – Residential Permitted (zero to 44 dwelling units per acre) designation to a Community Village designation (zero to 72 dwelling units per acre). This includes areas used for streets, parks, public spaces, and non-residential uses. A rezone would be required to change the Project site's base zone from CC-3-6 (Community Commercial) to a Mixed-Use Residential base zone (RMX-2), which allows

residential and commercial uses that include retail sales, commercial services, personal services, entertainment, assembly, and visitor accommodation uses that serve residents and workers in the community and adjacent communities. No visitor accommodations are currently proposed as part of the Project. The Project includes a Vesting Tentative Map to allow for grading and development of the Specific Plan. In addition, the Project requires a Site Development Permit due to the historic resource (San Diego International Sports Arena) present on site and the development of a large retail establishment in Community Plan Implementation Overlay Zone B. Finally, certain public easements and rights-of-way would be vacated as part of the Project.

S.2 Summary of Significant Effects and Mitigation Measures that Reduce or Avoid the Significant Effects

Table S-1, Summary of Significant Environmental Impacts, located at the end of this section summarizes the results of the environmental analyses in Chapters 5.0, Environmental Analysis, and 6.0, Cumulative Impacts, of this SEIR, including the environmental impacts of the Project, proposed mitigation measures to reduce or avoid these impacts, and the level of significance after mitigation. For a detailed analysis of the Project's direct environmental impacts and proposed mitigation measures, refer to Chapter 5.0. Chapter 6.0 provides a detailed analysis of the Project's cumulative environmental impacts for each resource area.

S.3 Areas of Controversy

Pursuant to CEQA Guidelines Section 15123(b)(2), an EIR shall identify areas of controversy known to the lead agency (City of San Diego), including issues raised by public agencies and members of the public, and issues to be resolved, including the choice among alternatives and whether and how to mitigate for significant effects.

The Notice of Preparation (NOP) was distributed on December 18, 2023, for a 30-day public review and comment period. Several areas of controversy were raised during the NOP scoping period, including transportation and circulation, aesthetics, hydrology and water quality, public services, public utilities, and historical resources. The NOP and comment letters received during the 30-day public review and comment period are included in Appendix A of this SEIR.

Environmental impacts classified as significant and unavoidable that may generate controversy have been identified in the resource topics of land use, transportation and circulation, historical and Tribal Cultural Resources, and noise, which are described in SEIR Sections 5.1, 5.2, 5.3, and 5.5, respectively.

S.4 Issues to be Resolved by the Decision-Making Body

The City of San Diego City Council (City Council) must consider the Project, review the potential environmental impacts and mitigation measures analyzed in this SEIR, and determine whether any Project alternatives would meet the key objectives of the Project while avoiding or substantially

lessening its significant environmental impacts should it be approved. The City Council will also decide if the Project conforms to regulations and policies, such as those in the 2008 City of San Diego General Plan (2008 General Plan) and 2018 Community Plan. If the Project is selected for approval, the City Council will be required to certify the Final SEIR, determine whether and how to mitigate significant impacts, and adopt associated Findings pursuant to CEQA Guidelines Section 15091 for the following significant impacts identified in the SEIR:

- Land Use
- Transportation and Circulation
- Historical and Tribal Cultural Resources
- Noise
- Health and Safety
- Air Quality

Furthermore, a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 would be required for the following direct and cumulative impacts found to be significant and unavoidable even with the application of all feasible mitigation measures:

- Land Use
- Transportation and Circulation
- Historical and Tribal Cultural Resources
- Noise

S.5 Project Alternatives

To fully evaluate the environmental effects of projects, CEQA mandates that alternatives to a project be analyzed. CEQA Guidelines Section 15126.6 requires the discussion of "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project" and the evaluation of the comparative merits of the alternatives. The alternatives discussion is intended to "focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project," even if these alternatives would impede to some degree the attainment of the project objectives. Alternatives to the Project are evaluated in Chapter 8.0, Alternatives, of this SEIR. The evaluations analyze the ability of each alternative to further reduce or avoid the significant effects of the Project. The SEIR evaluates four alternatives to the Project: No Project/No Build Alternative, No Project/Community Plan Buildout Alternative, Retain San Diego International Sports Arena Alternative, and No Commercial Development Alternative.

S.5.1 No Project/No Build Alternative

CEQA Guidelines Section 15126.6(e) requires that an EIR evaluate a "no project" alternative, along with its impacts. The purpose of describing and analyzing a No Project Alternative is to allow a lead agency

to compare the impacts of approving a project to the impacts of not approving it. In accordance with CEQA Guidelines Section 15126.6(e) the "no project" alternative is the No Project/No Build Alternative. Under the No Project/No Build Alternative, the existing 49.23-acre site would not be redeveloped. The existing commercial and entertainment uses, including the San Diego International Sports Arena, would remain on the site. No Midway Rising Entertainment Center District ~~Overlay~~ would be proposed as part of this alternative. Under this alternative, the environmental setting would stay the same as described in Chapter 2.0, Environmental Setting, of this SEIR. A General Plan Amendment and Midway-Pacific Highway Community Plan Amendment would not be required for this alternative. This alternative would eliminate all significant and unavoidable impacts identified for the Project.

S.5.2 No Project/Community Plan Buildout Alternative

The No Project/Community Plan Buildout Alternative would not construct the Project as described in Chapter 3.0, Project Description. The No Project/Community Plan Buildout Alternative would allow for development of the Project site consistent with the land uses and zoning provided in the City's 2008 General Plan and the 2018 Community Plan. The Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) identified the Project site as likely to redevelop with commercial retail, office, and residential uses (Appendix B). The Midway-Pacific Highway CPU PEIR determined that a "without San Diego Sports Arena" future land use scenario would be expected to generate more future vehicle trips and result in greater impacts associated with transportation, noise, and air quality than a "with San Diego Sports Arena" future land use scenario. Therefore, the Midway-Pacific Highway CPU PEIR analyzed a "without San Diego Sports Arena" future land use scenario as the project. Under the No Project/Community Plan Buildout Alterative, the San Diego Sports Arena would be demolished, and no entertainment center would be constructed on site. No Midway Rising Entertainment Center District ~~Overlay~~ would be proposed as part of this alternative. The maximum residential development capacity of the site would be 2,166 dwelling units. Although the development intensity of the site would be reduced, the overall site development footprint would be the same as the Project. The planned streets identified in the 2018 Community Plan would be constructed, including the construction of Frontier Drive, extension of Kemper Street, and extension of Greenwood Street from Kurtz Street to Sports Arena Boulevard.

This alternative was fully analyzed programmatically in the Midway-Pacific Highway CPU PEIR. A General Plan Amendment and Midway-Pacific Highway Community Plan Amendment would not be required for this alternative. A Specific Plan would be required for this alternative.

S.5.3 Retain San Diego International Sports Arena Alternative

The Retain San Diego International Sports Arena Alternative would redevelop the site with a mix of residential and commercial uses including retail and restaurant around the existing San Diego International Sports Arena which would not be demolished. This alternative would provide up to 3,631 housing units, including up to 1,772 affordable units, and include a total of approximately

72,000 square feet of commercial uses. Under this alternative, proposed commercial uses could be a combination of locally serving commercial uses, such as community retail and high-turnover sit-down restaurant land uses, and regionally serving commercial land use, such as quality restaurant. The development intensity and overall site development footprint would be reduced compared to the Project.

The existing San Diego International Sports Arena would remain in its current location with no significant upgrades and would continue to host a variety of entertainment events. The surface parking lots around the San Diego International Sports Arena would be demolished and redeveloped with residential and commercial uses and public spaces similar to the Project. Parking associated with entertainment and retail uses would be integrated with the parking structures of residential uses, similar to the Project.

This alternative would add a network of parks and public spaces to include The Green, The Square, The Plaza, paseo greens, paseo greenways, promenades, streetscapes, and residential buffers. Similar to the Project, the Retain San Diego International Sports Arena Alternative would construct The Square that would be a public plaza or outdoor entertainment center for cultural and community events directly adjacent to the entertainment center. Under this alternative, The Square would be scaled down compared to the Project to provide fewer and smaller entertainment events. Similar to the Project, a Midway Rising Entertainment Center District ~~Overlay~~ would be designated on site.

This alternative would provide the same multimodal network as the Project including new streets, improved streets, sidewalks, multi-use paths, and bicycle facilities. Internal circulation for this alternative would be facilitated by two new on-site roadway segments, the extension of Kemper Street and Frontier Drive, which would run north–south to each other through the Project site and connect Sports Arena Boulevard and Kurtz Street. Similar to the Project, the Greenwood Street extension would not be constructed in this alternative.

A General Plan Amendment and Midway-Pacific Highway Community Plan Amendment would be required for this alternative to redesignate the site and to address modifications to the 2018 Community Plan, respectively. A Specific Plan would also be required for this alternative. This alternative was selected because it would reduce or eliminate the following significant and unavoidable impacts identified for the Project: land use (historical resources policies), and historical and Tribal Cultural Resources (historical resources).

S.5.4 No Commercial Development Alternative

The No Commercial Development Alternative would demolish all on-site development and redevelop the site with a mix of uses, including entertainment, residential, recreational, and public park uses. Similar to the Project, this alternative would provide up to 4,254 dwelling units, including up to 2,000 affordable housing units, and construct a modern multi-purpose entertainment center.

However, under this alternative, no commercial uses would be proposed. Similar to the Project, a Midway Rising Entertainment Center District ~~Overlay~~ would be designated on site.

The No Commercial Development Alternative would provide a variety of public space areas for recreational and gathering opportunities including The Green and The Square that would allow for large special events. Under this alternative, events in public spaces would be limited to the hours of 7:00 a.m. to 7:00 p.m.

Finally, the No Commercial Development Alternative would provide the same multimodal network as the Project and would include new streets, improved streets, sidewalks, multi-use paths, and bicycle facilities. Internal circulation for this alternative would be facilitated by two new on-site roadway segments, the extension of Kemper Street and Frontier Drive, which would run parallel to each other through the Project site and connect Sports Arena Boulevard and Kurtz Street. Similar to the Project, the Greenwood Street extension would not be constructed in this alternative.

A General Plan Amendment and Midway-Pacific Highway Community Plan Amendment would be required for this alternative to redesignate the site and to address modifications to the 2018 Community Plan, respectively. A Specific Plan would also be required for this alternative. This alternative was analyzed because it would reduce or eliminate the significant and unavoidable vehicle miles traveled transportation (regionally serving commercial land use) identified for the Project.

S.5.5 Environmentally Superior Alternative

CEQA Guidelines Section 15126.6(e)(2) requires the identification of an environmentally superior alternative among the alternatives analyzed in an EIR. The environmentally superior alternative is generally defined as the alternative that would result in the least adverse environmental impact on a project site and affected environment. If a No Project Alternative is found to be the environmentally superior alternative, the EIR must identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6[e][2]). The Retain San Diego International Sports Arena Alternative is the environmentally superior alternative because it would avoid the following significant and unavoidable impacts identified for the Project: 1) land use (conflicts with historical resources policies); and 2) historical and Tribal Cultural Resources (historical resources). It would also meet or partially meet Project objectives 1, 2, 3, 4, 5, and 7.

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
Section 5.1, Land Use		
Implementation of the Project would conflict with the Historic Preservation Element Goal A and Policy HP-A.5 in the City's 2008 General Plan and Policy HP-2.1 in the 2018 Community Plan due to the demolition of the San Diego International Sports Arena, a designated historical resource. Additionally, the Project would conflict with the Noise Element Policy NE-G.2, Goal I, and Policy NE-I.1 in the City's 2008 General Plan due to outdoor event noise at the Project site that would exceed noise ordinance standards. This impact would be potentially significant.	**MM HIST 5.3-1, MM HIST 5.3-2, MM HIST 5.3-3, MM HIST 5.3-4** under Section 5.3, Historical and Tribal Cultural Resources, and **MM NOISE 5.5-1** under Section 5.5, Noise.	Significant and Unavoidable (Direct and Cumulative)
Implementation of the Project would not lead to the development or conversion of General Plan or Community Plan designated Open Space or Prime Farmland to a more intensive land use, resulting in a physical division of the community.	None Required	No Impact
Implementation of the Project would not conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional, or state Habitat Conservation Plan.	None Required	No Impact
Implementation of the Project would not result in land uses that are not compatible with an adopted Airport Land Use Compatibility Plan.	None Required	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
Section 5.2, Transportation and Circulation		
The Project would not conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities.	None Required	Less than Significant
The Project would result in vehicle miles traveled exceeding thresholds identified in the City of San Diego Transportation Study Manual for the regionally serving commercial and entertainment land use components of the Project. This impact would be potentially significant.	**MM TRANS 5.2-1: Commercial Shuttle**. Prior to issuance of certificate of occupancy for the first eating or drinking land use, the Owner/Permittee shall implement a daily shuttle between Frontier Drive and the Old Town Transit Center for the ~~first 10 years of the Project Opening Phase 1, which is anticipated to occur in 2030~~life of the commercial land uses, satisfactory to the City Engineer. The shuttle shall operate between 12:00 p.m. and 10:00 p.m. using one vehicle at 20- or 30-minute headways. **MM TRANS 5.2-2: Employee Transit Subsidy**. Prior to issuance of the first certificate of occupancy for the entertainment center, the Owner/Permittee shall implement an employee transit subsidy for the entertainment center employees to offset the net increase in vehicle miles traveled for the Project, satisfactory to the City Engineer. The employee transit subsidy shall be offered to all employees at 50 percent off the San Diego Metropolitan Transit System's current monthly pass rate for the ~~first 10 years of the Project Opening Phase 1, which is~~	Significant Unavoidable (regionally serving commercial land use) (Direct and Cumulative) Less than Significant (entertainment land uses)

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	~~anticipated to occur in 2030.~~life of the entertainment center.	
The Project would not increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses.	None Required	Less than Significant
The Project would not result in inadequate emergency access.	None Required	Less than Significant
Section 5.3, Historical and Tribal Cultural Resources		
The Project would result in the destruction of a historic building because it proposes demolition of the San Diego International Sports Arena, which is a designated historical resource. This impact would be potentially significant.	**MM HIST 5.3-1: San Diego Sports Arena Salvage Plan.** a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning Department's Heritage Preservation staff shall review and accept a salvage plan prepared by a qualified historic preservation professional. The salvage plan, to be implemented during the demolition of the San Diego International Sports Arena, shall catalog and identify elements proposed for removal from the existing San Diego International Sports Arena and shall include historic period architectural elements, as well as memorabilia, including photographs, posters, and plaques of past athletic and entertainment events, teams, and entertainers, for display in publicly accessible areas throughout the new entertainment center.	Significant and Unavoidable (Direct and Cumulative)

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	b. As a condition of closure of the demolition permit for the San Diego International Sports Arena, the Owner/Permittee shall document that the various displays presenting the salvaged items from the San Diego International Sports Arena have been installed at the entertainment center to the satisfaction of the City of San Diego Heritage Preservation staff. **MM HIST 5.3-2: The Green Interpretive Display.** a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning Department's Heritage Preservation staff shall review and accept plans for an interpretive display to be installed in The Green area (Lot I, as shown on the approved Tentative Map) of the site near the old footprint of the San Diego International Sports Arena to be prepared by a qualified team, including a historian and a graphic designer. b. Prior to issuance of the last certificate of occupancy for any building associated with Lots 10, 11, 12, 13, and 14 or Lot I as shown on the approved Tentative Map, whichever occurs latest, the Owner/Permittee shall document that the interpretive display has been installed in The Green area, satisfactory	

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	to the City of San Diego City Planning Department's Heritage Preservation staff. The display shall do the following: 1. Explain the history of the site from the Pre-European era through present day, including demolition of the San Diego International Sports Arena. 2. Describe the San Diego International Sports Arena building's New Formalist architecture and the role of the San Diego International Sports Arena in the Midway neighborhood development. 3. Discuss the Frontier Housing Project as the first modern development on the site and the current Project returning the site to affordable housing with a new entertainment center. **MM HIS 5.3-3: Robert Breitbard Interpretive Display.** a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning Department's Heritage Preservation staff shall review and accept plans for an interpretive display that shall be designed by a qualified team, including a historian and a graphic designer, that focuses on the life of Robert Breitbard as it relates to his work in the sports field.	

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	b. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the Owner/Permittee shall document that the interpretative display has been installed in a location accessible to the public at the new entertainment center. The display shall include photographs of Breitbard, the San Diego International Sports Arena, the San Diego Gulls, and the San Diego Rockets and a text description of Breitbard's sports career. **MM HIST 5.3-4: Historic American Buildings Survey Level 2 Documentation.** a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning Department's Heritage Preservation staff shall review and accept the Historic American Buildings Survey documentation package for the San Diego International Sports Arena. The Historic American Buildings Survey documentation shall achieve Level 2 standards in accordance with the Historic American Buildings Survey Guidelines for Preparing Written Historical Descriptive Data. The Historic American Buildings Survey documentation package shall be prepared by a qualified team, including an architectural historian with prior experience preparing Historic American Buildings Survey	

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	photographs. The Historic American Buildings Survey documentation package shall include the following: 1. Measured drawings shall be produced according to Historic American Buildings Survey guidelines depicting existing conditions or other relevant features of historic buildings, sites, structures, objects, or landscapes. 2. Photographic documentation shall follow the Photographic Specification–Historic American Buildings Survey, including 15–20 archival quality, large-format photographs of the exterior and interior of the building and its architectural elements. Construction techniques and architectural details shall be documented, noting the measurements, hardware, and other features that tie architectural elements to a specific date. The historic photographs and original architectural plans shall be included as figures in the historical report, following current Historic American Buildings Survey guidelines. 3. A written historical narrative and report shall be completed according to the Historic American Buildings Survey Historical Report Guidelines.	

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	b. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the Owner/Permittee shall provide verification, satisfactory to the City of San Diego City Planning Department's Historic Preservation staff, that two copies of the Historic American Buildings Survey documentation package were produced and submitted as follows: 1. One copy submitted to the National Parks Service/Library of Congress; and 2. The second copy provided to an archive or history collection accessible to the general public, such as the San Diego History Center.	
Implementation of the Project would not cause a substantial adverse change in the significance of a prehistoric archaeological resources, a religious or sacred use site, or the disturbance of any human remains, including those interred outside of formal cemeteries.	None Required	Less than Significant
Implementation of the Project would not cause a substantial adverse change in the significance of a Tribal Cultural Resource that is listed or eligible for listed.	None Required	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
Section 5.4, Geological Conditions		
The 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.	None Required	Less than Significant
The Project would not result in a substantial increase in wind or water erosion from construction and operation activities.	None Required	Less than Significant
The Project would not be located on a site that contains geologic units or soils that are, or may become, unstable.	None Required	Less than Significant
Development of the Project is not anticipated to result in substantial direct or indirect risks to life or property from being located on expansive soils.	None Required	Less than Significant
Section 5.5, Noise		
Implementation of the Project would not result in or create a significant increase in the existing ambient vehicle noise.	None Required	Less than Significant
Implementation of the Project would not expose Project noise-sensitive land uses to current or future motor vehicle traffic noise levels that exceed applicable standards established in the Noise Element of the 2008 General Plan.	None Required	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
The Project would not result in land uses which are not compatible with aircraft noise levels as defined by an adopted Airport Comprehensive Land Use Plan.	None Required	Less than Significant
Operational noise sources associated with commercial development, residential development, parking areas, event noise, mechanical equipment, outdoor human activities and recreational facilities, and landscape and maintenance activities and regular trash pickup would not result in the exposure of people to noise levels that exceed property line limits established in the Noise Abatement and Control Ordinance of the SDMC for hourly noise standards. Implementation of special events accommodated in Project outdoor public space areas would have the potential to expose people to noise levels which exceed property line limits established in the Noise Abatement and Control Ordinance of the San Diego Municipal. This impact would be potentially significant.	**MM NOISE 5.5-1: Special Events Noise Best Management Practices.** Prior to approval of a sitewide or individual Special Event Venue Permit for all private events, public events, or commercial operations in outdoor spaces on the Project site that require the use of amplified noise, the Owner/Permittee, event organizer, or individual responsible party shall submit a Noise Control Plan, satisfactory to the City of San Diego Special Events & Filming Department. The Noise Control Plan shall: 1. Demonstrate that event acoustics have been planned to minimize their impact on the nearest noise-sensitive receptors. 2. Indicate where stationary noise sources such as generators and speakers will be located. No speakers or other stationary noise sources shall be allowed in areas not indicated in the Noise Control Plan. 3. Demonstrate how speaker arrays would be designed to reduce noise spillage to the surrounding environment. This may include the following: a. Directing speakers away from sensitive receptors to the extent feasible.	Significant and Unavoidable (Direct and Cumulative)

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	b. Using temporary sound barriers for stages and event areas where they would not present a safety hazard or inhibit movement on the site. c. Incline elevated speakers downward or otherwise design them to reduce noise spillage. d. Install optimized sub-arrays and optimized speaker arrays for temporary stages, if required. If suitable, employ delay tower speaker systems or circuit speakers rather than banks of speakers on either side of the stage. 4. Establish a contact phone number that is monitored during outdoor events. If complaints are received, or there is reason to suspect that conditions of the Noise Control Plan have not been met, the City of San Diego shall require the Owner/Permittee to conduct noise monitoring of events to confirm noise levels and enforce agreement compliance.	
The Project would not result in the exposure of people to significant temporary construction noise at existing residential receptors. However, the area surrounding the Project site to the north, west, and east of the Project site are planned to include future residential development. If residential development allowed under the 2018 Community Plan would be constructed and occupied prior to the end of Project	**MM NOISE 5.5-2: Construction Noise Best Management Practices**. Prior to issuance of a grading permit, the Owner/Permittee shall submit grading plans that demonstrate that Project construction shall achieve a 12-hour average sound level of less than 75 A-weighted decibel, satisfactory to the Chief Building Official.	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
construction, residences may be temporarily exposed to Project construction noise. Additionally, following Phase 1 of construction, newly constructed on-site Project residences would have the potential to be exposed to noise from Phase 2 of construction. This impact would be potentially significant.	At a minimum, construction noise best management practices shall be applied to all construction activities within 170 feet of existing or future residential development occupied at the time of construction. Best management practices shall be detailed on all Project construction plans and shall include but are not limited to the following: • Limit construction activities to the hours between 7:00 a.m. and 7:00 p.m. Construction is not allowed on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with the exception of Columbus Day and Washington's Birthday, or on Sundays (consistent with Section 59.5.0404 of the San Diego Municipal Code). • Equip all internal combustion engine-driven equipment with appropriately sized intake and/or exhaust mufflers that are properly operating and maintained consistent with manufacturer's standards. • Stationary noise-generating equipment (e.g., compressors or generators) shall be located as far as possible from adjacent residential receivers and oriented so that emitted noise is directed away from sensitive receptors, whenever feasible.	

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	• If noise levels are expected to potentially exceed San Diego Municipal Code thresholds, locate temporary noise barriers with a minimum height of 8 feet around pertinent active construction equipment or entire work areas to shield nearby sensitive receivers. • Use "quiet" air compressors, generators, and other stationary noise sources where technology exists. • The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. • Designate a "disturbance coordinator" responsible for receiving and responding to any complaints about construction noise or vibration. Contact information shall be posted in a conspicuous location near the construction site entrance. The disturbance coordinator shall determine the cause of the noise complaint and, if identified as a sound generated by construction area activities, shall institute modifications to the construction operations, equipment, or work plan to ensure compliance with San Diego Municipal Code standards. These modifications shall	

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	implement one or more of the following: administrative controls (e.g., reduce equipment operating time and/or prohibit the use of equipment types within certain distances of sensitive receptors); engineering controls (upgraded existing noise controls, such as installing better engine exhaust mufflers or improving existing noise abatement); and installation of temporary barriers, barrier back sound curtains, and/or acoustical panels around working construction equipment and, if necessary, around the construction boundary. • Recurring disturbances shall be evaluated by a qualified acoustical consultant retained by the Project proponent to ensure compliance with applicable standards.	
Implementation of the Project could result in the exposure of people to significant temporary vibration This impact would be potentially significant.	**MM NOISE 5.5-3: Vibration Management Strategies.** Prior to construction activities near vibration-sensitive land uses (within 230 feet from operating vibrating equipment [roller and plate compactor] or 140 feet from other operating construction equipment), vibration sensitive uses shall be identified on construction plans, and the Owner/Permittee shall submit the site-specific vibration studies that documents that Project construction would not adversely affect adjacent vibration-sensitive properties,	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	satisfactory to the City Engineer. Surrounding vibration-sensitive uses include veterinary clinics on Sports Arena Boulevard where the operation of construction equipment could exceed 65 vibration decibels and interfere with interior operations that use vibration-sensitive equipment, such as medical equipment. Such efforts shall be conducted by a qualified vibration expert and shall include the following: • Develop a Vibration Monitoring and Construction Contingency Plan to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels exceed the limits. • Monitor vibration during initial construction activities and during activities that require use of vibratory equipment. Monitoring results may indicate the need for modifications to the Vibration Monitoring and Construction Contingency Plan to include more or less intensive measurements. • Designate a "disturbance coordinator" who would be responsible for receiving and responding to any complaints about	

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	construction vibration. The disturbance coordinator shall determine the cause of the noise complaint and shall require that reasonable measures be implemented to correct the problem. • When vibration levels exceed limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures. • Conduct post-activity survey on structures where either monitoring has indicated high levels or complaints of damage have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.	
Section 5.6, Health and Safety		
The Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including when wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	None Required	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
The Project would result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school during demolition of structures containing asbestos-containing material and lead-based paints. This impact would be potentially significant. During operation, the Project would not result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school.	**MM HS 5.6-1: Asbestos-Containing Material Removal.** Prior to issuance of a demolition permit, the Owner/Permittee shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements pertaining to asbestos-containing material removal have been met. **MM HS 5.6-2: Lead-Based Paint Removal.** Prior to issuance of a demolition permit, the Owner/Permittee shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements pertaining to lead-based paint removal have been met.	Less than Significant
The Project would not impair implementation of, or physically interfere with, an adopted emergency response or emergency evacuation plan.	None Required	Less than Significant
The Project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment. This impact would be potentially significant.	**MM HS 5.6-3: Removal of Underground Storage Tank.** Prior to issuance of a grading permit for the area where an underground storage tank was encountered on the Project site, the Owner/Permittee shall provide a verification letter to the City of San Diego Development	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements related to the removal of the underground storage tank have been met. **MM HS 5.6-4**: **Soil Vapor Sampling and Vapor Intrusion Mitigation System Where Indicated.** Prior to issuance of a grading permit, the Owner/Permittee shall collect soil vapor samples within the footprints of the proposed Project buildings to re-assess soil vapor concentrations. Where soil vapor concentrations comply with the State Water Resources Control Board Low-Threat Underground Storage Tank Case Closure Policy, which provides specific health risk-based screening criteria for the petroleum hydrocarbon-related volatile organic compounds that include benzene, ethylbenzene, and naphthalene established by the State Water Resources Control Board, as well as the applicable vapor intrusion screening levels for human health risks, the additional round of soil vapor sampling may indicate that vapor intrusion remediation is not necessary beneath certain buildings proposed above the sampling site, and no further work is required in connection with indoor air, provided applicable regulatory agency approval is received.	

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	Prior to the issuance of the first certificate of occupancy for any building affected by and/or within the footprint of the vapor intrusion mitigation system, the Owner/Permittee shall provide a verification letter from the County of San Diego's Department of Environmental Health and Quality, the San Diego Regional Water Quality Control Board, or other applicable agency with environmental authority to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements related to the design and construction of the vapor intrusion mitigation system have been met. For buildings proposed to be located on soil where previously collected and future soil vapor sample results indicate a vapor risk is present for future occupants, a vapor intrusion mitigation system shall be installed. The vapor intrusion mitigation system shall be installed for the enclosed occupied ground floor spaces of the residential or commercial buildings where necessary due to the high concentrations of volatile organic compounds identified in soil vapor sampling. The vapor intrusion mitigation system shall be designed by a licensed professional engineer and consist of a passive-vented system with the option to convert to an active system with a gas-tight horizontal membrane barrier above. ~~The Owner/Permittee~~	

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	~~shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements related to the design and construction of the vapor intrusion mitigation system have been met.~~	
The Project would not expose people or structures to a significant risk of loss, injury, or death from off-airport aircraft operational accidents.	None Required	Less than Significant
Section 5.7, Hydrology/Water Quality		
The Project would not result in flooding due to an increase in impervious surfaces, changes in absorption rates, drainage patterns, or the rate of surface runoff.	None Required	Less than Significant
The Project would not result in a substantial increase in pollutant discharge to receiving waters and increase discharge of identified pollutants to an already impaired water body.	None Required	Less than Significant
The Project would not deplete groundwater supplies, degrade groundwater quality, or interfere with groundwater recharge.	None Required	Less than Significant
Section 5.8, Visual Effect and Neighborhood Character		
Implementation of the Project would alter some views of the Project site in the Midway-Pacific Highway Community planning area. In accordance with SB 743, the potential aesthetic or visual impacts would not be considered a significant impact on the environment	None Required	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
because the Project is a residential and mixed-use development in a Transit Priority Area (TPA).		
Implementation of the Project would not negatively or substantially alter the existing character of the City's distinct neighborhoods, including the Sports Arena Village in the Midway District where the Project site is located. In accordance with SB 743, the potential aesthetic or visual impacts would not be considered a significant impact on the environment because the Project is a residential and mixed-use development in a TPA.	None Required	Less than Significant
Implementation of the Project would not result in the loss of distinctive or landmark trees or a stand of mature trees on the Project site.	None Required	Less than Significant
Implementation of the Project would not result in a substantial change in the existing landform.	None Required	Less than Significant
Implementation of the Project would not adversely affect daytime and nighttime views in the area.	None Required	Less than Significant
Section 5.9, Air Quality		
The Project would not conflict with or obstruct the implementation of the applicable Air Quality Plan.	None Required	Less than Significant
The Project would not result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation. The net increase in operational emissions from the Project would result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation for volatile organic compounds emissions. This impact would be potentially significant.	**MM AIR 5.9-1: Zero-Emissions Landscape Equipment.** Prior to issuance of the first certificate of occupancy, the Owner/Permittee shall submit verification that landscaping equipment operated on the Project site shall be zero-emissions, satisfactory to the City of San Diego Development Services Department's Mitigation Monitoring	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
	Coordination staff. This measure shall be incorporated into all contracts to provide landscape services on the Project site.	
The implementation of the Project would expose sensitive receptors to substantial pollutant concentrations during construction and operation. This impact would be potentially significant.	**MM AIR 5.9-2: Construction Equipment Emissions Standards.** Prior to issuance of a grading permit for each phase of construction, the construction contractor shall submit verification that the on-site diesel construction fleet shall include at least 50 percent equipment with engines that meet, at a minimum, the Tier 4 Final California Emissions Standards, satisfactory to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff. Alternatively, additional electric-powered equipment may be used, such that at least 50 percent of the construction fleet meets or exceeds Tier 4 Final California Emissions Standards for particulate matter emissions. **MM HS 5.6-4**, under Section 5.6, Health and Safety.	Less than Significant
Implementation of the Project would not create objectional odors affecting a substantial number of people from Project construction or operation.	None Required	Less than Significant
Section 5.10, Greenhouse Gas Emissions		
The Project would be consistent with the City's 2022 Climate Action Plan.	None Required	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
Implementation of the Project would not conflict with the City's 2022 Climate Action Plan or other applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions.	None Required	Less than Significant
Section 5.11, Public Services and Facilities		
The Project would not promote growth patterns resulting in the need for and/or provision of new or physically altered public facilities (including police protection, parks, or other recreational facilities, fire/life safety protection, libraries, or schools), the construction of which could cause significant environmental impacts in order to maintain service ratios, response times, or other performance objectives.	None Required	Less than Significant
Section 5.12, Public Utilities		
The Project would not result in the use of excessive amounts of water beyond projected available supplies.	None Required	Less than Significant
The Project would not promote growth patterns resulting in the need for and/or provision of new or physically altered utilities, the construction of which could cause significant environmental impacts in order to maintain service ratios, or other performance objectives.	None Required	Less than Significant
The Project would not result in impacts to solid waste management, including the need for construction of new solid waste infrastructure including organics management, materials recovery facilities, and/or landfills; or result in a land use plan that would not promote the achievement of a 75 percent target for	None Required	Less than Significant

Table S-1. Summary of Significant Environmental Impacts

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
waste diversion and recycling as required under AB 341 and the City's Climate Action Plan.		
Section 5.13, Biological Resources		
Implementation of the Project would not result in significant direct or indirect impacts to sensitive plant or wildlife species.	None Required	Less than Significant
Implementation of the Project would not result in significant direct or indirect impacts to sensitive habitats or vegetation communities.	None Required	No Impact
Implementation of the Project would not result in direct or indirect impacts to wetlands.	None Required	No Impact
Implementation of the Project would not interfere with wildlife movement corridors or habitat connectivity.	None Required	Less than Significant
Implementation of the Project would not conflict with the Multiple Species Conservation Plan Subarea Plan.	None Required	No Impact
Section 5.14, Paleontological Resources		
The Project would not require over 1,000 cubic yards of excavation in a high paleontological resource potential geologic deposit/formation/rock unit, or require over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit.	None Required	No Impact

Chapter 1.0 Introduction

This Subsequent Environmental Impact Report (SEIR) for the Midway Rising Project (Project) has been prepared on behalf of the City of San Diego (City) in compliance with the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) in accordance with the City's Environmental Impact Report Guidelines (EIR Guidelines) (City of San Diego 2005) and the City's CEQA Significance Determination Thresholds (City of San Diego 2016).[1]

In 2018, the Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) was certified. The Midway-Pacific Highway CPU PEIR analyzed environmental impacts associated with the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan), including policies and recommendations related to a range of topics included in each section of the 2018 Community Plan, such as multimodal mobility, urban design, environmental conservation, recreation opportunities, neighborhood character, and historic preservation, in accordance with the general goals stated in the 2008 City of San Diego General Plan, as amended (2008 General Plan). The Midway-Pacific Highway CPU PEIR analyzed the redevelopment of the Project site with commercial retail, office, and residential uses with and without the Sports Arena.

On October 4, 2021, the City issued a Notice of Availability to lease 49.23 acres of surplus property on the Sports Arena site in the Midway District. Five different development teams submitted proposals to redevelop the Sports Arena site that were deemed responsive to the City's Notice of Availability. In accordance with the state's Surplus Land Act, the City led a 90-day good faith negotiating period with each team, which was followed by a robust due diligence and analysis phase of three remaining shortlisted teams conducted by an independent third-party consultant, Jones Lang LaSalle. On September 12, 2022, the San Diego City Council formally selected Midway Rising, LLC (Project applicant), to pursue redevelopment of the Sports Arena site. The Project applicant is preparing a Specific Plan and Vesting Tentative Map for the Project.

The scope of this SEIR was determined in the context of the Midway-Pacific Highway CPU PEIR, taking into account changes or revisions to the Project that could trigger new significant impacts and/or more severe impacts than those identified in the Midway-Pacific Highway CPU PEIR.

1.1 SEIR Purpose and Intended Uses

In accordance with CEQA Guidelines Section 15121, the purpose of this SEIR is to provide public agency decision makers and members of the public with adequate information regarding the potential significant effects of the Project, possible ways to minimize the significant effects, and

[1] The City's 2016 CEQA Significance Determination Thresholds are the applicable thresholds of significance for the analysis in this SEIR because they were used in the Midway-Pacific Highway CPU PEIR analysis.

reasonable alternatives that would reduce or avoid any identified significant effects. This SEIR is informational in nature and is intended for use by decision makers, responsible or trustee agencies as defined under CEQA, other interested agencies or jurisdictions, and the public.

This SEIR is intended to:

- Use the Midway-Pacific Highway CPU PEIR and address substantial Project modifications, changed circumstances, or new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the prior document was certified as required under CEQA Guidelines Section 15162;
- Address new or substantially more severe significant environmental effects related to the proposed Project modifications;
- Recommend mitigation measures to avoid or lessen impacts associated with any new or substantially more severe significant environmental effects; and
- Update the impact analysis and mitigation measures where conditions have changed since certification of the Midway-Pacific Highway CPU PEIR.

Pursuant to CEQA Guidelines Section 15152, this SEIR will "tier" from the Midway-Pacific Highway CPU PEIR. Tiering refers to using the analysis of general matters contained in a broader EIR with later EIRs on narrower projects, incorporating by reference the general discussions from the broader EIR, and concentrating the later EIR solely on the issues specific to the later project. Agencies are encouraged to tier the environmental analyses they prepare for separate but related projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR on the actual issues ripe for decision at each level of environmental review. Where an EIR has been prepared and certified for a program, plan, policy, or ordinance, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR on the later project to the effects that were not examined as significant effects on the environmental analysis in the prior EIR or are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project. A later EIR shall be required when the City finds that the later project may cause a significant effect on the environment that was not adequately addressed in the prior EIR.

Per CEQA Guidelines Section 15162(d), the Midway-Pacific Highway CPU PEIR is available for review at https://www.sandiego.gov/ceqa/final and is also included as Appendix B of this SEIR.

1.2 SEIR Legal Authority

1.2.1 Lead Agency

The City is the lead agency for the Project pursuant to CEQA Guidelines Sections 15050 and 15051. The lead agency, as defined by CEQA Guidelines Section 15367, is the public agency that has the principal responsibility and authority for carrying out or approving a project. The City conducted a

preliminary review of the Project and determined that an SEIR was required. The analysis and findings in this document reflect the independent, impartial conclusions of the City.

1.2.2 Responsible and Trustee Agencies

State law requires that all EIRs be reviewed by responsible and trustee agencies. As defined by CEQA Guidelines Section 15381, a responsible agency includes all public agencies other than the lead agency that have discretionary approval power over the Project. A trustee agency is defined in CEQA Guidelines Section 15386, as a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. Implementation of the Project would require subsequent actions or consultation from responsible or trustee agencies. A brief description of the primary responsible or trustee agencies that may have an interest in the Project is provided below.

1.2.2.1 California Department of Transportation

The Project site is adjacent to California Department of Transportation (Caltrans) facilities, including Interstate 5 and Interstate 8. No permits from Caltrans are required at this time; however, Caltrans' approval would be required for any encroachments or construction of facilities in a Caltrans right-of-way associated with the Project's conditions of approval.

1.2.2.2 San Diego Regional Water Quality Control Board

The San Diego Regional Water Quality Control Board (RWQCB) regulates water quality through the federal Clean Water Act Section 401 Certification process and oversees the National Pollutant Discharge Elimination System Permit No. CAS0109266. The RWQCB is responsible for implementing permitting, compliance, and other activities to reduce pollutants in municipal, construction, and industrial stormwater runoff, including overseeing the development and implementation of Water Quality Improvement Plans as required by the Regional Municipal Separate Storm Sewer System Permit for the San Diego region, which includes the City, as well as ensuring that all other Municipal Separate Storm Sewer System Permit requirements are met. No permits from the RWQCB are required at this time.

1.2.2.3 San Diego County Regional Airport Authority

The San Diego County Regional Airport Authority operates the San Diego International Airport (SDIA), serves as San Diego County's Airport Land Use Commission, and is responsible for land use planning as it relates to public safety surrounding the region's airports. As a responsible agency, the San Diego County Regional Airport Authority, acting as the Airport Land Use Commission, would review future development proposals on the Project site and make "consistency determinations" with the provisions and policies set forth in the SDIA Airport Land Use Compatibility Plan (ALUCP) until the Airport Land Use Commission determines that the Project is consistent with the SDIA

ALUCP. The Project would be subject to the noise, overflight, and airspace protection policies in the SDIA ALUCP, which also include the Code of Federal Regulations Part 77 requirement to provide notification to the Federal Aviation Administration as described in the SDIA ALUCP.

1.2.2.4 California Department of Toxic Substances Control

The California Department of Toxic Substances Control regulates the generation, handling, treatment, and disposal of hazardous waste. The Project would be subject to investigation and remediation activities that would involve potential disturbance or release of hazardous materials and must comply with applicable federal, state, and local hazardous materials laws and regulations.

1.3 EIR Type, Scope, Content, and Format

1.3.1 Type of EIR

This EIR has been prepared as an SEIR as defined in CEQA Guidelines Section 15163. Accordingly, pursuant to CEQA Guidelines Section 15163, the SEIR needs to contain only the information necessary to analyze the Project modifications, changed circumstances, or new information that triggered the need for additional environmental review. Information and analysis from the Midway-Pacific Highway CPU PEIR that is relevant to the analysis of the Project modifications are briefly summarized or described in this SEIR rather than repeated.

1.3.2 SEIR Scope and Content

The scope of analysis for this SEIR was determined by the City as a result of initial Project review and consideration of comments received in response to the Notice of Preparation publicly noticed and distributed on Monday, December 18, 2023, and the pre-recorded online public scoping meeting. The Notice of Preparation, related letters received, and comments from the scoping meeting are included as Appendix A of this SEIR. Through these scoping activities, the Project was determined to potentially result in a significant environmental impact in the following areas:

- Land Use
- Transportation and Circulation
- Historical and Tribal Cultural Resources
- Geologic Conditions
- Noise
- Health and Safety
- Hydrology and Water Quality
- Visual Effects and Neighborhood Character
- Air Quality
- Greenhouse Gas Emissions
- Public Services and Facilities
- Public Utilities
- Biological Resources
- Paleontological Resources

The City determined that the other environmental impact areas analyzed in the Midway-Pacific Highway CPU PEIR adequately addressed the Project, and no additional analysis of those areas is required.

1.3.3 SEIR Format

The format and order of contents of this SEIR follow the City's EIR Guidelines and the Midway-Pacific Highway CPU PEIR. A brief overview of the various chapters of this SEIR is provided below:

- **Executive Summary (CEQA Guidelines Section 15123).** Provides a summary of the SEIR, a brief description of the Project, identification of areas of controversy, and inclusion of a summary table identifying significant impacts, proposed mitigation measures, and significance of impact after mitigation. A summary of the Project alternatives and a comparison of the potential impacts of the alternatives with those of the Project are also provided.
- **Chapter 1.0, Introduction.** Contains an overview of the purpose, intended use, legal authority, type, scope, content, format, and process of the SEIR.
- **Chapter 2.0, Environmental Setting (CEQA Guidelines Section 15125).** Provides a description of the Project's regional context, location, and existing physical characteristics and land use for each environmental topic. In Chapter 5.0, Environmental Analysis, the environmental setting discussion in Chapter 2.0 is referenced to avoid repetition.
- **Chapter 3.0, Project Description (CEQA Guidelines Section 15124).** Provides a detailed discussion of the Project, including background, objectives, Project components, off-site improvements, construction, sustainable design features, and discretionary actions.
- **Chapter 4.0, History of Project Changes.** Provides a summary of Project changes that have been made to reduce or avoid the environmental effects of the Project.
- **Chapter 5.0, Environmental Analysis (CEQA Guidelines Section 15126).** Provides a detailed, Project-specific evaluation of potential environmental impacts. The analysis begins with a reference to the environmental setting provided in Chapter 2.0, a summary of the regulatory framework, and a statement of specific thresholds used to determine significance of impacts, followed by an evaluation of potential impacts. If significant impacts are identified, feasible mitigation measures to avoid or reduce any significant impacts are identified. Where mitigation measures are required, a statement regarding the significance of the impact after mitigation is provided.
- **Chapter 6.0, Cumulative Impacts (CEQA Guidelines Section 15130).** Provides a detailed discussion of the Project's incremental effects related to each issue area. According to CEQA Guidelines Section 15065, "cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, other current projects, and probable future projects as defined in CEQA Guidelines Section 15130.
- **Chapter 7.0, Other Mandatory Discussion Areas.**
  - **Growth Inducement (CEQA Guidelines Section 15126.2[e]).** Evaluates the potential influence the Project may have on economic or population growth on the Project site, as well as in the region, either directly or indirectly.

  - **Effects Found Not to Be Significant (CEQA Guidelines Section 15128).** Identifies the issues determined in the scoping and preliminary environmental review process not to be significant for the Project and briefly summarizes the basis for these determinations. For the Project, it was determined that environmental issues associated with agriculture and forestry resources, energy, mineral resources, population and housing, and wildfire would not be significant and, therefore, are summarized in Chapter 7.0.
  - **Significant Unavoidable Environmental Impacts/Significant Irreversible Environmental Changes (CEQA Guidelines Sections 15126.2[c] and 15126.2[d]).** Provides a summary of any significant unavoidable impacts of the Project as detailed in Chapter 5.0. This chapter also describes the potentially significant irreversible changes that may be expected and addresses the use of nonrenewable resources and energy use anticipated during Project implementation.

- **Chapter 8.0, Alternatives (CEQA Guidelines Section 15126.6).** Provides a description of alternatives to the Project.
- **Chapter 9.0, Mitigation Monitoring and Reporting Program.** Includes the Mitigation Monitoring and Reporting Program for the Project.
- **Chapter 10.0, References Cited (CEQA Guidelines Section 15150).** Lists the reference materials cited in this SEIR.
- **Chapter 11.0, Preparers and Individuals and Agencies Consulted (CEQA Guidelines Section 15129).** Identifies the individuals and agencies consulted during and responsible for the preparation of this SEIR.

1.3.4 Incorporation by Reference

As permitted by CEQA Guidelines Section 15150, this SEIR has referenced several planning documents, studies, and reports. Information from these documents has been briefly summarized in this SEIR, and their relationship to this SEIR is described. The SEIR incorporates applicable policies, regulations, and mitigation that are identified by these planning documents. These documents are included in Chapter 10.0, hereby incorporated by reference, and available for review at the City's Development Services Department at 1222 First Avenue, MS 501, San Diego, California 92101. The following are included in the list of materials incorporated by reference in this SEIR:

- Final Multiple Species Conservation Program Subarea Plan (City of San Diego 1997)
- 2008 General Plan (City of San Diego 2008a)
- Final PEIR for the Draft General Plan (City of San Diego 2008b)
- Midway-Pacific Highway Community Plan Update (City of San Diego 2018)
- Midway-Pacific Highway CPU PEIR (Appendix B)
- General Plan Housing Element 2021–2029 (City of San Diego 2021)
- San Diego Municipal Code (City of San Diego 2024)
- 2022 Climate Action Plan (City of San Diego 2022)

- Climate Action Implementation Plan (City of San Diego 2023)
- Complete Communities: Housing Solutions and Mobility Choices (City of San Diego 2020a)
- Final PEIR for Complete Communities: Housing Solutions and Mobility Choices (City of San Diego 2020b)
- SDIA ALUCP (SDRAA 2014)

1.4 SEIR Process

The City, as the lead agency, is responsible for the preparation and review of this SEIR. The SEIR review process occurs in two basic stages. The first stage is the Draft SEIR, which offers the public the opportunity to comment on the document, and the second stage is the Final SEIR.

1.4.1 Draft SEIR

In accordance with San Diego Municipal Code Section 128.0306 and CEQA Guidelines Section 15105, the Draft SEIR is distributed for review to the public and interested and affected agencies for a 45-day review period. The purpose of the review period is to provide the public with the opportunity to provide comments "on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated" (CEQA Guidelines Section 15204).

The Draft SEIR and related technical studies are available for review during the public review period at the City's Development Services Department at 1222 First Avenue, MS 501, San Diego, California 92101, and on the City's CEQA website: https://www.sandiego.gov/ceqa/draft.

1.4.2 Final SEIR

Following the end of the public review period, the City, as the lead agency, will provide written responses to comments received on the Draft SEIR per CEQA Guidelines Section 15088. All comments and responses will be considered in the review of the SEIR. Detailed responses to the comments received during public review, a Mitigation Monitoring and Reporting Program, Findings of Fact, and a Statement of Overriding Considerations for impacts identified in the SEIR as significant and unavoidable will be prepared and compiled as part of the SEIR finalization process. The Final SEIR will address any revisions to the Draft SEIR made in response to public or public agency comments. The culmination of this process is a public hearing where the City Council will determine whether to certify the Final SEIR and adopt the Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program as being complete and in accordance with CEQA. All persons who comment on the Draft SEIR will be notified of the availability of the Final SEIR and the date of the public hearing before the decisionmaker.

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Chapter 2.0 Environmental Setting

This chapter provides a description of the existing physical conditions for the Midway Rising Project (Project). Additionally, this chapter provides an overview of the existing local and regional environmental setting per California Environmental Quality Act (CEQA) Guidelines Section 15125, as well as the regulatory planning context. Greater details relative to the setting of each environmental issue area addressed in this Subsequent Environmental Impact Report (SEIR) are provided at the beginning of each impact area discussion in Chapter 5.0, Environmental Analysis.

CEQA Guidelines Section 15125(a), directs the discussion of the environmental setting for the Project and advises in the establishment of the Project baseline. According to CEQA Guidelines Section 15125(a), "an EIR must include a description of the physical environmental conditions in the vicinity of the project. . . . The purpose of this requirement is to give the public and decision makers the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts." This SEIR is tiered from the Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR). The environmental setting discussion in the Midway-Pacific Highway CPU PEIR is applicable to the regional and local context of the environmental setting for the Project and is incorporated by reference.

2.1 Regional Setting

The Project site is in the northernmost section of the Midway-Pacific Highway Community in the City of San Diego (City) (Figure 2-1, Regional Location). The City covers approximately 206,989 acres in the southwestern section of San Diego County in Southern California. The Midway-Pacific Highway Community is an urbanized community in west-central San Diego north of Downtown between the Old Town and Uptown Community planning areas to the east and the Peninsula and Ocean Beach Community planning areas to the west. The San Diego River, Mission Bay, and surrounding communities (Mission Beach, Pacific Beach, Linda Vista, and Clairemont Mesa) are to the north and San Diego International Airport (SDIA) and San Diego Bay are to the south. Regional freeways include Interstate (I-) 8 along the northern edge of the Midway-Pacific Highway Community and I-5 along the eastern edge of the community. The community comprises three areas: the relatively flat Midway area in the north, the linear Pacific Highway corridor in the east, and the Marine Corps Recruit Depot in the south. The Project site is in the Midway area.

2.2 Project Location and Surrounding Land Uses

The Project site encompasses 49.23 acres of developed land at 3220, 3240, 3250, 3350, and 3500 Sports Arena Boulevard. The site is generally bounded by Kurtz Street to the north, Sports Arena Boulevard to the south, and commercial properties to the west and east (Figure 2-2, Project Site Location). The Midway Rising Specific Plan (Specific Plan) would encompass the City-owned Sports Arena site, which includes other commercial buildings (Assessor's Parcel Number [APN] 441-590-04). I-8 extends in an east–west

direction north of the site and separates the site from the San Diego River and Mission Bay to the north. I-5 extends in a north–south direction east of the site and forms the eastern boundary of the Midway-Pacific Highway Community. The Project site is west of the Old Town Community, east of the Peninsula and Ocean Beach Communities, and less than 2 miles north of the SDIA.

The Project site is surrounded by urban development. Surrounding uses include community commercial services (such as grocery stores, drugstores, restaurants, hardware, and auto-related services), regional commercial (such as big box retailers and hotels), and community-serving uses (such as medical facilities and City services). Adjoining uses include commercial and office uses to the west and north, light industrial and office space to the north along Kurtz Street, and a parking structure and the Rosecrans Plaza Shopping Center to the east. The Sports Arena Shopping Center is directly south of Sports Arena Boulevard. Multi-family residential uses of varying scales and densities are located farther west and south of the Project site.

2.3 Existing Site Conditions

2.3.1 Development Conditions

The Project site is developed with a variety of commercial and entertainment uses (Figure 2-3, Existing Site Uses). Specifically, the western area of the site includes the San Diego International Sports Arena (currently named Pechanga Arena), a gas station, a car wash, fast food and sit-down restaurants, and paved surface parking areas. The eastern area of the site primarily includes commercial and entertainment uses, including but not limited to a lumber and home store, a thrift store, a homeless shelter, an indoor music venue, a martial arts institute, a fitness center, an art institute, a freight forwarding service, and associated surface parking. The entire Project site is developed with approximately 97 percent impermeable areas.

The roadways along the Project frontage include Sports Arena Boulevard to the south and Kurtz Street to the north. Roadways near the Project site include Hancock Street, Kemper Street, Camino Del Rio West, Rosecrans Street, East Drive, West Drive, West Point Loma Boulevard, and Midway Drive. The Project site is accessible via 20 driveways, including three signalized driveways along Sports Arena Boulevard that provide access to the Project site at Kemper Street, West Drive, and East Drive. Unsignalized driveways also provide access from Kurtz Street and Sports Arena Boulevard to various portions of the site.

The San Diego International Sports Arena has a 16,000-seat capacity for sporting events and a 10,500-seat capacity for concerts due to the U-shaped seating layout. The arena averages 130 events per year, including large and small concerts, family shows, sports events (hockey, lacrosse, and football), a swap meet, ice shows, motorsports, boxing and wrestling events, rodeos, and high school sports and graduation events, with the majority occurring on weekends. Kobey's Swap Meet uses the surface parking lot every Friday, Saturday, and Sunday from 7:00 a.m. to 3:00 p.m. The San Diego International Sports Arena is currently accessible via five driveways—four are inbound/outbound, and one is outbound only. Three driveways are on Sports Arena Boulevard, and two are on Kurtz

Street. The south leg driveway, approximately 290 feet east of the Kurtz Street and Hancock Street intersection, operates as an outbound-only driveway. Approximately 3,287 surface parking spaces serve the San Diego International Sports Arena, Kobey's Swap Meet, and the surrounding commercial uses on the Project site. The San Diego International Sports Arena has been designated as a historical resource (refer to Section 5.3, Historical and Tribal Cultural Resources). The San Diego International Sports Arena is approximately 70 feet in height.

2.3.2 Environmental Conditions

The Project site and surrounding area were historically tidal marshlands associated with the outflow of the San Diego River into San Diego Bay and False Bay (now known as Mission Bay). The Kumeyaay passed through the area to travel between Point Loma and settlements near Old Town San Diego. In the 1920s, the site was primarily used for agricultural purposes. The area developed in the early 20th century during the rise of the aviation industry and the construction of the Naval Training Center and Marine Corps Recruit Depot. During World War II, the site became part of the Frontier Housing Project, which was a large wartime housing project with a total of 3,500 temporary homes for defense workers, until 1966 when the Project site was leveled for construction of the San Diego International Sports Arena, surface parking, and later, added commercial uses.

Several recognized environmental conditions were identified on the Project site as a result of current or historical land uses or from known off-site sources. A recognized environmental condition is defined as the presence or likely presence of hazardous substances or petroleum products in, on, or at a property. On-site environmental concerns include the potential for burned or incinerated ash from former "backyard" incinerators or "burn pits" to be present or mixed with the soil.

The Project site is underlain by undocumented artificial fill, paralic estuarine deposits, and old paralic deposits primarily associated with the San Diego River delta. According to the U.S. Department of Agriculture's Natural Resources Conservation Service, the Project site is composed of urban soil, which refers to soils that have been significantly changed by human-transported materials, are human-altered materials, or are minimally altered or intact native soils but are in areas of high population density. Urban soils exhibit a wide range of conditions and properties that may include impervious surfaces such as pavement or buildings (Appendix N).

The nearest active fault to the Project site is the Point Loma Fault approximately 1,800 feet southwest of the southwestern corner of the site.

The Project site is within San Diego River Watershed, specifically within the Lower San Diego Hydrological Area (Hydrologic Unit 907.1) and Mission San Diego Hydrologic Subarea 907.11, which includes the San Diego River. The southern portion of the Project site is within the Lindbergh Hydrologic Subarea 908.21 and Point Loma Hydrologic Subarea 908.10. The Peñasquitos Watershed and San Diego Bay Watershed border the Project site immediately to the north and south, respectively.

There are no Federal Emergency Management Agency-designated Special Flood Hazard Areas on the Project site. A portion of the Project site is within Flood Zone X, an area of minimal flood hazard. The nearest Special Flood Hazard Area is the San Diego River flood control channel north of I-8. However, the Project site and surrounding blocks are prone to flooding due to flat street slopes and a shallow storm drain system.

The Project site is within the San Diego Air Basin of the San Diego County Air Pollution Control District.

The Project site is generally flat with little to no topographic contours. On-site elevation ranges from approximately 10 feet to 15 feet above mean sea level. The highest elevations surround the existing San Diego International Sports Arena, while the lowest elevations are in the northwestern area of the site.

2.4 Planning Context

This section provides a brief overview of the planning context relevant to the Project.

2.4.1 2008 City of San Diego General Plan

The 2008 City of San Diego General Plan, as amended (2008 General Plan), designates the site as Multiple Use (Figure 2-4, General Plan Land Use Designations; City of San Diego 2008).

In July 2024, the San Diego City Council approved Blueprint SD, a focused General Plan update aimed at creating an equitable and sustainable framework for growth to support current and future San Diegans. However, the City published the Project's Notice of Preparation on December 18, 2023; therefore, the 2008 General Plan is the applicable land use plan for this SEIR.

2.4.2 2018 Midway-Pacific Highway Community Plan

The Midway-Pacific Highway Community is an urbanized community in west-central San Diego north of Downtown between the Old Town and Uptown Community planning areas to the east and the Peninsula and Ocean Beach Community planning areas to the west. The community is composed of three areas: the relatively flat Midway area to the north, the linear Pacific Highway corridor to the east, and the Marine Corps Recruit Depot to the south. The Project site is within the Midway area.

The Midway area has a commercial core containing numerous shopping centers, institutional facilities, multi-family residential developments, visitor-oriented uses, older industrial areas, and U.S. military properties. It is also the location of the San Diego International Sports Arena. The area is characterized by wide streets, flat topography, and a mixture of commercial and industrial uses, multi-family residential developments, and airport-related commercial uses.

The 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) designates the Project site and surrounding area as Community Commercial – Residential Permitted with a maximum residential density of 44 dwelling units per acre (Figure 2-5, Midway-Pacific Highway Community Plan). Under the

2018 Community Plan, the maximum buildout of the Project site is 2,166 dwelling units. The 2018 Community Plan envisions the Sports Arena Community Village as a "vibrant pedestrian- and transit-oriented entertainment area that is a landmark attraction for the Midway-Pacific Highway Community and surrounding communities" (City of San Diego 2018). The 2018 Community Plan requires a Specific Plan or Development Plan with a Master Planned Development Permit consistent with the 2018 Community Plan vision and 2008 General Plan City of Villages strategy for the Project site. Under the 2018 Community Plan, the maximum population would be 5,250 people, assuming 2.54 people per household per the Midway-Pacific Highway CPU PEIR (Appendix B).

2.4.3 Zoning

Zoning for the site is governed by the San Diego Municipal Code (SDMC). The base zone on the site is CC-3-6 (Community Commercial) (Figure 2-6, Zoning Designation). The purpose of the Community Commercial zone is to accommodate community-serving commercial services, retail uses, and residential uses. The CC-3-6 zone is intended to accommodate development with high intensity and pedestrian orientation and permit a maximum density of 1 dwelling unit for each 1,000 square feet of lot area. The maximum height limit in the CC-3-6 zone is 65 feet.

In addition to the base zone, the Community Plan Implementation Overlay Zone B is applied to the entire site to provide supplemental development regulations that implement the 2018 Community Plan's vision and policies.

In addition, the Project site is within the geographic boundaries of a 1972 citizens' initiative ballot measure (Proposition D) that limited the height of buildings in the City to 30 feet in a defined area west of Interstate 5 described as the coastal zone within citizen's initiative ballot and the Coastal Height Limit Overlay Zone regulations outlined in SDMC Chapter 13, Article 2, Division 5. The Coastal Height Limit Overlay Zone term for the coastal zone is a separate geographic area from the City's Coastal Overlay Zone as designated by the California Coastal Commission. For the purpose of the coastal zone defined in the 1972 citizens' initiative ballot measure and codified in the SDMC, the geographic boundaries of the 30-foot coastal height limit overlay zone include the City's land and water area from the northern City limits south to the border of Mexico, extending seaward to the outer limit of the City's jurisdiction and inland to I-5. The coastal height limit has been amended several times by the electorate (SDMC Section 132.0505). On November 3, 2020, City residents voted in favor of Ballot Measure E to amend the SDMC to exempt the Midway-Pacific Highway Community planning area from the existing 30-foot height limit. This means that the Midway-Pacific Highway Community planning area remains within the boundaries of the 30-foot coastal height limit overlay zone, but the height limit of 30 feet is not enforced. The SEIR for the Removal of the Midway-Pacific Highway Community Planning Area from the Coastal Height Limit was certified by the San Diego City Council in 2022. Voters reaffirmed the removal of the height limit from the Midway-Pacific Highway Community planning area in November 2022 by approving Ballot Measure C.

2.4.4 2014 San Diego International Airport Land Use Compatibility Plan

The Project site is within the designated Airport Influence Area of the SDIA Airport Land Use Compatibility Plan (SDCRAA 2014). Specifically, the Project site is bisected by the boundaries of Airport Influence Area Review Areas 1 and 2 (Figure 2-7, San Diego International Airport Land Use Compatibility Plan). The southern half of the site is within Review Area 1, while the northern half of the site is within Review Area 2. Review Area 1 is defined by the combination of the 60 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, the outer boundary of all safety zones, and the airspace threshold siting surfaces. Review Area 2 is defined by the combination of the airspace protection and overflight boundaries beyond Review Area 1 where only airspace protection and overflight policies and standards apply within Review Area 2. The Project is also within the Federal Aviation Administration Part 77 Noticing Area Overlay Zone, requiring notification for structures within 20,000 feet of a public use or military airport that exceeds a 100:1 surface ratio from any point on the runway of an airport with at least one runway more than 3,200 feet long. The SDIA Airport Land Use Compatibility Plan provides policies and criteria for the City to implement and for the Airport Land Use Commission to use when reviewing development proposals.

2.4.5 2020 North Island Air Station Airport Land Use Compatibility Plan

The Project site is 2.8 miles north of the Naval Air Station North Island within the Naval Air Station North Island Airport Influence Area, specifically the Airspace Protection Boundary (Figure 2-8, North Island Air Station Airport Land Use Compatibility Plan). Projects within the Airspace Protection Boundary must determine if they are required to file a Notice of Proposed Construction or Alteration (Federal Aviation Administration Form 7460-1) (SDCRAA 2020).

2.4.6 2022 San Diego Regional Air Quality Strategy

The San Diego Regional Air Quality Strategy (RAQS) was developed to identify feasible emissions control measures and to provide expeditious progress toward attaining the state ozone (O_3) standards. The two pollutants addressed in the RAQS are volatile organic compounds and oxides of nitrogen (NO_x), which are precursors to the formation of ozone. The San Diego County Air Pollution Control District is responsible for RAQS development and implementation (SDAPCD 2023).

2.4.7 2022 City of San Diego Climate Action Plan

The City adopted an updated qualified Climate Action Plan (CAP) in August 2022 that builds upon the 2015 CAP and establishes a community-wide goal of net zero by 2035. With the implementation of the 2022 CAP, the City aims to achieve net-zero greenhouse gas emissions by 2035 (City of San Diego 2022). The overall strategies to achieve the 2022 CAP target include decarbonization of the built environment, access to clean and renewable energy, reduction of vehicle miles traveled through land use and transportation options, methane capture and waste diversion, resilient infrastructure,

habitat restoration, and pursuit of emerging climate actions. The City has adopted CAP Consistency Regulations to ensure that all new development is consistent with the updated CAP.

2.4.8 2021 San Diego Forward: The Regional Plan

San Diego Forward: The Regional Plan (2021 Regional Plan) was adopted by the San Diego Association of Governments (SANDAG) Board of Directors on December 10, 2021. The 2021 Regional Plan provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources. The plan is the result of years of planning, data analysis, and community engagement to reimagine the San Diego region with a transformative transportation system, a sustainable pattern of growth and development, and innovative demand and management strategies (SANDAG 2021).

2.4.9 2021 Water Quality Control Plan for the San Diego Basin

The San Diego Regional Water Quality Control Board's Water Quality Control Plan for the San Diego Basin (Basin Plan) is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan (1) designates beneficial uses for surface and groundwaters; (2) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy; (3) describes implementation programs to protect the beneficial uses of all waters in the region; and (4) describes surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan. Additionally, the Basin Plan incorporates by reference all applicable state and regional board plans and policies (RWQCB 2021).

2.4.10 2020 Complete Communities: Housing Solutions and Mobility Choices

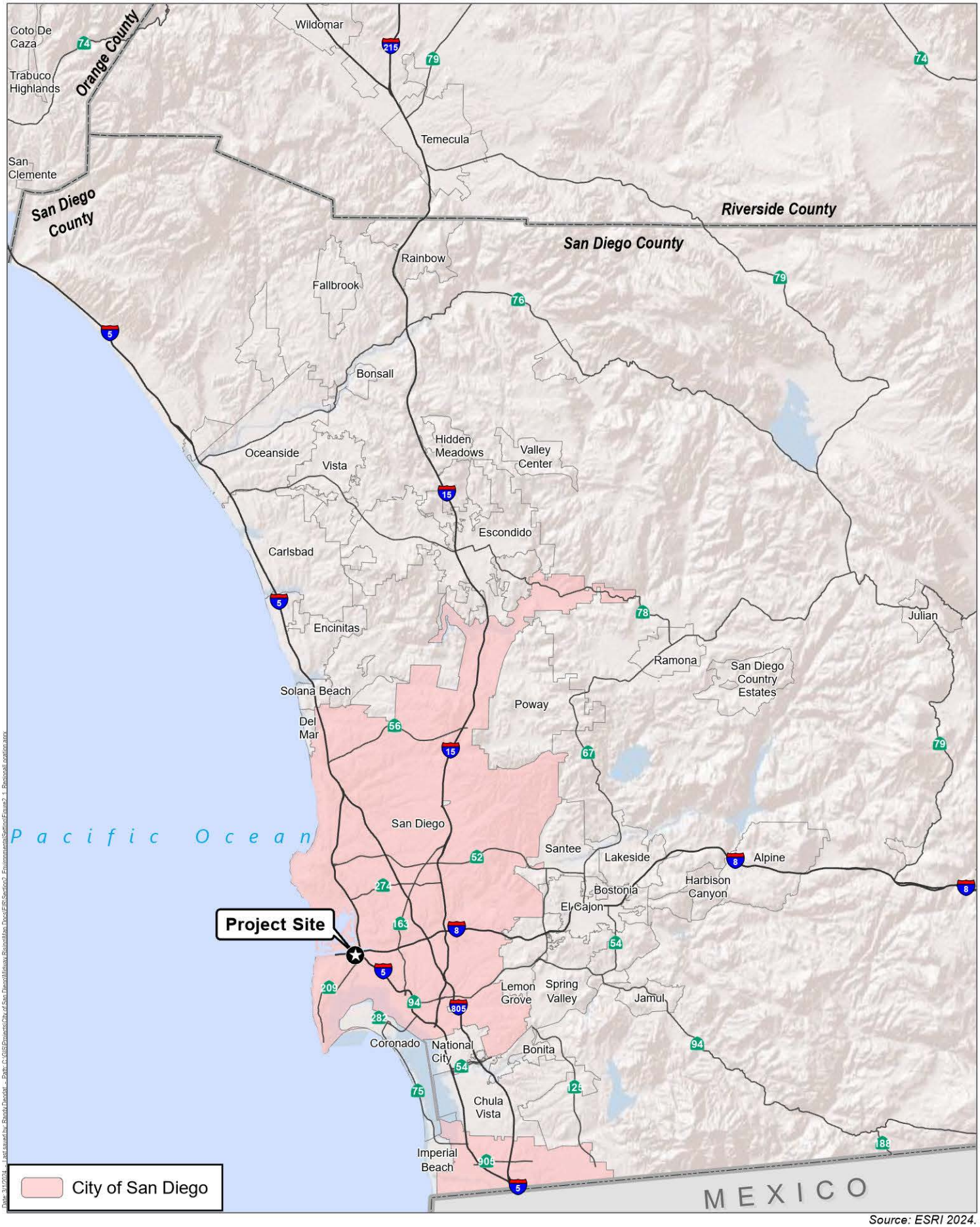
The City's Complete Communities: Housing Solutions and Mobility Choices (Complete Communities Program) was adopted by the San Diego City Council on November 9, 2020. The Complete Communities Program focuses on four key areas: housing, mobility, parks, and infrastructure. It includes planning strategies that work together to create incentives to build residences near transit, provide more mobility choices, and enhance opportunities for places to walk, bike, relax, and play. The Complete Communities Program also focuses on locating new development combined with the mobility network to be around transit hubs and existing development to support greenhouse gas emissions reductions (City of San Diego 2020). The Project site is in the Complete Communities Program Mobility Zone 2 and the Complete Communities Program Housing Solutions Floor Area Ratio Tier 2.5 Coastal (2.5 floor area ratio) (Figure 2-9, City of San Diego Complete Communities: Housing Solutions and Mobility Choices).

2.4.11 Transit Priority Areas

Transit Priority Areas are areas within 0.5 mile of a major transit stop that is existing or planned if the planned stop is scheduled to be completed within the planning horizon included in a Regional Transportation Plan (i.e., SANDAG Regional Transportation Improvement Program) (California Public Resources Code Section 21099; SDMC Section 113.0103). As shown on the City's Transit Priority Area maps, the Project site is within the boundaries of the Parking Standards Transit Priority Area Overlay Zone and Transit Priority Area Overlay Zone and partially within the Transit Area Overlay Zone (Figure 2-10, Transit Priority Areas). In addition, the Project is located in a Sustainable Development Area (City of San Diego 2023), which replaced the City's definition of a Transit Priority Area to better align development with the goals of the 2022 CAP. Being in a sustainable development area allows for local incentive programs to be used if a development is accessible to a major public transit stop up to a 1-mile walk. The change increases the potential developable areas by more than 5,200 acres Citywide while also removing other areas that would otherwise be less accessible to public transit.

2.4.12 Multiple Species Conservation Program Subarea Plan/ Multiple Habitat Planning Area

The Multiple Species Conservation Program (MSCP) is a comprehensive habitat conservation planning program developed to preserve a network of habitat and open space and protect and preserve biodiversity (City of San Diego 1997). The MSCP covers a wide range of species found in San Diego and is designed to provide permit-issuance authority to the appropriate local regulatory agencies. The City's MSCP provides a process for the issuance of incidental take permits under the federal and state Endangered Species Acts and the California Natural Communities Conservation Planning Act. The goal of the City's MSCP Subarea Plan is to conserve sensitive species and biodiversity while continuing to allow for the economic growth of the City. The MSCP Subarea Plan establishes a preserve area to delineate core biological resources areas and corridors targeted for conservation, known as the City's Multi-Habitat Planning Area. The Project site is not within or adjacent to the City's Multi-Habitat Planning Area. The nearest Multi-Habitat Planning Area to the site is the San Diego River and Mission Valley Preserve approximately 0.04 mile and 0.4 mile to the north, respectively, which are physically separated from the Project site by I-8.



Source: ESRI 2024.

Figure 2-1
Regional Location
Midway Rising

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Source: Maxar Imagery 2022.

N

0 350 700

Feet

Figure 2-2

Project Site Location

Midway Rising

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Source: Maxar Imagery 2022.

N 0 200 400 Feet

Figure 2-3

Existing Site Uses

Midway Rising

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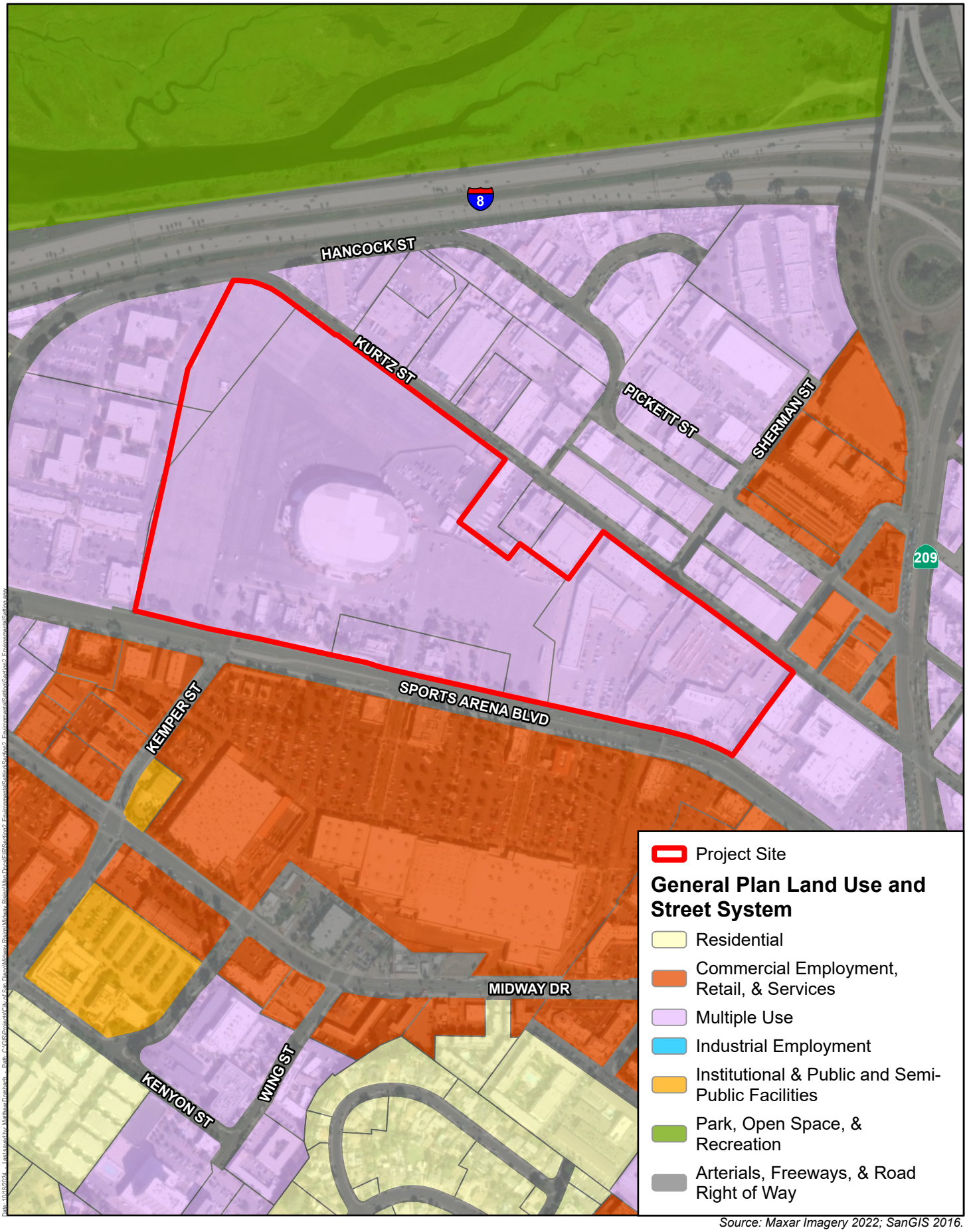

Source: Maxar Imagery 2022; SanGIS 2016.

N

0 300 600

Feet

Figure 2-4

General Plan Land Use Designations

Midway Rising

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Source: Maxar Imagery 2022.

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Figure 2-5

Midway-Pacific Highway Community Plan

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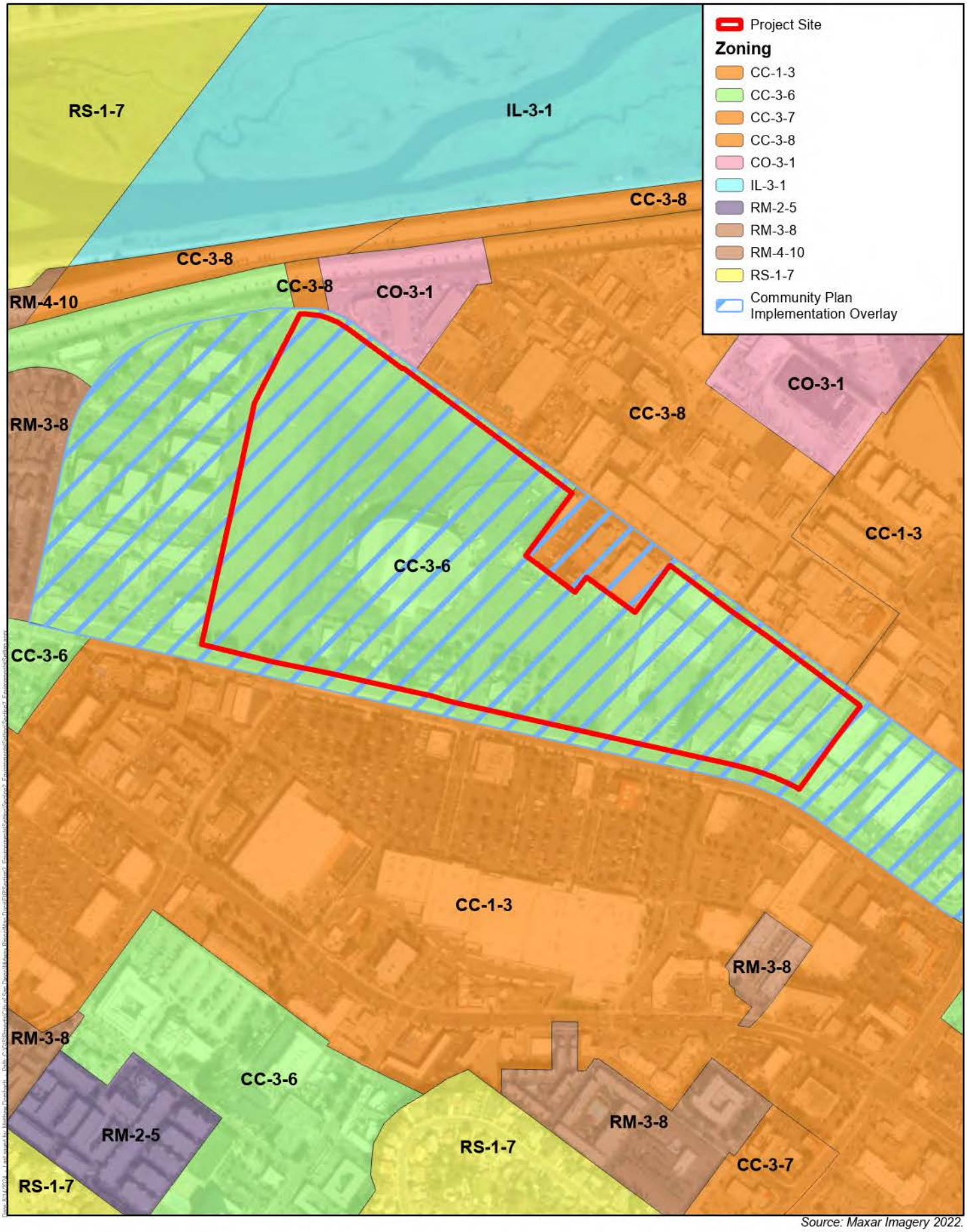

Source: Maxar Imagery 2022.

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Figure 2-6

Zoning Designation

Midway Rising

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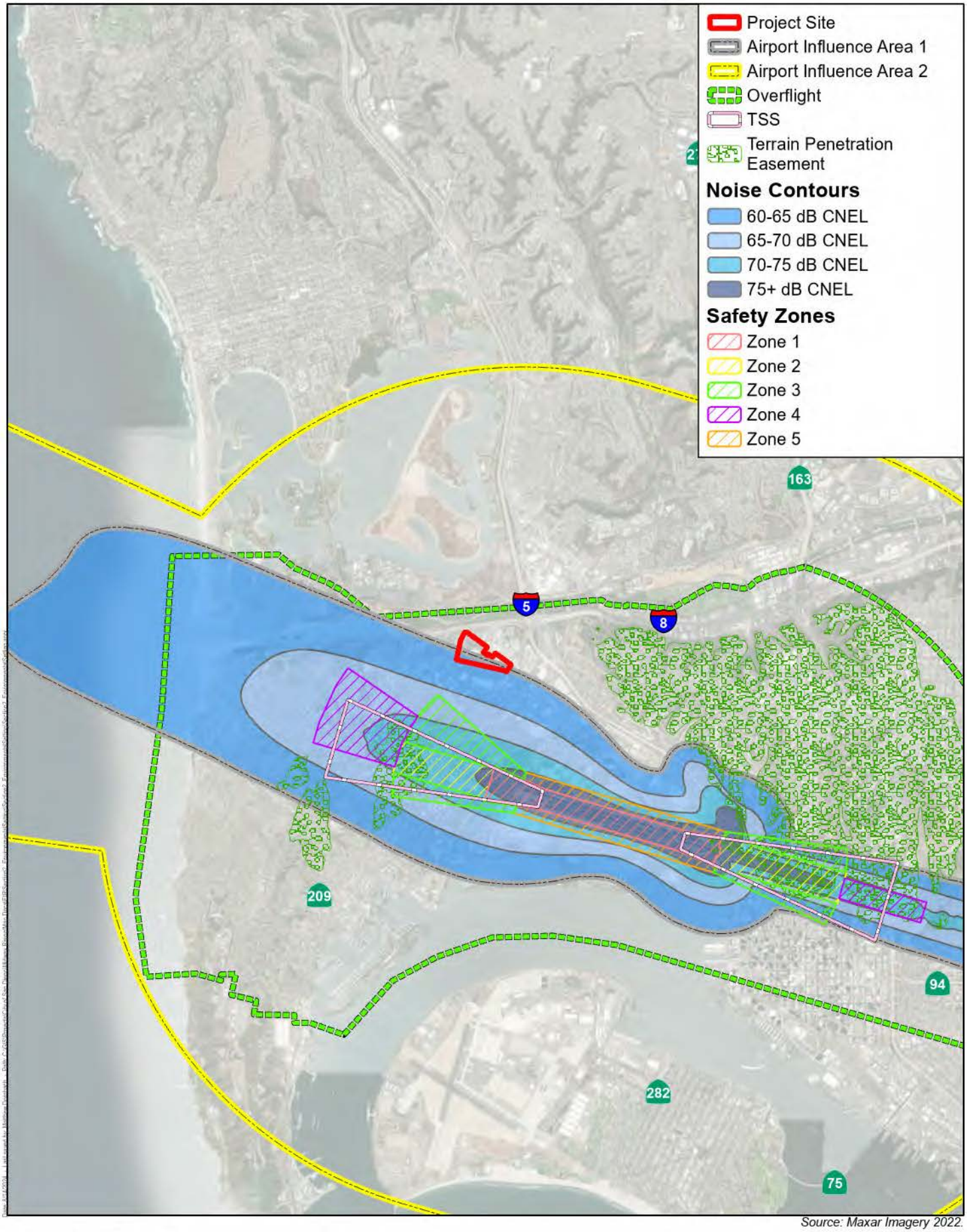

Source: Maxar Imagery 2022.

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Miles

Figure 2-7

San Diego International Airport
Land Use Compatibility Plan

Midway Rising

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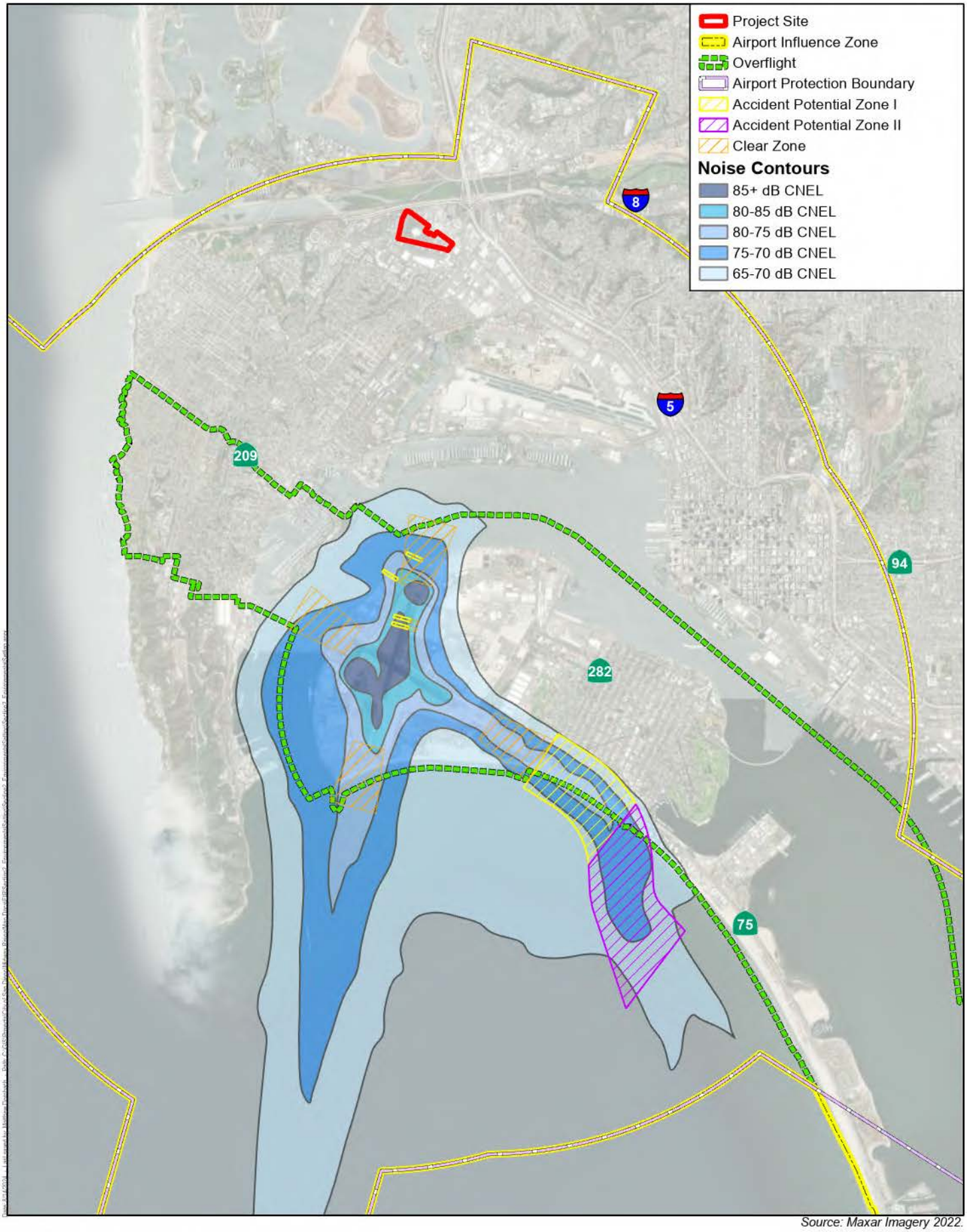

Source: Maxar Imagery 2022.

Figure 2-8

North Island Air Station Airport
Land Use Compatibility Plan

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Source: Maxar Imagery 2022.

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Figure 2-9

City of San Diego Complete Communities:
Housing Solutions and Mobility Choices

Midway Rising

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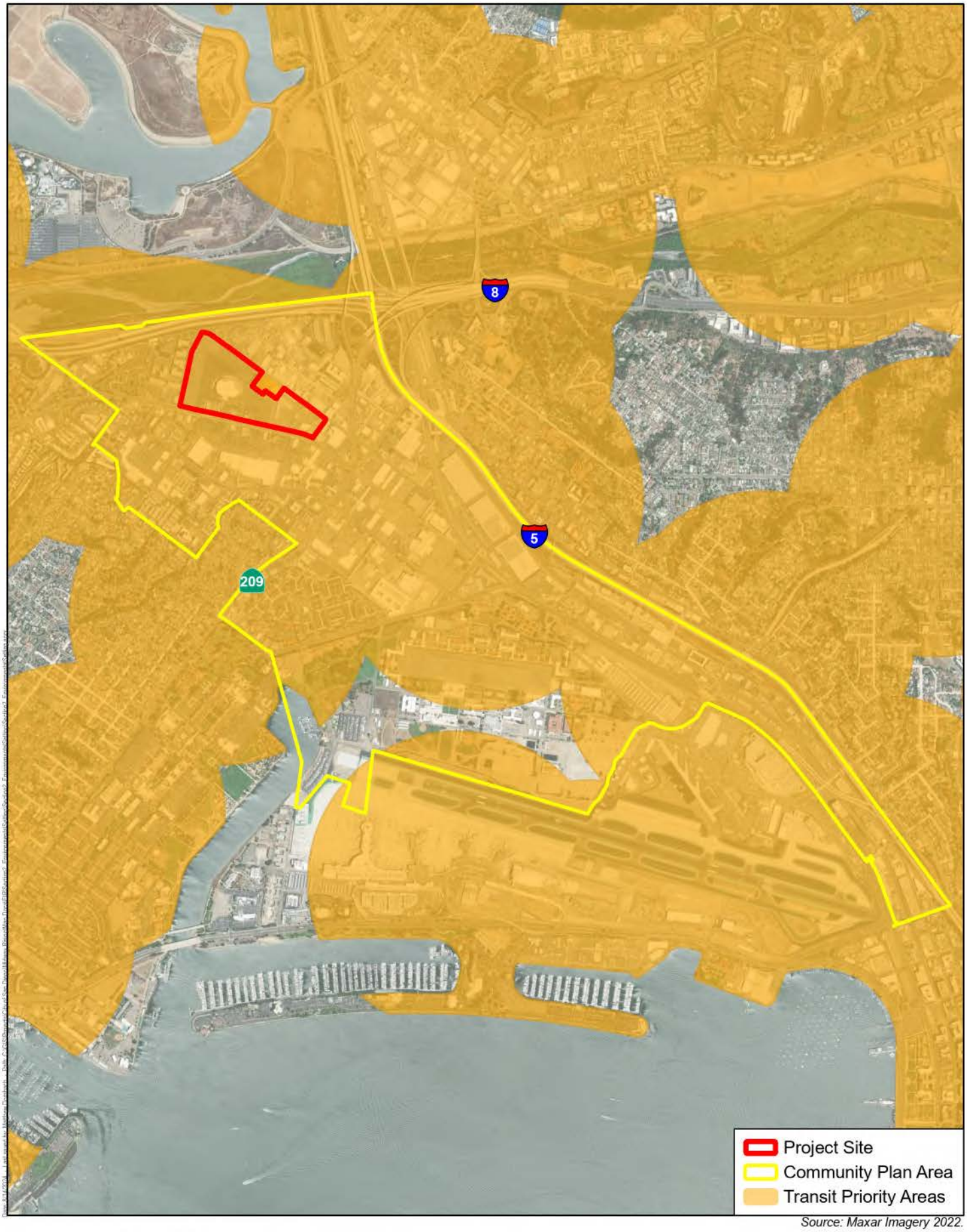

Source: Maxar Imagery 2022.

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Figure 2-10

Transit Priority Areas

Midway Rising

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Chapter 3.0 Project Description

This chapter of this Subsequent Environmental Impact Report (SEIR) describes the characteristics of the Midway Rising Project (Project) as identified in the Midway Rising Specific Plan (Specific Plan) (included as Appendix C to this SEIR), including on-site and other public improvements; discusses Project phasing and construction; identifies specific Project description assumptions used in the SEIR analysis; and identifies the discretionary actions required to implement the Project. It also describes the relationship of the Project to the 2018 Community Plan and identifies the Project objectives. This chapter has been prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15124.

3.1 Relationship to the 2018 Midway-Pacific Highway Community Plan

The 2018 Community Plan builds on the goals and strategies in the 2008 City of San Diego General Plan, as amended (2008 General Plan), and is intended to further express the 2008 General Plan policies through the provision of site-specific recommendations and policies that implement City of San Diego (City)-wide goals and policies at the Community Plan level, address community needs, and guide zoning. The 2018 Community Plan envisions a mix of land uses organized into districts and villages to create distinct urban activity nodes. It calls for the redevelopment of the San Diego International Sports Arena (currently named Pechanga Arena) site and adjacent buildings as described in Chapter 2.0, Environmental Setting, see Figure 2-1, Regional Location, and Figure 2-2, Project Site Location, into a "Sports Arena Community Village" as a vibrant, pedestrian- and transit-oriented entertainment area that is a landmark and attraction for the Midway--Pacific Highway Community planning area and surrounding communities and that also provides a connection to the San Diego River Park and Mission Bay Park. The 2008 General Plan and 2018 Community Plan work together to establish the policy framework for growth and development on the Project site.

The 2018 Community Plan designates the Project site as Community Commercial – Residential Permitted (44 dwelling units per acre [du/ac]).

The Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) comprehensively addressed the potential environmental effects of buildout of the 2018 Community Plan. The Midway-Pacific Highway CPU PEIR assumed that the San Diego International Sports Arena site and surrounding buildings would be redeveloped with commercial retail, office, and residential uses. Midway-Pacific Highway CPU PEIR Table 3-4 provides the future residential development anticipated from application of land uses identified in the 2018 Community Plan Land Use Map. Midway-Pacific Highway CPU PEIR Table 3-5 provides the land use assumptions for future non-residential development. The Midway-Pacific Highway CPU PEIR provides analysis for the Project site based on the general development parameters identified

in the 2018 Community Plan and Appendix N to the Midway-Pacific Highway CPU PEIR. Specific Project information was not known or proposed at the time the Midway-Pacific Highway CPU PEIR was certified; therefore, the analysis of impacts for the Project site was done at a program level. Section 3.6.2 of the Midway-Pacific Highway CPU PEIR acknowledges that future site-specific CEQA analysis would be required for future projects in the Midway-Pacific Highway Community planning area. This SEIR provides site-specific CEQA analysis for the Project site.

3.1.1 Project Purpose

The Project proposes to redevelop the site with a mix of uses, including entertainment, retail, residential, recreational, and public park uses. To ensure that the Sports Arena Community Village would be planned comprehensively, the 2018 Community Plan requires a Specific Plan or Master Plan, therefore a Specific Plan is being proposed.

The purpose of the Specific Plan would provide guidance and direction on land use, site planning, building, public space, and landscape design to ensure that future development of the Project site results in a pedestrian- and transit-oriented mixed-use entertainment destination. The Specific Plan provides supplemental development regulations that work with the underlying base zones and development regulations in the San Diego Municipal Code (SDMC) to ensure the implementation of the vision.

3.2 Project Objectives

In accordance with CEQA Guidelines Section 15124(b), the following primary objectives support the purpose of the Project, assist the lead agency in developing a reasonable range of alternatives to be evaluated in this SEIR, and ultimately aid decision makers in preparing findings and overriding considerations if necessary. The specific goals and objectives for the Project are as follows:

1. Create a focused long-range plan for an underutilized infill site that is intended to promote increased residential density and employment opportunities consistent with the General Plan, Midway-Pacific Highway Community Plan and the Climate Action Plan.
2. Increase the City's housing supply by providing a mix of housing opportunities, including both market rate and deed-restricted affordable units, proximate to transit, jobs, amenities, and services.
3. Implement and support the General Plan and Midway-Pacific Highway Community Plan smart growth principles and goals for the Sports Arena Community Village by developing a centralized, mixed-use neighborhood that would include entertainment, housing, commercial, public parks, and recreation opportunities near transit nodes.
4. Promote multimodal travel by establishing a pedestrian and transit-oriented village with a network of promenades, ~~widened streets,~~ pedestrian paths, and bicycle facilities to provide access to internal and adjacent transit services, commercial/retail uses, and other amenities.

5. Encourage redevelopment of an underutilized infill site by increasing the urban tree canopy, instituting sustainable landscaping, and introducing shade to the area to support the City's Climate Action Plan goals.
6. Develop a modern entertainment center that would recognize and value the historic San Diego International Sports Arena.
7. Establish a phasing and implementation program that takes into account the existing long-term City property leases to provide public facilities, including on-site parks, that will serve new and existing community residents.

3.3 Midway Rising Specific Plan and Components

3.3.1 Village Description and Concept

The Specific Plan envisions a community village as a destination that offers a mix of uses, active retail experiences, a range of housing choices and a vibrant public realm. Continuous public space draws people into the site and connects all the elements of the Specific Plan: the entertainment center, parks, public space, homes, and commercial uses. The Specific Plan would create a connected community village with over one mile of multi-use urban paths, wide sidewalks, paseos and greenways, and bus stops along street frontages serving the village with high-frequency transit.

One possible configuration for the Specific Plan land use plan is provided on Figure 3-1, Site Concept Illustrative Map. The Specific Plan provides guidance and direction for future development. All graphics, drawings, and photographs in the Specific Plan are shown for illustrative purposes only and do not reflect a final development, building configuration, public space shape or size, or land use location. Development on site is governed by the development regulations in the SDMC and the supplemental development regulations provided in the Specific Plan. Where development regulations in the SDMC conflict with the Specific Plan or Project governing documents, the Specific Plan governing documents shall prevail. A Vesting Tentative Map (PDC 2025~~2024~~) has been prepared for the area covered by the Specific Plan, which identifies the required roadway locations and infrastructure needed to support the Project.

3.3.2 Land Use

A description of the proposed Specific Plan land uses is provided below.

3.3.2.1 Residential

The Project would provide up to 4,254 housing units, including up to 2,000 affordable units, restricted to households with incomes less than 80 percent of the County of San Diego (County) area median income, to provide a range of housing opportunities for individuals and families across multiple income levels and in a variety of sizes and number of bedrooms. The Project would include deed-restricted affordable units. Structures may include residential uses at a density of zero to 72

du/ac with ground floor residential or commercial uses that activate a horizontal mix of uses connected by public space.

Developed across multiple blocks, residential uses in the Specific Plan would be connected by a network of publicly accessible spaces and a multimodal circulation network. Development of each block would generally consist of a multi-family residential building up to 105 feet in height. In addition, up to 10 percent of the total Specific Plan Area (approximately 214,446 gross square feet) of building floorplate (excluding the entertainment center site and floorplate) may be constructed to a maximum height of 250 feet in any location in the Specific Plan Area.

All development within the Specific Plan Area shall calculate maximum allowable residential density and/or floor area based on the entire parcel area, including the public right-of-way provided for new streets and the area provided for new parks and public spaces. Individual development may exceed the maximum allowable residential density and/or floor area provided that the maximum allowable residential density and/or floor area specified in the Specific Plan is not exceeded for the entire Specific Plan Area. The Specific Plan would include an Implementation Tracking Table to track individual building permit applications.

In addition, Density Bonus Law provisions, codified in California Government Code Section 65915 and SDMC Section 143.0710 et seq., allow the development of additional market rate residences, which may exceed the maximum number of residences allowed by the land use plan, zoning, and development regulations, in exchange for the provision of deed-restricted affordable residences. For the purpose of calculating the number of base and bonus units for the Project, a base maximum number of pre-density bonus residences allowed by the Specific Plan shall be 3,545 dwelling units. The Specific Plan proposes affordable residential units to be restricted at 80 percent area median income and to apply a density bonus of 20 percent above the base density for a total of 4,254 residential units. The 709 bonus market rate residences may be constructed at any location in the Specific Plan Area and at any time regardless of the location of affordable units or the phase of development (Appendix C).

3.3.2.2 Entertainment

The Project includes a rezone to designate the area generally bounded by Hancock Street to the west and north, Sports Arena Boulevard and Rosecrans Plaza shopping center to the south, and Camino Del Rio West/Rosecrans Street to the east as a special event venue, herein called the Midway Rising Entertainment Center District. The boundaries of the Midway Rising Entertainment Center District are shown on Figure 3-21, Midway Rising Entertainment Center District**.** Entertainment uses would be allowed across the Specific Plan Area. No land use changes are proposed for the remainder of the Midway Rising Entertainment Center District ~~Overlay~~. The Midway Rising Entertainment Center District ~~Overlay~~ proposes to create a district that would designate the area within ~~the~~ its boundaries ~~of the overlay~~ as a special event venue beginning 3 hours prior to the

scheduled start time of any event occurring within the ~~overlay~~ district and would conclude 2 hours after the conclusion of an event. The ~~overlay~~ district regulates certain activities for the purpose of protecting the public health, welfare, and safety of those businesses, residents, and visitors within and surrounding the Midway Rising Entertainment Center District during specified events. The district~~overlay~~ shall prohibit certain activities including but not limited to tailgating, littering, consuming from glass containers, and obstructing free travel of any vehicle or pedestrian.

The Specific Plan allows for the development of a fully accessible, modern multi-purpose entertainment center that may host a range of activities. The entertainment center would have a maximum height of 165 feet and replace the existing San Diego International Sports Arena. The entertainment center would host a variety of entertainment events including but not limited to concerts, family shows, sporting events, motor sports, comedy, and musical and artistic entertainment productions. The entertainment center would feature modern amenities and advanced video and sound functionality to better serve sports and entertainment offerings than the existing San Diego International Sports Arena. The entertainment center would feature a main service level concourse that offers guests local food and dining options and adequate restroom facilities. In addition, the Specific Plan would allow for temporary outdoor event spaces in the parks that would host a series of events each year.

3.3.2.3 Commercial

The Project would include a maximum of 130,000 square feet of commercial retail uses, excluding the entertainment center, and outdoor retail markets, such as a farmers market. Commercial uses could include restaurants, shops, and supporting neighborhood retail. Most commercial uses would be located along Frontier Drive, creating a "Main Street" experience, with cafés and shops with transparent storefronts and double-height spaces that put eyes on the street and activate the public spaces. In addition, the Project would include two co-working spaces at least 500 square feet each, that would provide private or semiprivate office workspaces for residences on site.

3.3.3 Mobility

The Specific Plan identifies a multimodal transportation network that would include new public streets, modified public streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways (Figure 3-10, Street Classifications).

3.3.3.1 On-Site Roadways, Driveways, and Parking

On-Site Roadways

Internal circulation would be facilitated by two new on-site public roadway segments, Kemper Street and Frontier Drive, which would run north–south through the Project site and provide connection between Sports Arena Boulevard and Kurtz Street (refer to Figure 3-1). The proposed Kemper Street

segment would be an extension of the existing Kemper Street south of Sports Arena Boulevard. It would provide access to residential land uses, parks, and parking on the Project site. The on-site Kemper Street segment would be constructed as a two-lane collector with a center left-turn lane. One travel lane would be provided in each direction with a center left-turn lane and on-street parking on each side of the street (Figure 3-11, Kemper Street). A Class IV one-way cycle track would be constructed on both sides of the proposed Kemper Street segment on the site. On the northbound side of Kemper Street, the cycle track would be located within a 30-foot promenade.

The proposed Frontier Drive roadway would be constructed as a new retail-oriented street providing access to commercial, residential, and entertainment land uses. This roadway segment would align with the intersection of West Drive and Sports Arena Boulevard. It would be constructed as a two-lane collector with center left-turn lane and include one travel lane in each direction with a center left--turn lane and on-street parking on each side of the street (Figure 3-12, Frontier Drive). The eastern side of the street would include a 12-foot-wide multimodal bicycle and pedestrian path within a 30-foot promenade. A 10-foot Café Zone would be adjacent to the multi-use path outside the public right-of-way with a public access easement.

Access and Private Drives

Automobile and parking access to the Project site would include 11 ingress and egress points through public streets and internal private drives (Figure 3-13, Parking Structure and Access Diagram). The private drives vary in width and configuration; however, all include a minimum 5-foot-wide sidewalk on each side with a minimum 5-foot-wide planting area adjacent to the sidewalk and would provide two-way circulation. In some instances, on-street parking and loading areas would be provided on both sides of the private drive. As shown on the Project's proposed Vesting Tentative Map (PDC 2025~~2024~~), vehicular access to the Project site would be provided by the following four intersections and seven driveways:

- Sports Arena Boulevard/Kemper Street (signalized)
- Sports Arena Boulevard/Frontier Drive (signalized)
- Kurtz Street/Kemper Street (side street stop controlled)
- Kurtz Street/Frontier Drive (side street stop controlled)
- Two driveways along Sports Arena Boulevard/Driveway B2 (stop controlled)
- Five driveways along Kurtz Street (stop controlled)

On-Site Parking

The Project would provide on-site parking per California Building Standards Code, Title 24, and the SDMC parking requirements. Parking would be provided in structures with residential, commercial, and retail uses wrapping the parking structures to screen them from view. Parking associated with entertainment, retail, and parks and public space uses would be integrated with the parking structures of residential uses. Within residential parking structures, separate parking stalls, auxiliary

areas, vehicle and pedestrian access, and circulation would be provided for the entertainment and retail users. As shown on Figure 3-13, driveway/parking access to the site would include multiple ingress and egress points to diffuse congestion from major streets and intersections. In addition, the Project would provide electric vehicle (EV) chargers and EV-ready stalls, accessible spaces, short-term and long-term bicycle parking, and motorcycle parking per the SDMC parking requirements.

3.3.3.2 Frontage and Off-Site Improvements

Sports Arena Boulevard

The Project would change the roadway classification for Sports Arena Boulevard from six-lane prime to four-lane prime with bus-only lanes. The Project's proposed improvements would provide a 33-foot promenade along the Project frontage with a Class I multi-use path (Bay-to-Bay Urban Path) and a Class IV one-way cycle track in the westbound direction, landscape areas, and a bicycle buffer. The Project would also provide an exclusive bus/right-turn only lane in both directions (Figure 3-14, Sports Arena Boulevard). The segment would continue to have a raised center median.

Kurtz Street

Kurtz Street is an existing two-lane collector with one-way travel in the eastbound direction and on-street parking and 5-foot-wide sidewalks on both sides of the street. The Project would convert the segment of the street from one-way to two-way travel from Sherman Street westward to Hancock Street (Figure 3-15, Kurtz Street). A non-contiguous 30-foot promenade would be provided along the Project's frontage to include a Class I multi-use path and landscape areas, with parking provided on the northern side of the street segment.

The segment of Kurtz Street from Sherman Street eastward to Camino Del Rio West would be converted by the Project to a modified one-way collector with two lanes of eastbound travel. A Class I multi-use path and landscape would be provided on the southern side of the segment, and the existing sidewalk would be maintained on the northern side of the segment. Street parking would not be provided along the southern side of Kurtz Street.

The segment of Kurtz Street from Camino Del Rio West to Rosecrans Street would be enhanced with a Class I multi-use path on the southern side of Kurtz Street.

In addition, a single-lane roundabout is proposed by the Project for the three-way intersection of Kurtz Street and Hancock Street to facilitate traffic flow and improve safety. The Project would install pedestrian crossings east of the roundabout on Kurtz Street.

Rosecrans Street

Rosecrans Street from the Old Town Transit Center to Kurtz Street and Kurtz Street from Rosecrans Street to the Project site is envisioned as a pedestrian, bicycle, and bus connection from the Project

site to Old Town Transit Center that encourages pedestrian and bicycle movement to and from the site to existing rail service and improves bus service to the site. This approximately 0.7 to 1-mile off-site connection is envisioned as a community benefit that would encourage non-auto mobility and community redevelopment. The Project would change the roadway classification for Rosecrans Street from four-lane major to two-lane collector with a center left-turn lane from Kurtz Street to Pacific Highway. Improvements would include a Class IV two-way separated bikeway and sidewalk with landscaping in between on the eastern side of Rosecrans Street between Kurtz Street and Pacific Highway and a sidewalk on the eastern side of Rosecrans Street between Kurtz Street and Pacific Highway, separated from the Class IV cycle track by landscaping (Figure 3-16, Rosecrans Street). ~~A bus~~Bus and right-turn-only lanes (also referred to as Business Access and Transit lanes) would be provided between Kurtz Street and Pacific Highway. Marked pedestrian and bicycle crossings would be installed at the Rosecrans Street and Kurtz Street intersection.

The Project proposes off-site intersection improvements at the locations shown on Figure 3-17, Location of Off-Site Improvements, and discussed in Section 5.2.4.1, which provides a description of the off-site intersection improvements:

1. Sherman Street/Hancock Street
2. Camino Del Rio West/Hancock Street
3. Camino Del Rio West/Sports Arena Boulevard/Rosecrans Street
4. Rosecrans Street/Midway Drive
5. Midway Drive/West Point Loma Boulevard/Sports Arena Boulevard
6. West Drive/Frontier Drive/Sports Arena Boulevard
7. Rosecrans Street/Lytton Street
8. Barnett Avenue/Midway Drive
9. Sports Arena Boulevard/Hancock Street/Commercial Driveway 1

The Project would make roadway modifications at the following locations to improve traffic operations (refer to Appendix U in Appendix D1 for additional details):

10. Hancock Street between Sports Arena Boulevard and Channel Way
11. Hancock Street between Channel Way and Kurtz Street

3.3.3.3 Pedestrian Circulation

The Specific Plan envisions the Project site as a pedestrian-focused, walkable environment where all uses, buildings, public spaces, and amenities on site would be accessible and connected by a series of paths, promenades, paseo greens, and paseo greenways (as described in Section 3.3.4, Parks and Public Space Framework). As shown on Figure 3-18, Pedestrian Circulation Concept, all future residential, retail, and entertainment uses would be connected to the proposed internal pedestrian circulation network. Pedestrian paths would also be provided within the right-of-way on Sports Arena Boulevard, Kurtz Street, Kemper Street, and Frontier Drive. The Project's pedestrian

improvements on Kurtz Street would continue to Rosecrans Street. Rosecrans Street would be improved with a 4-foot-wide sidewalk on the eastern side of the street between Kurtz Street and Pacific Highway separated from the cycle track by landscaping.

3.3.3.4 Bicycle Network

The Project would provide bicycle access through Class I, II, and IV bicycle facilities (Figure 3-19, Bicycle Circulation Concept) and the network of promenades, paseo greens, and paseo greenways (as described in Section 3.3.4). Separated protected bikeways are proposed for Sports Arena Boulevard and Kemper Street. The Project's bicycle improvements would extend along Kurtz Street and Rosecrans Street to connect the site with the Old Town Transit Center at Pacific Highway and Taylor Street. Bicycle parking would be provided on site to serve proposed residential, retail, and event uses, including in public spaces and promenades for public use.

Specifically, the Project would include the following improvements:

- Construction of a Class I multi-use path along the Project frontage (south side) on Kurtz Street.
- Construction of a Class I multi-use path along the south side of Kurtz Street (east of the Project site) and along the southeast side of Rosecrans Street.
- Construction of a Class I multi-use path (Bay-to-Bay Urban Path) along the east side of planned Frontier Drive.
- Construction of a Class I multi-use path (Bay-to-Bay Urban Path) along the Project frontage (north side) on Sports Arena Boulevard and a Class IV one-way cycle track in the westbound direction along the Project frontage.
- Construction of Class IV one-way cycle tracks on both sides of the planned Kemper Street extension within the site.
- Construction of a roundabout at the intersection of Hancock Street/ Kurtz Street.

3.3.3.5 Transit and Event Shuttles

San Diego Metropolitan Transit System Routes 8 and 9 currently serve the Project site along Sports Arena Boulevard with two stops providing transit users direct access to the Project site. The Project would relocate and provide enhancements to the two existing local bus stops along the Project frontage on Sports Arena Boulevard, which include installing transit shelters and benches. A third, new bus stop would be constructed on the west side of Frontier Drive for the planned extension of Rapid Bus Route 10 (currently planned for operation in year 2032) that would connect the Project site to the Old Town Transit Center, Mission Bay, and Clairemont (Figure 3-20, Transit Diagram Bus Stops).

It is anticipated that overflow parking may be necessary for large event sizes. A shuttle service would be provided by the Project for access to Old Town Transit Center and off-site parking lots for the following scenarios:

- For events with greater than 7,500 spectators, an event shuttle service would run between the Old Town Transit Center and the entertainment land use. The event shuttle would run along Rosecrans Street, Sports Arena Boulevard, Frontier Drive, and Kurtz Street.
- For events with greater than 10,000 spectators, two event shuttle services would run between the Old Town Transit Center and between the off-site business park lot just west of the Project site and the entertainment land use. The event shuttle would run along Sports Arena Boulevard, Frontier Drive, Kurtz Street, and Hancock Street.
- For events with greater than 12,000 spectators, three event shuttle services would run between the Old Town Transit Center, the off-site business park lot just west of the Project site, and off-site parking at SeaWorld and the entertainment land use. The event shuttle would run along West Mission Bay Drive, Sports Arena Boulevard, Frontier Drive, Kurtz Street and Hancock Street.

3.3.4 Parks and Public Space Framework

A central organizing element of the Specific Plan would be a network of public spaces consisting of approximately 8.12 acres of public parks and 6.42 acres of public space in a network of plazas, promenades, paseo greens, and streetscapes (Figure 3-3, Parks and Public Space Framework). The Project would provide an interconnected mix of active and passive public spaces and parks with varying sizes, activities, designs, and landscapes.

The planting palette would include a diversity of plant and tree species, including drought-tolerant, climate-friendly plants in public areas. Native and adaptive trees have been selected based on the following characteristics: abundant shade canopy, drought-tolerant, low maintenance, and seasonal interest. A list of tree species proposed for the Project site is provided in Specific Plan Appendix D, Plant Palette.

Table 3-1, Midway Rising Parks and Public Space Acreage, provides a summary of the proposed public spaces and parks in the Specific Plan Area. The public parks would consist of The Green, The Square, The Plaza, paseo greens, and paseo greenways. The public space areas would consist of the promenades, streetscapes, and residential buffers. Descriptions of the different types of parks and public spaces discussed in the Specific Plan are provided below.

Table 3-1. Midway Rising Parks and Public Space Acreage

Parks	Approximate Area Provided (acres)
The Green	2.32
The Square	2.93
The Plaza	0.54
Paseo Greens	1.06
Paseo Greenways	1.27
Subtotal	*8.12*
Public Space	
Promenades	2.25
Streetscapes	3.24
Residential Buffer Areas	0.93
Subtotal	*6.42*
Total	**14.54**

Source: CityThinkers 2025.

The Green

The Green would be a neighborhood park composed of park program elements and amenities tailored toward community and residential uses (Figure 3-4, The Green Program Diagram). It would provide space for children and pets to play while accommodating events of varying scales. Programing within The Green may include but not be limited to public multi-use lawns to allow for free-play activities like pickup soccer and frisbee, a tot lot, a dog park, space for movie nights and outdoor yoga classes, flexible event spaces, community recreation opportunities (such as basketball courts or other sports courts), free and ticketed events. A 20-foot-wide fire access lane would be provided through a portion of The Green to access residential buildings.

The Square

The Square would be a public plaza or outdoor entertainment center for cultural and community events directly adjacent to the entertainment center and would be scaled to accommodate large numbers of event attendees (Figure 3-5, The Square Program Diagram). The Square may include an event lawn space, shade structures, a performance pavilion, an outdoor performance stage, and fixed and movable seating, along with space for retail kiosks and food trucks. Lighting, electricity, and event infrastructure would be provided to power food trucks, outdoor concerts, farmers or retail markets, and other programming activities. The Square would incorporate public art, such as wall murals, sculptures, video boards, lighting, and interpretive graphics, and include a water feature. Areas throughout The Square would be planted with trees to provide shade. A bicycle path would be provided through The Square to connect with bicycle facilities on Kurtz Street and Sports Arena Boulevard. In addition, a 26-foot-wide fire access lane would be provided to access the entertainment

center and adjacent buildings. The perimeter of The Square and entertainment center would be secured with bollards, landscape elements, and other barriers to ensure crowd safety.

The Plaza

The Plaza would be designed as a food/beverage and retail promenade fronted with outdoor dining patios and public plaza amenities (Figure 3-6, The Plaza Concept). The Plaza would provide a pedestrian and bicycle link to The Square from Frontier Drive, nearby parking structures, residential buildings, and other public spaces on the Project site. The Plaza may provide small lawn areas and performance spaces and incorporate large shade trees and modest water features, fixed and movable seating areas for dining and leisure, canopies, and bicycle parking. A 26-foot-wide portion of The Plaza would be provided for vehicular fire access.

Paseo Greens

The paseo greens would be residential-focused park spaces at the ground level between residential housing blocks (Figure 3-7, Paseo Green Concept). The paseo greens would accommodate park amenities and enhance connectivity for the residential community and may include shade trees, lawn areas, planting, stabilized decomposed granite surfaces, pedestrian facilities, children's play areas, gated dog runs, and smaller recreational opportunities, such as bocce ball, fire features, fitness stations, game tables, and movable furnishings. A 26-foot-wide fire lane would be provided. Stormwater quality control basins with planting areas would be incorporated into the paseo greens to provide stormwater capture and treatment.

Paseo Greenways

The paseo greenways would be usable park spaces that would provide access to residential and event parking garages, facilitate pedestrian and bicycle circulation, and serve as fire lanes or emergency access (Figure 3-8, Paseo Greenway Concept). Amenities may include fitness and or play elements, shade trees, and movable and fixed seating. Pedestrian walkways would be lined with ornamental and shade trees.

Promenades

Promenades would be constructed surrounding the Project site and along Sports Arena Boulevard, Kemper Street, and Frontier Drive (Figure 3-9, Promenades Concept) to enhance pedestrian and cyclist experience and connectivity. A 12-foot-wide multi-use path would be constructed with pedestrian -scale lighting fixtures to create a comfortable and walkable environment. Interpretive and wayfinding signage would be incorporated. Class IV cycle tracks would also be incorporated into the Sports Arena Boulevard and Kemper Street promenades to facilitate community-wide bicycle connectivity. Additional amenities, including small plazas and seating areas with enhanced paving, stabilized decomposed granite surfaces, fixed seating, children's play features, fitness stations, and

small lawn areas, may be placed within promenades to activate and enrich the space. Opportunities for public art would be accommodated within the streetscape, and bicycle racks would be provided in multiple locations for short-term bicycle parking.

3.3.5 Infrastructure and Services

The Project would include other infrastructure improvements, including relocations, extensions, and/or upgrades to existing water, sewer, electrical and gas distribution, communication facilities, and stormwater facilities, on the Project site and in the surrounding off-site areas.

3.3.5.1 Water

The Project site would be supplied by connections to the existing 12-inch water lines in Sports Arena Boulevard and Kurtz Street. The Project would install new 12-inch water mains within Kemper Street and Frontier Drive. In addition, 8-inch fire supply lines would be installed within the paseo greenways and The Plaza.

3.3.5.2 Wastewater

Wastewater from the Project site would be conveyed by the City's local 36-inch main sewer line within Sports Arena Boulevard. A new primary collector sewer ranging from 8-inch to 15-inch would be installed within Kemper Street and Frontier Drive. Eight-inch sewer laterals would be installed to provide sewer connection to each proposed residential block on the Project site. The new entertainment center would have its own 10-inch sewer line that would be installed between the proposed entertainment center and the eastern property boundary, which would connect to the existing 36-inch sewer within Sports Arena Boulevard. The existing 96-inch sewer line that crosses the site, extending from Sherman Street to Sports Arena Boulevard, would remain in place with no new connections.

3.3.5.3 Electrical and Gas Distribution

Overhead electrical lines on Kurtz Street would be undergrounded from Hancock Street to Greenwood Street. All infrastructure would be extended down Kemper Street and Frontier Drive from Kurtz Street to Sports Arena Boulevard.

3.3.5.4 Communication Systems

Communications systems for telephones, computers, and cable television are serviced by utility providers such as AT&T, Cox, Spectrum (formerly Time Warner), and other independent cable companies. Infrastructure improvements would be provided to the Project site through connections to existing facilities within the Project vicinity.

3.3.5.5 Stormwater

On-site runoff would be collected and conveyed through a series of new underground private storm drains collecting rooftop and surface drainage. The Project would construct new 24-inch public storm drains within Kemper Street and Frontier Drive running east–west and a new 36-inch public storm drain within Frontier Drive running north–south. Portions of the existing 42-inch public storm drain that crosses the property diagonally at the northwestern corner would be realigned due to conflicts with proposed building sites and replaced with a 54-inch public storm drain within Kemper Street. Multiple connections into the existing storm drains surrounding the site would be constructed through a series of storm drains. Frontage improvements would also include the replacement and installation of storm drain inlets and cleanouts along Sports Arena Boulevard and Kurtz Street. The new on-site storm drain system would collect and treat stormwater before it discharges off site through a combination of modular wetland units and private biofiltration planters. In addition, the Project would create approximately 14.10 acres of landscape area on a site that is currently approximately 97 percent impermeable and has no stormwater treatment. All runoff from the site would be treated in modular wetlands or planter areas as required by law.

3.3.6 Implementation and Administration

The Implementation and Administration section of the Specific Plan includes supplemental development regulations, Specific Plan area-wide regulations that would be implemented with development. The supplemental development regulations address density, floor area calculation, structure height, lot size, theaters, residential entry, public streets, public access, affordable housing, building base, setbacks, parking structures, street trees, landscape, rooftop maintenance, mounted solar photovoltaic, building bulk, signage, fences and walls, and park and public space amenities.

3.4 Sustainability Design Features

The Project would incorporate the following Project design features to meet the City's 2022 Climate Action Plan goals:

- Buildings would comply with the adopted building code requirements (California Code of Regulations, Title 24, and California Green Building Standards Code [CALGreen] Title 24, Part 11) related to building efficiency (energy).
- Photovoltaic cells shall be included on all buildings in compliance with adopted building code requirements (California Green Building Standards Code [CALGreen] Title 24).
- Exterior lighting would incorporate light-emitting diode (LED) lighting.
- Parking infrastructure would include infrastructure for EV capable spaces, EV-ready spaces, or EV charging equipment spaces in accordance with building code requirements (California Code of Regulations, Title-24, and CALGreen Title 24, Part 11). Approximately 1,821 EV spaces would be provided for residential uses, and approximately 1,370 EV spaces would be provided in the event and retail parking spaces.

- Bicycle parking would be provided at residential and non-residential development as required by SDMC Chapter 14, Article 2, Division 5. Bicycle parking for approximately 125 short-term and 2,067 long-term bicycles (lockers and storage spaces) would be provided to serve proposed residential, retail, event, and public uses. Outlets for charging e-bikes would be provided to 50 percent of spaces as required.
- Buildings would be required and tenants would be encouraged to use clean energy from the San Diego Community Choice Program in accordance with the adopted building code requirements (California Code of Regulations, Title 24, and CALGreen Title 24, Part 11).
- Buildings would be all-electric with the exception of emergency generators and commercial kitchen equipment at eating and drinking establishments.
- Rainwater capture shall be provided where possible.
- All public areas shall include Wi-Fi access to support telecommuting and equitable access to information.
- The Project applicant shall prepare a comprehensive waste diversion plan for the entertainment center showing how the building would reduce single-use plastic and increase recycling and compost collection.
- All uses, buildings, public spaces, and amenities on the Project site would be accessible and continuously connected by a network of paths, promenades, paseo greens, and paseo greenways.
- The Project landscape plan would comply with all City standards and regulations, including the City's Land Development Manual, Street Tree Selection Guide, and Landscape Regulations.
- The Project landscape plan identifies a continuous tree canopy to provide shading on all adjacent Project streets. This would include new promenades with tree canopies on Sports Arena Boulevard, sections of Kurtz Street, Kemper Street, and Frontier Drive. Shade trees are also proposed in The Square, The Green, paseo greens, paseo greenways, and promenades and along private drives. Trees would be placed at a minimum of two per 5,000 square feet of lot area with a minimum of one tree per lot and would be placed so that a minimum of 50 percent of pedestrian areas in the public right-of-way would be shaded by street trees at 10 years maturity to meet the 2022 Climate Action Plan goals. Trees would be planted in native, amended soil in all areas not prohibited by site conditions and irrigated with permanent, below-grade irrigation systems to comply with all planting and irrigation requirements in SDMC Section 142.0403.

3.5 Construction

Construction is anticipated to begin in winter 2026 and take approximately 120 months to complete (ending in 2035). Construction would occur in two phases and would start with the eastern half of the Project site and work toward the western boundary. In Phase 1, electrical service on Kurtz Street would be undergrounded, and Frontier Drive and its infrastructure would be constructed to allow

for development of the areas on the Project site east of Frontier Drive. Buildings and improvements east of Frontier Drive on the Project site would be demolished, and this area would be developed with housing, parking, entertainment, retail, restaurant, and park uses. In Phase 2, Kemper Street would be constructed with all of its infrastructure, and residential, retail, restaurant, parks, and parking uses would be developed west of Frontier Drive. As the new entertainment center is being built, the San Diego International Sports Arena and its surface parking west of Frontier Drive would remain in place and operational. Once a new entertainment center is open for events, the San Diego International Sports Arena and related parking would be demolished to make way for new development in accordance with the Specific Plan. Individual projects would include construction of promenades that front on the individual project sites. In total, for Phases 1 and 2, site preparation would include demolition of all 14 on-site structures (361,799 square feet), including the San Diego International Sports Arena, and associated asphalt surface parking lots (1,836,403 square feet).

Total earthwork for the Project would be approximately 517,000 cubic yards of cut and 555,000 cubic yards of fill from mass grading, foundation spoils, hazardous soils, and utility trench spoils. Import and export would be reduced by stockpiling suitable material for on-site reuse. Construction activities would require typical construction equipment including but not limited to drill rigs, cranes, concrete trucks, material lifts, bobcats, loaders, scrapers, and backhoes. A rock crusher would be used during Phase 2 to reuse some demolished concrete material on site.

The Project would incorporate various design features, including the use of non-reflective glass, no 100 percent glazed buildings, and balancing of building facades with architectural features, to reduce the potential for bird strikes.

The site is protected from flooding by the existing City pump and levee system immediately north of I-8. The proposed building finish floor elevations would be a minimum of 1 foot higher than adjacent existing finish floor elevations.

3.5.1 Construction Phasing

Phase 1 (2026–2030)

Phase 1 would include the demolition of eight structures and asphalt parking lots east of the proposed Frontier Drive. Phase 1 would include the construction of a new entertainment center while the existing San Diego International Sports Arena remains operational. Phase 1 would construct residential units and commercial uses east of Frontier Drive. See Table 3-3, Proposed Land Uses per Phase, for estimated spectators, dwelling units, and square footages for each land use and phase. In addition, Phase 1 would include the re-routing of storm drains, construction of Frontier Drive with dry and wet utilities, Rosecrans Street improvements, Kurtz Street electrical undergrounding, and associated frontage promenades. Phase 1 would also include construction of The Square, The Plaza, promenades, and streetscapes east of Frontier Drive. Finally, Phase 1 would include the following off-site intersection improvements: Sports Arena Boulevard/Midway Drive/West Point Loma Boulevard, Commercial Driveway 1/Hancock Street/Sports Arena Boulevard, West Drive/Frontier Drive/Sports Arena Boulevard, Camino Del Rio

West/Hancock Street, Camino Del Rio West/Sports Arena Boulevard/Rosecrans Street, Kurtz Street/Pacific Highway, and Rosecrans Street/Midway Drive.

Phase 2 (2028–2035)

Phase 2 would include the demolition of six structures, including the existing San Diego International Sports Arena, and asphalt parking lots west of Frontier Drive. Phase 2 would include the construction of residential units and commercial uses west of Frontier Drive. See Table 3-3 for estimated spectators, dwelling units, and square footages for each land use and phase. Phase 2 would also include the construction of Kemper Street with dry and wet utilities, The Green, promenades, and streetscapes west of Frontier Drive. Phase 2 would include the following off-site intersection improvements: Rosecrans Street/Lytton Street intersection and Rosecrans Street/Hancock Street intersection.

Construction staging would be within the fenced perimeters of the Project site. Initial construction worker parking would be on the existing surface lots north and west of the San Diego International Sports Arena. As the Project progresses and additional surface parking is converted to development, construction worker parking would occur in on-site garages and remaining surface parking areas. During both phases of construction, a minimum of 2,000 parking spaces would be available for construction workers on weekdays from 6:00 a.m. to 4:00 p.m.

A Construction Management Plan and Traffic Control Plan would be implemented during construction by the Project applicant in accordance with City standards (SDMC Section 129.0701 et seq.) and the California Department of Transportation California Manual of Uniform Traffic Control Devices (2014 Revision 8 edition) as a standard condition of approval. These traffic management controls would include measures determined on the basis of site-specific conditions. These measures would ensure that ingress and egress from the Project site would not interfere with emergency access for areas surrounding the Project site. The Project would comply with California Fire Code, Chapter 33, Fire Safety During Construction/Demolition, requirements.

3.6 Assumptions for SEIR Analysis

As mentioned in Section 3.3, Midway Rising Specific Plan and Components, the Specific Plan does not specify Project design. To prepare this Project-specific analysis, the following assumptions were used:

- The Project would provide up to 4,254 housing units including 2,000 affordable units.
- The entertainment center would be 380,550-square-feet in size with 16,000-seats and have a maximum height of 165 feet. It would offer over 166 events per year and would replace the existing San Diego International Sports Arena.
- Heating, ventilation, and air conditioning equipment for the entertainment center would be in a mechanical yard on the northern side toward Kurtz Street and would include approximately four air source heat pumps and three cooling towers surrounded by a 22-foot solid wall (Gensler 2023).

- The maximum event capacity for the Project site would be approximately 20,000 attendees, which could involve a combination of on-site indoor and outdoor venues.
- The 130,000 square feet of commercial retail uses would include 60,000 square feet of community retail and 70,000 square feet of restaurant (composed of 30,000 square feet of regionally serving quality restaurant and 40,000 square feet of high-turnover restaurant).

Table 3-2, Parking for Proposed Land Uses, provides a summary of parking for the Project.

Table 3-2. Parking for Proposed Land Uses

Land Use	Vehicle Parking Spaces	Short-Term Bike Parking Spaces	Long-Term Bike Parking Spaces/ Storage Spaces	Motorcycle Parking Spaces	Zero Emissions Vehicle Parking Spaces[1]
Commercial[2]	390	20	20	8	215
Entertainment Center	2,100	105	105	42	1,155
Residential	4,550	0	1,942	426	1,821
Total	**7,040**	**125**	**2,067**	**476**	**3,191**

Source: PDC 20252~~2024~~.

Notes:

[1] Includes 1,700 EV capable spaces, 1,138 EV-ready spaces, and 353 EV chargers.

[2] Includes retail and restaurant uses.

Table 3-3 provides assumptions for the land uses during Phases 1 and 2 of construction. The entertainment center would be completed in Phase 1; therefore, the number of spectators remains the same in both phases.

Table 3-3. Proposed Land Uses per Phase

Land Use		Opening Year (2030) Project Phase 1	Opening Year (2035) Project Phase 2 (Project Buildout)
Entertainment (spectators)	Entertainment Center	16,000	16,000
	Outdoor Event	4,000	4,000
	Subtotal	*20,000*	*20,000*
Residential (dwelling units)	Affordable	479	2,000
	Market Rate	386	2,254
	Subtotal	*875*	*4,254*
Commercial (square feet)	Retail	38,952	60,000
	Restaurant	51,936	70,000
	Subtotal	*90,888*	*130,000*
Parking	Residential	1,535	4,500
	Commercial	280	390
	Entertainment	781	2,100
	Subtotal	*2,596*	*6,990*

Source: Appendix D1.

Notes: This table has been modified as the Project footprint was decreased from 52.1 to 49.23 acres to remove the privately owned parcels (sometimes referred to as the outparcels) from the Specific Plan. The transportation analysis presented in Appendix D1 is based on development on the privately owned parcels. Therefore, this SEIR presents a conservative analysis because it evaluates a larger Project than what is currently proposed.

3.7 Discretionary Actions

The following sections discuss the discretionary actions required to implement the Project. Various City departments would be responsible for granting the identified approvals and permits.

3.7.1 General Plan Amendment

The Project would require a General Plan Amendment to redesignate the site from Community Commercial – Residential Permitted to Community Village in the Community Plan. The proposed Community Village land use designation is consistent with the existing Multiple Use land use designation identified in the 2008 General Plan.

3.7.2 Community Plan Amendment

The Project would require a Community Plan Amendment addressing the following modifications to the 2018 Community Plan as shown in Table 3-4, Community Plan Amendment.

Table 3-4. Community Plan Amendment

Chapter/Element	Summary
Table of Contents	No change.
1. Introduction	No change.
2. Land Use, Villages and Districts	Amendments to text and figures to reflect the Specific Plan, redesignate the site from Community Commercial – Residential Permitted (0-44 du/ac) to Community Village (0-72 du/ac), and revise policies for consistency with the Specific Plan. Additional text edits to reflect the updated San Diego Association of Governments Series 14 Regional Growth Forecast has been added that revises the ratio for persons that reside in each household from 2.46 to 2.56 and the occupancy rate from 95 percent to 89.1 percent. Additional policies are also proposed to provide guidance for the future redevelopment of other properties within the Sports Arena Community Village District, including additional City-owned land. Other changes include updates to Sports Arena Community Village CPIOZ – Type B. Amendment to tables to reflect updated 2023 data and to reflect the increase in household population from 28,260 to 30,800 and the increase in residential dwelling units from 12,090 to 13,500.
3. Mobility	Amendments to text, figures, and policies to reflect the facilities proposed by the Specific Plan. Changes include updates to planned bicycle facilities, multi-use urban paths, ~~and~~ the reclassification of street segments along Sports Arena Boulevard, Rosecrans Street, and Kurtz Street, and intersections. Other network changes include the removal of the Greenwood Street extension through the Project site.
4. Urban Design	Amendments to figures to reflect the Specific Plan and proposed street network.
5. Economic Prosperity	No change.
6. Public Facilities, Services, and Safety	Amendments to policies and text to support future infrastructure improvements, which can include fire facilities, schools, and stormwater/drainage improvements.

Table 3-4. Community Plan Amendment

Chapter/Element	Summary
7. Recreation	Amendments to text and figures to update the community-wide parks and recreation facilities inventory to the recreational value-based standard of the adopted Parks Master Plan (2021). Other updates to reflect the proposed park and recreation facilities from the Specific Plan.
8. Conservation	No change.
9. Noise	No change.
10. Historic	Amendments to text and figures to reflect the historical significance of the Sports Arena.
11. Implementation	No change.

3.7.3 Specific Plan

Adoption of the Midway Rising Specific Plan to allow for the development of the Project site.

3.7.4 San Diego Municipal Code Amendment

The Project requires a Municipal Code Amendment to Chapter 5, Article 9, Division 6 for the Midway Rising Entertainment Center District.

3.7.5 Rezone

A rezone is required to change the Project site's base zone from CC-3-6 (Community Commercial) to a Mixed-Use Residential base zone (RMX-2), which allows residential and commercial uses that include retail sales, commercial services, personal services, entertainment, assembly, and visitor accommodation uses that serve residents and workers in the community and adjacent communities (Figure 3-2, Land Use Map). No visitor accommodations are currently proposed as part of the Project.

3.7.6 Vesting Tentative Map

The Project includes a Vesting Tentative Map to allow for grading and development of the Midway Rising Specific Plan. The Vesting Tentative Map provides details relative to grading, street design, and utility layout necessary to implement the land use plan of the Project. Further, the Vesting Tentative Map provides for the implementation of residential and commercial land uses.

3.7.7 Site Development Permit

A historic resource (San Diego International Sports Arena) is present on the Project site. In addition, the Project proposes development of a large retail establishment in Community Plan

Implementation Overlay Zone (CPIOZ) -B. Therefore, a Site Development Permit would be required in accordance with Section 126.0502(d)(2) and (d)(7) of the SDMC.

3.7.8 Easement Vacations

Certain public easements and rights-of-way would be vacated as part of the Project. The vacated easements and rights-of-way have been either previously abandoned by the City or are proposed to be relocated in conjunction with the Vesting Tentative Map.

3.7.9 Development Agreement

A Development Agreement is being processed as part of the Project. It defines the rights and duties of the City and the Project applicant regarding buildout of the Project and identifies extraordinary benefits resulting from the Project.

3.7.9.1 Park Agreements

The Project requires a Park Development Agreement, Park Maintenance Agreement and Park Operations Agreement.

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Figure 3-1

Site Concept Illustrative Map

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Figure 3-2

Land Use Map

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Figure 3-3

Parks and Public Space Framework

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The Green will serve as a neighborhood park, composed of park program elements and amenities tailored toward community and residential uses refer to Figure 27 - The Green Program Diagram.

a) Provide space for children and pets to play, while accommodating events of varying scales.

b) Include multi-use areas to allow for free-play activities and team activities like pick-up soccer and frisbee, space for movie nights and outdoor yoga classes, flexible events spaces, and community recreation opportunities (such as basketball courts or other sports courts).

c) Include children's play areas with play equipment, nature play elements and small water play features.

d) Include game tables, swings, and public art to welcome park-goers for day-to-day activation.

e) Provide plaza spaces as central zones to accommodate events, with architectural shade structures and an interactive water play area for the community enjoyment.

f) Include interpretive cultural elements and wayfinding signage, providing a distinctive sense of place.

g) Include both free and ticketed events to build community and contribute to an active and vibrant environment.

h) Provide a public restroom with storage facility for equipment and drinking fountains.

i) Provide a series of wide, walkways consisting of pedestrian-rated enhanced paving along the perimeter of the park, allowing for seamless walkability to residences and park features.

j) Include a 20-foot wide fire access lane through a portion of the Green to access residential buildings.

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Figure 3-4

The Green Program Diagram

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Figure 3-5

The Square Program Diagram

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Figure 3-6

The Plaza Concept

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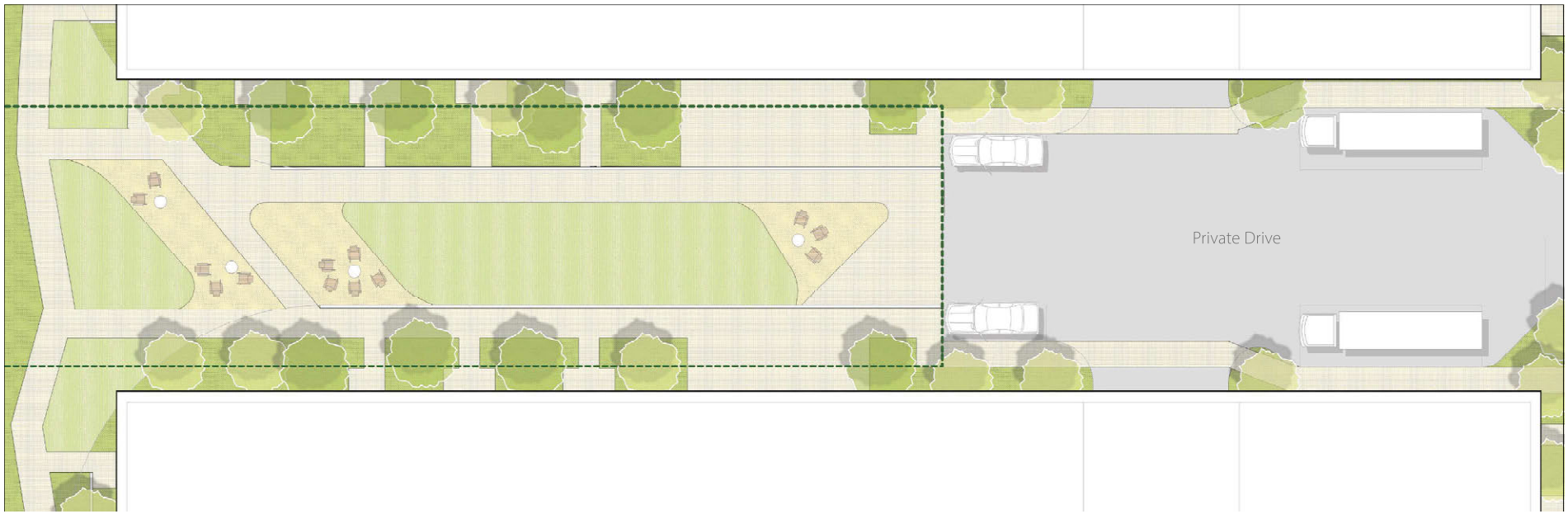

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Figure 3-7

Paseo Green Concept

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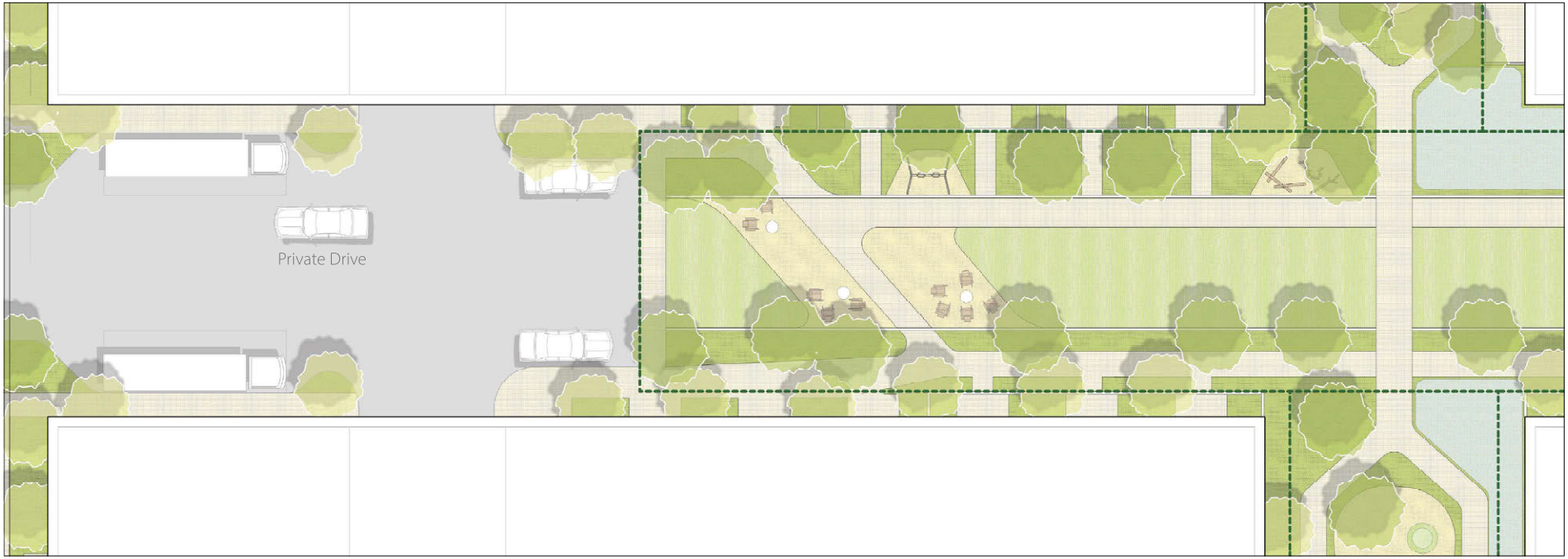

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Figure 3-8

Paseo Greenway Concept

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Figure 3-9

Promenades Concept

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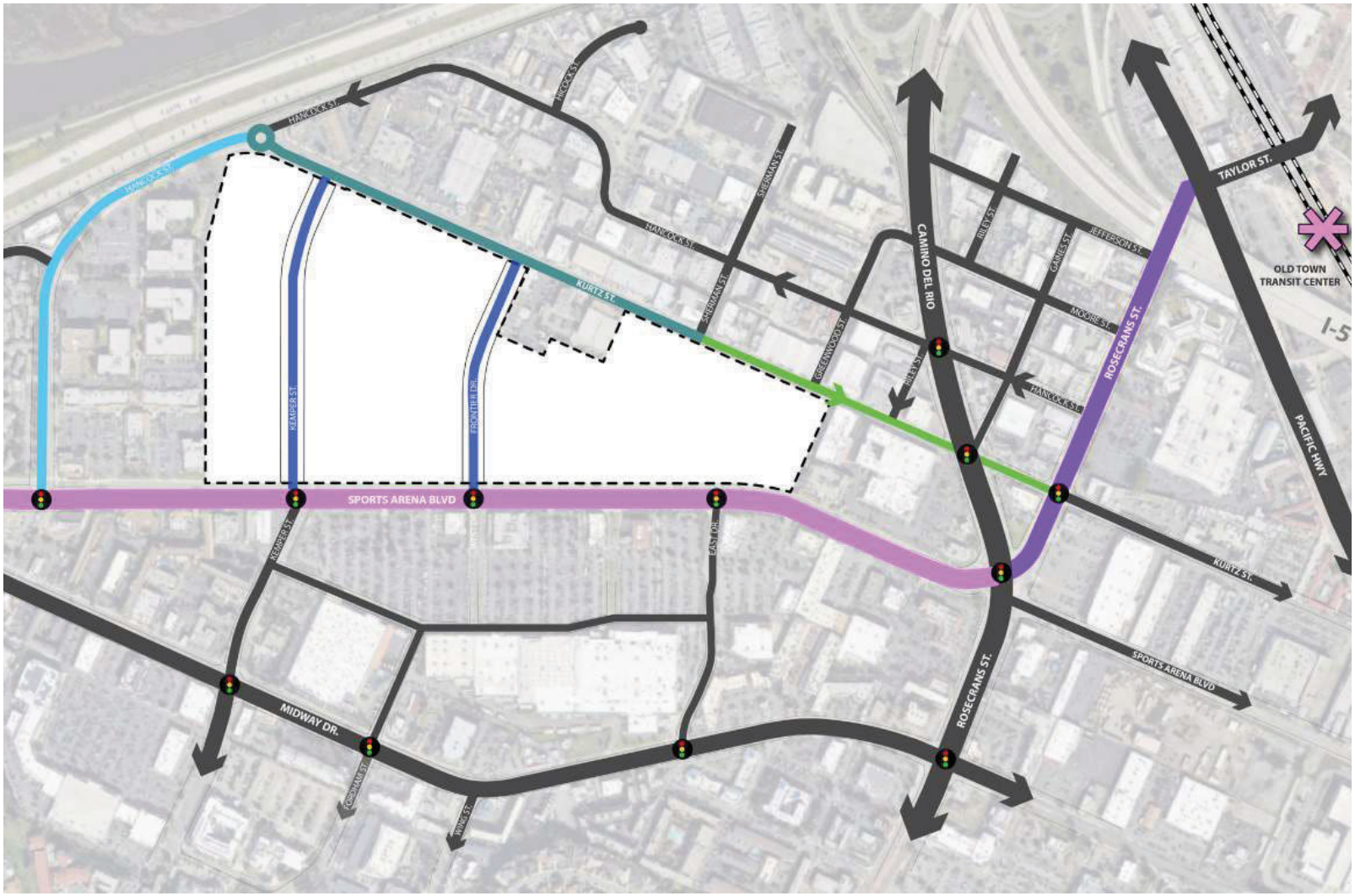

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Figure 3-10

Street Classifications

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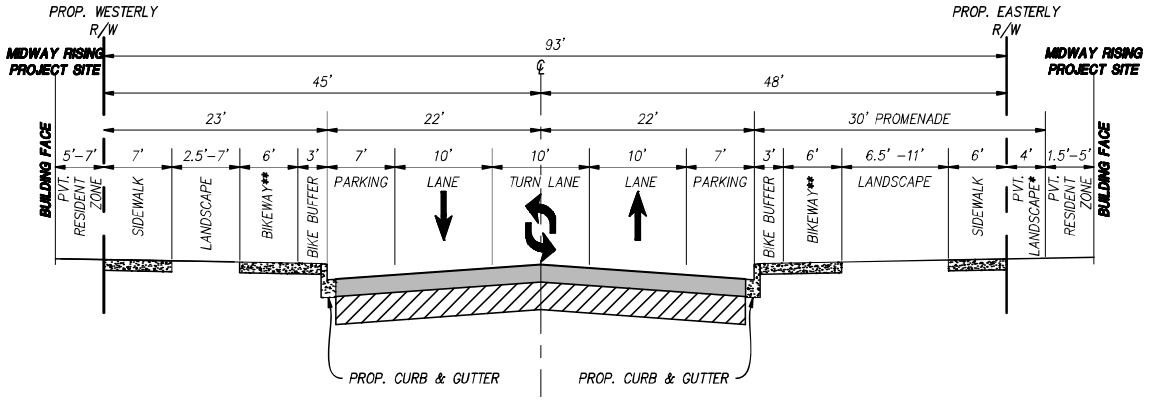

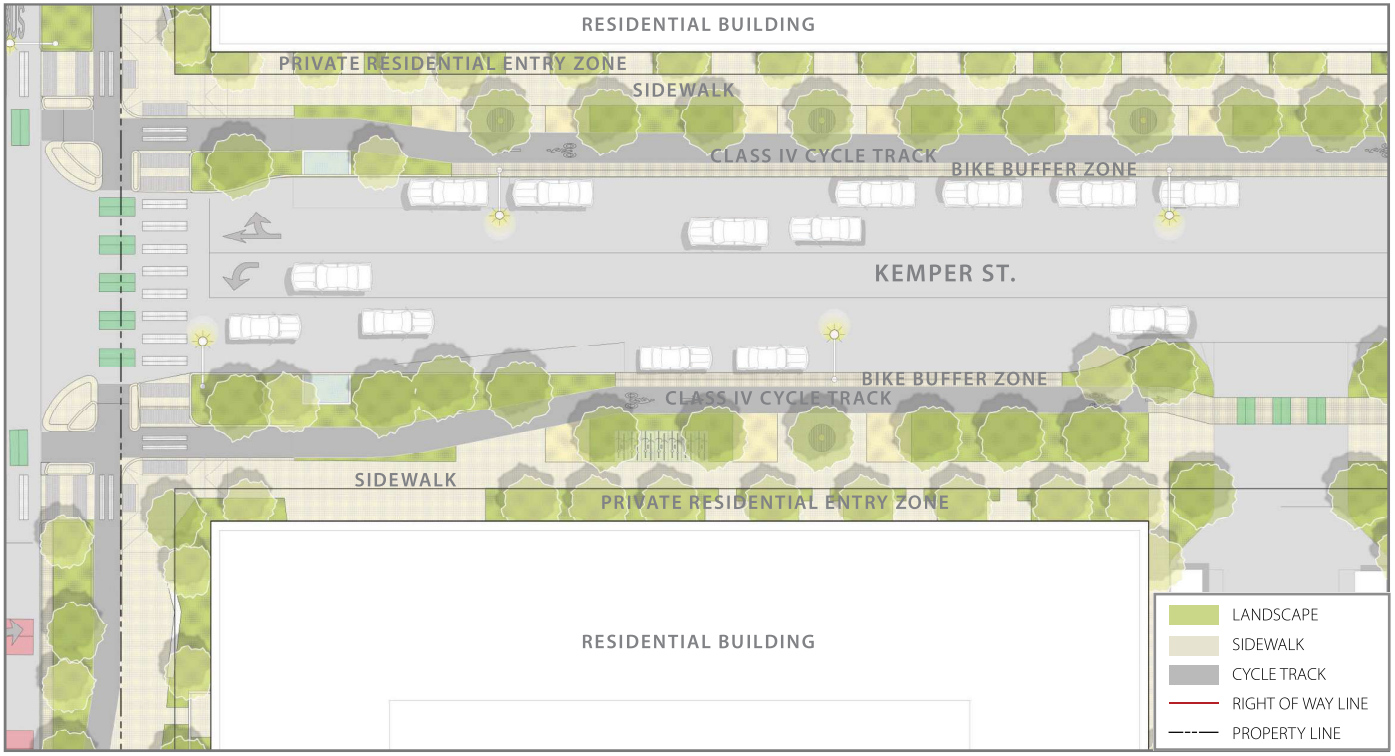

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Figure 3-11

Kemper Street

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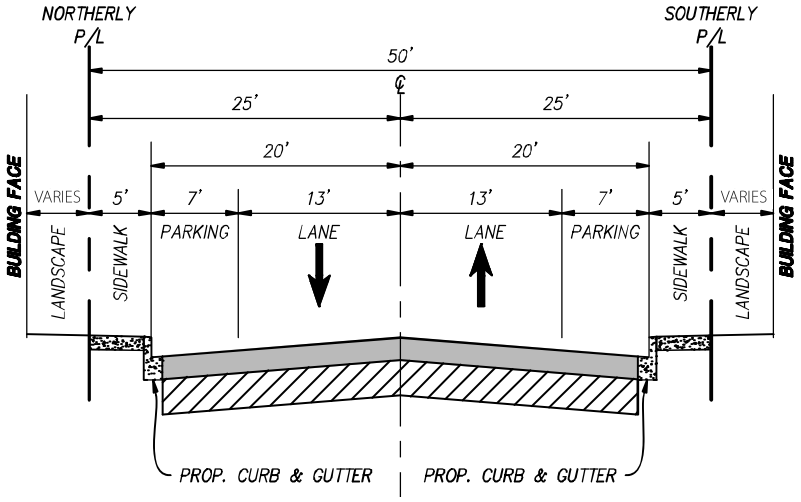

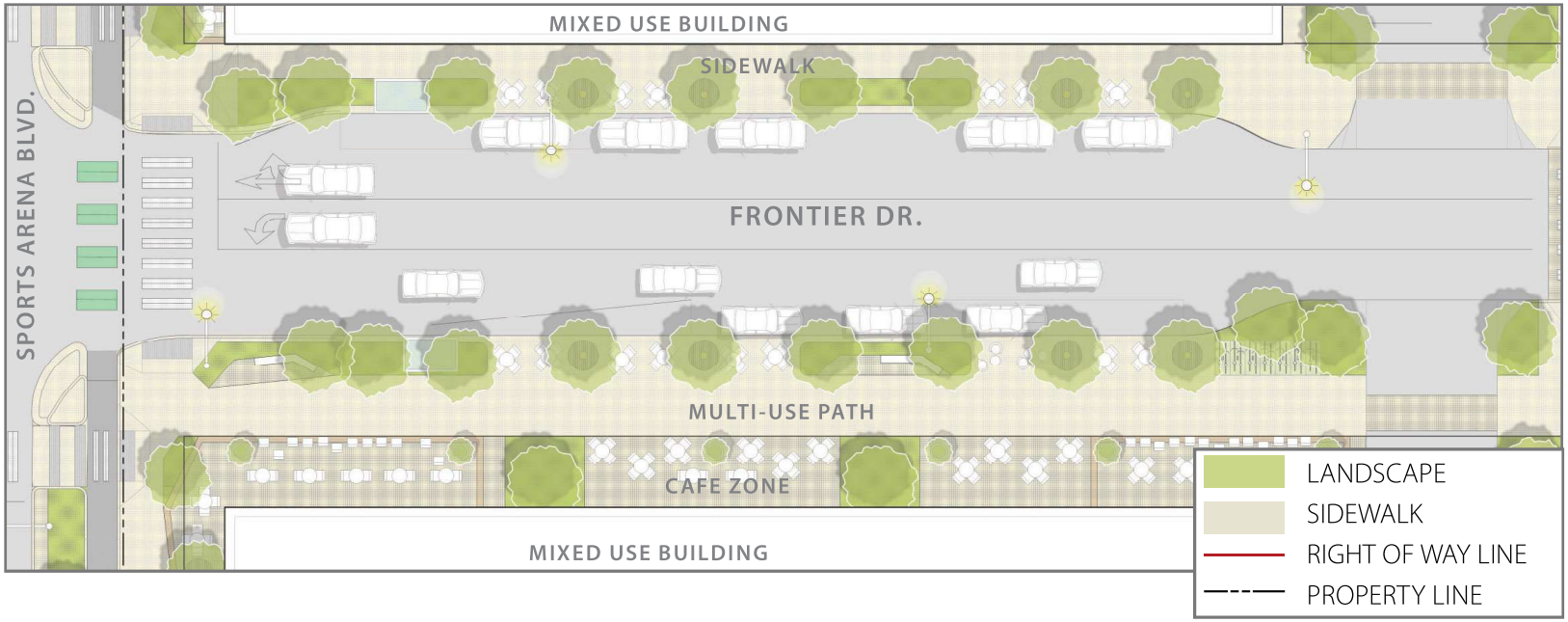

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Figure 3-12

Frontier Drive

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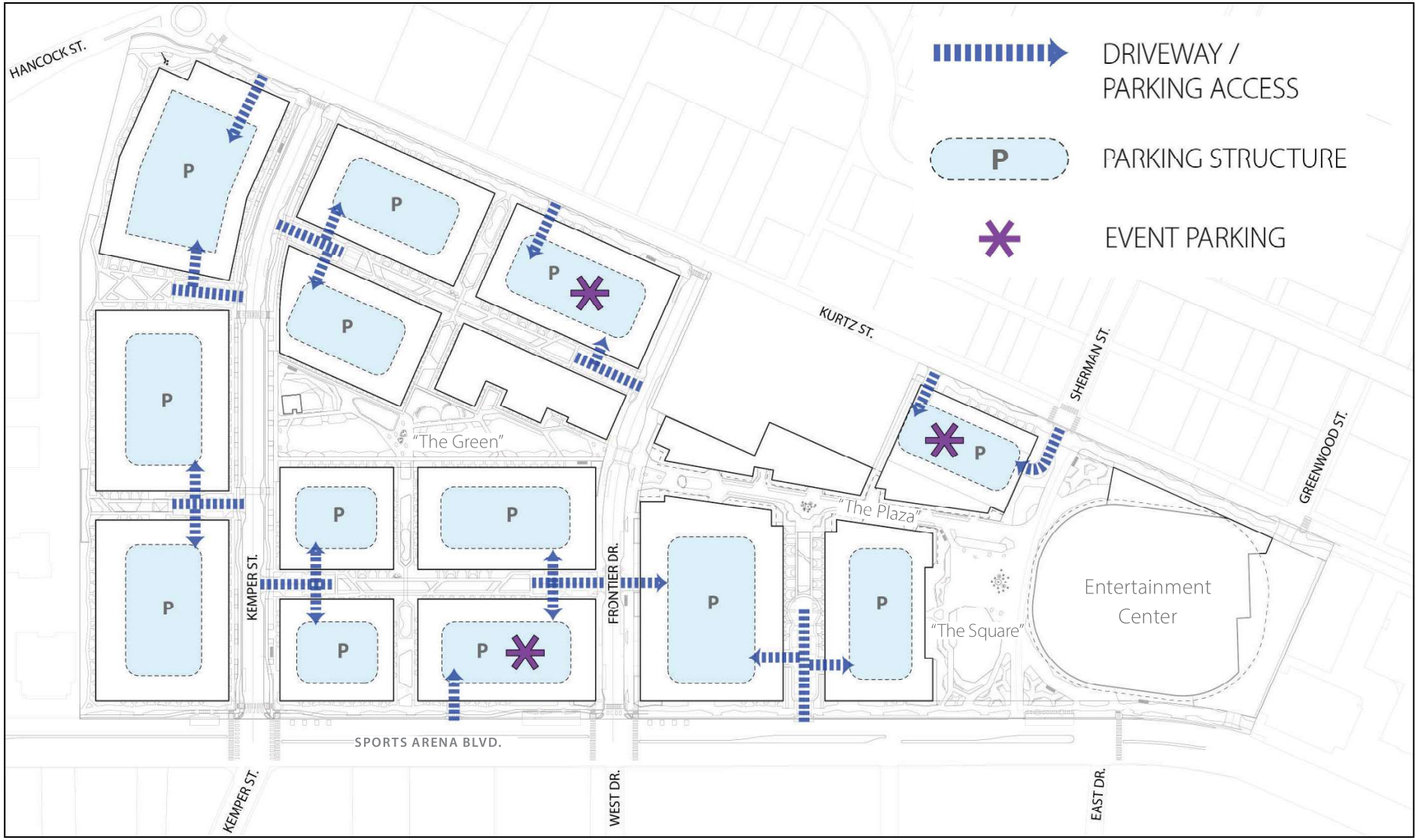

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Figure 3-13

Parking Structure and Access Diagram

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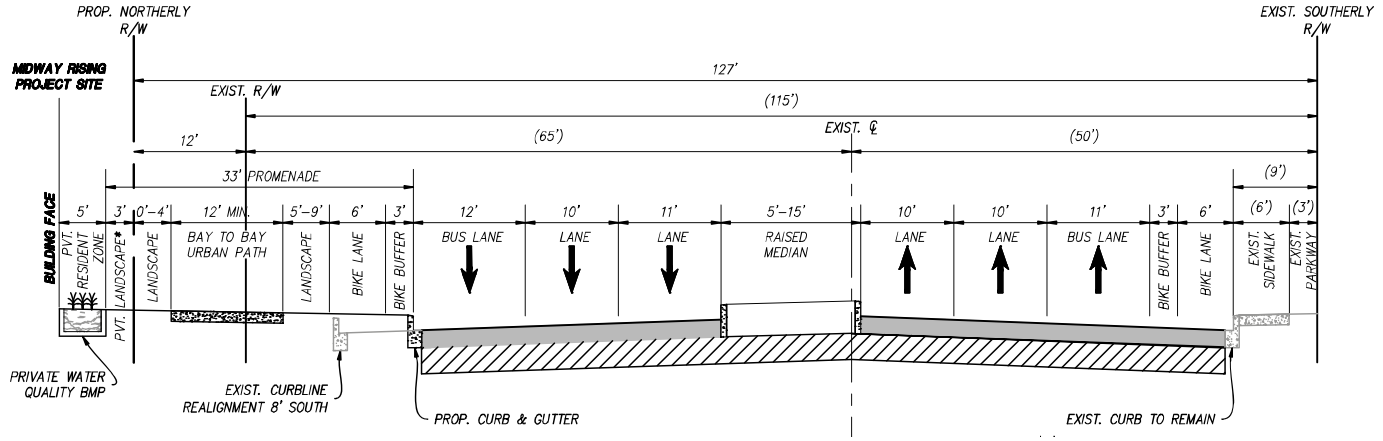

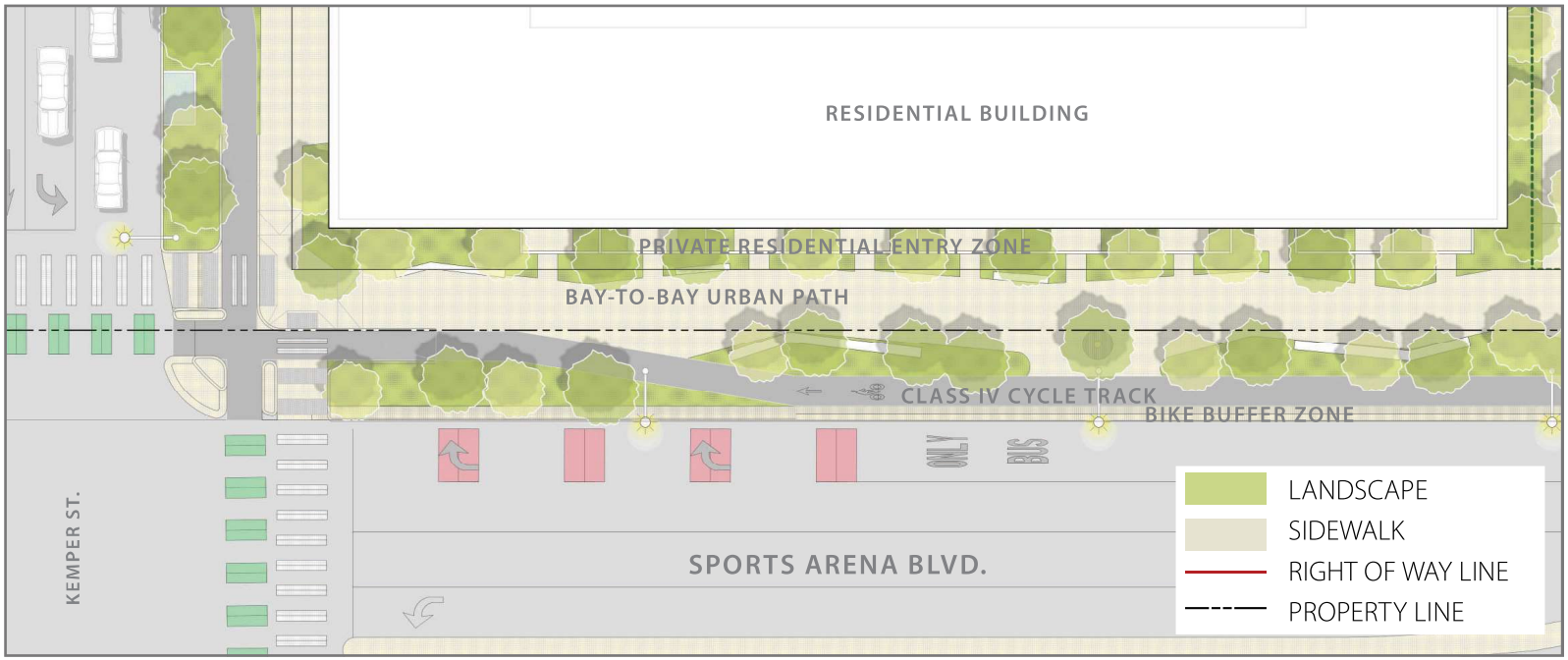

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Figure 3-14

Sports Arena Boulevard

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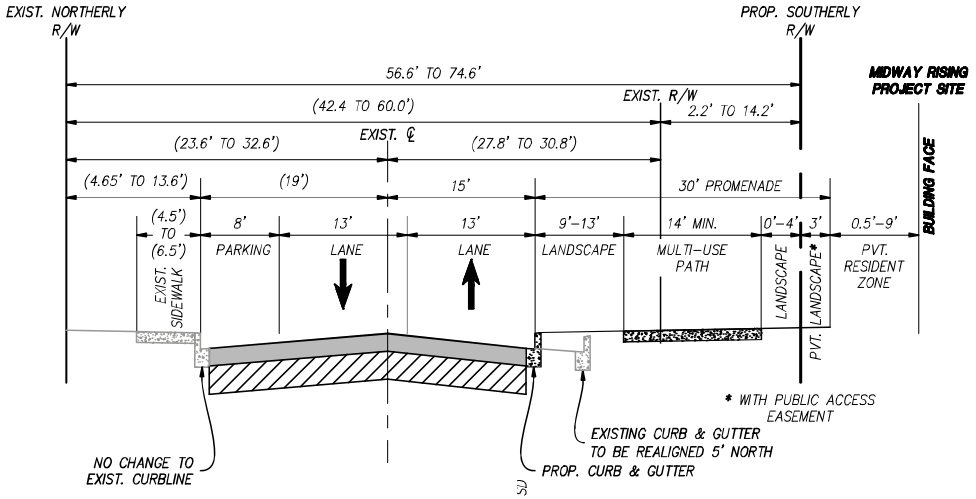

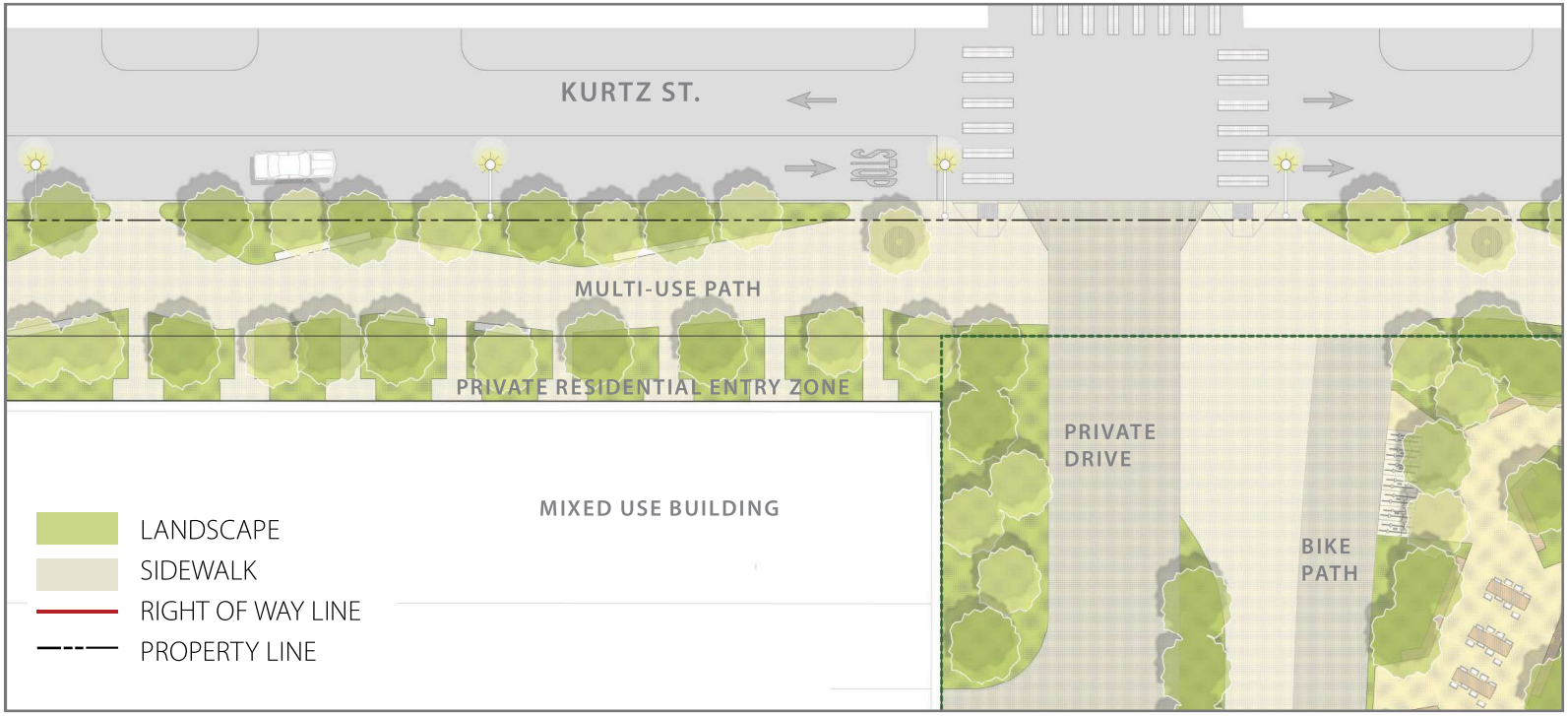

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Figure 3-15

Kurtz Street

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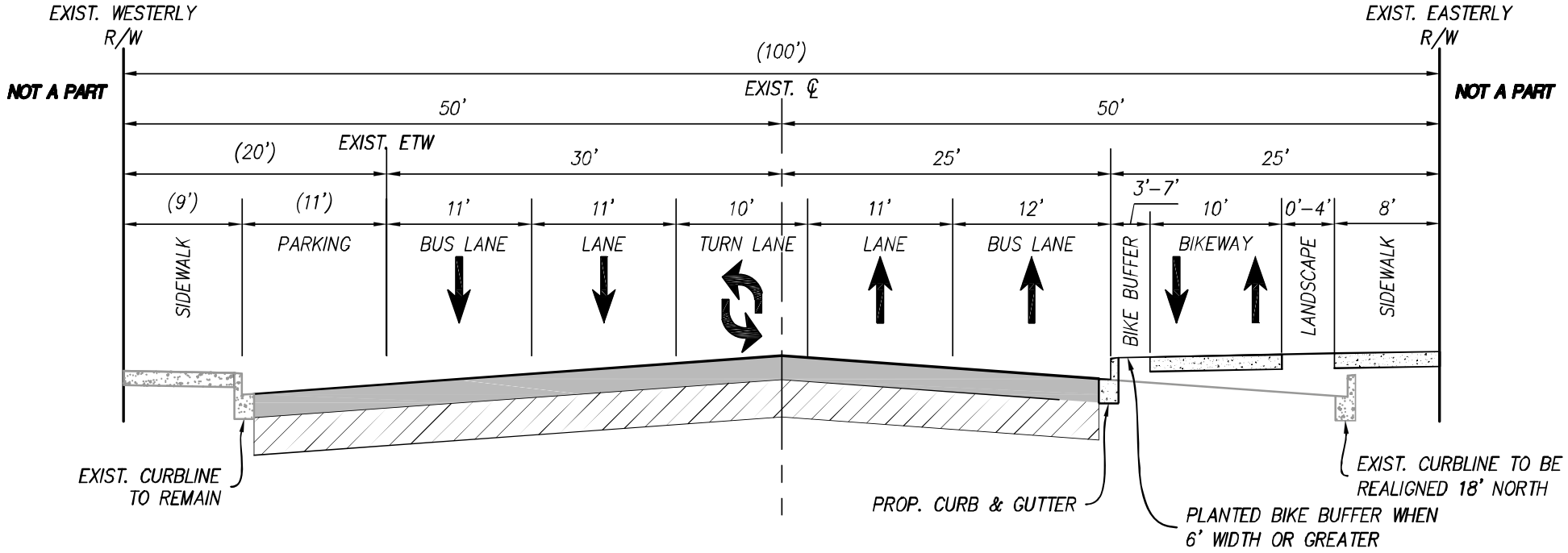

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Figure 3-16

Rosecrans Street

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Figure 3-17

Location of Off-Site Improvements

Midway Rising

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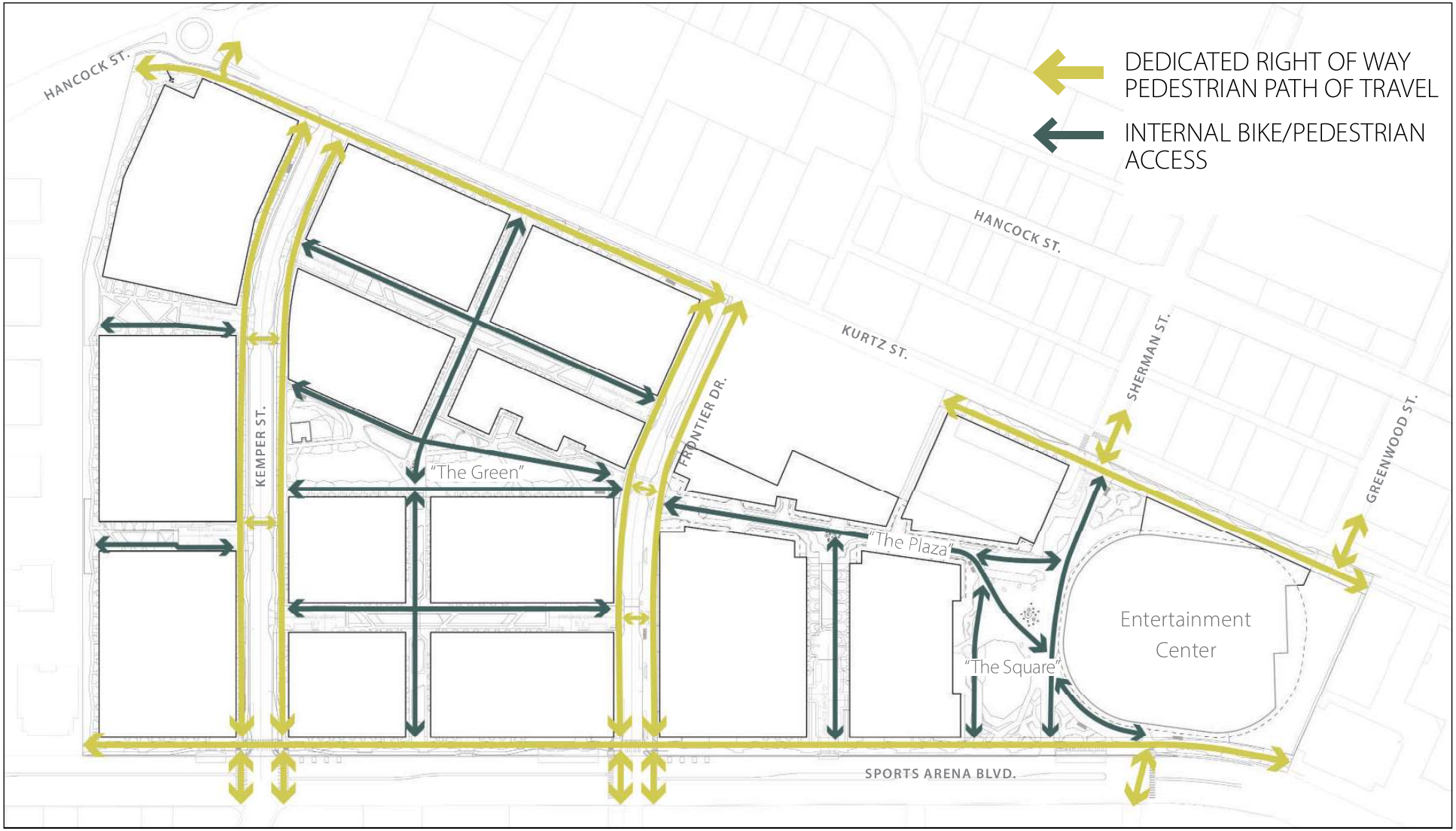

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Figure 3-18

Pedestrian Circulation Concept

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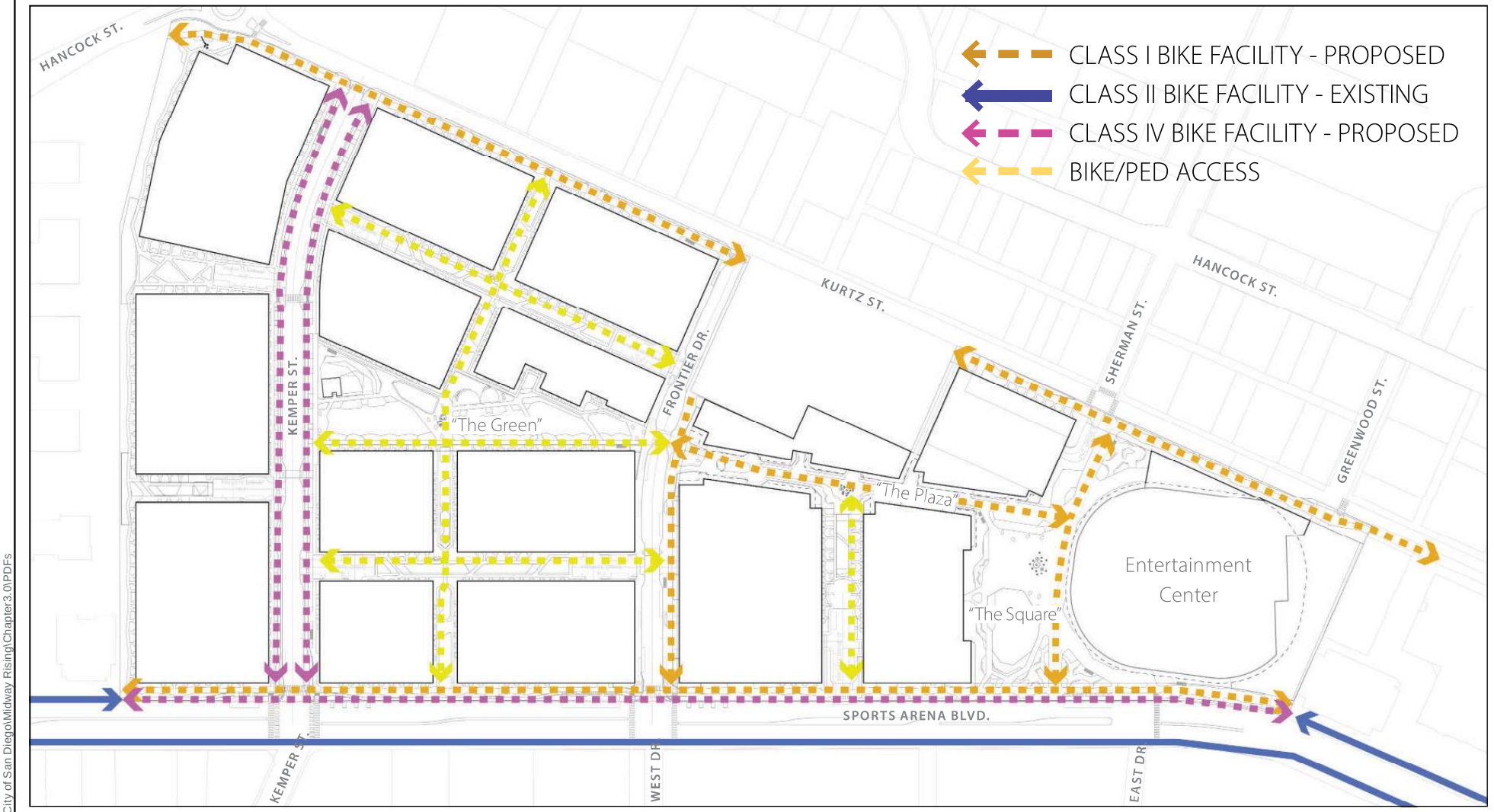

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Figure 3-19

Bicycle Circulation Concept

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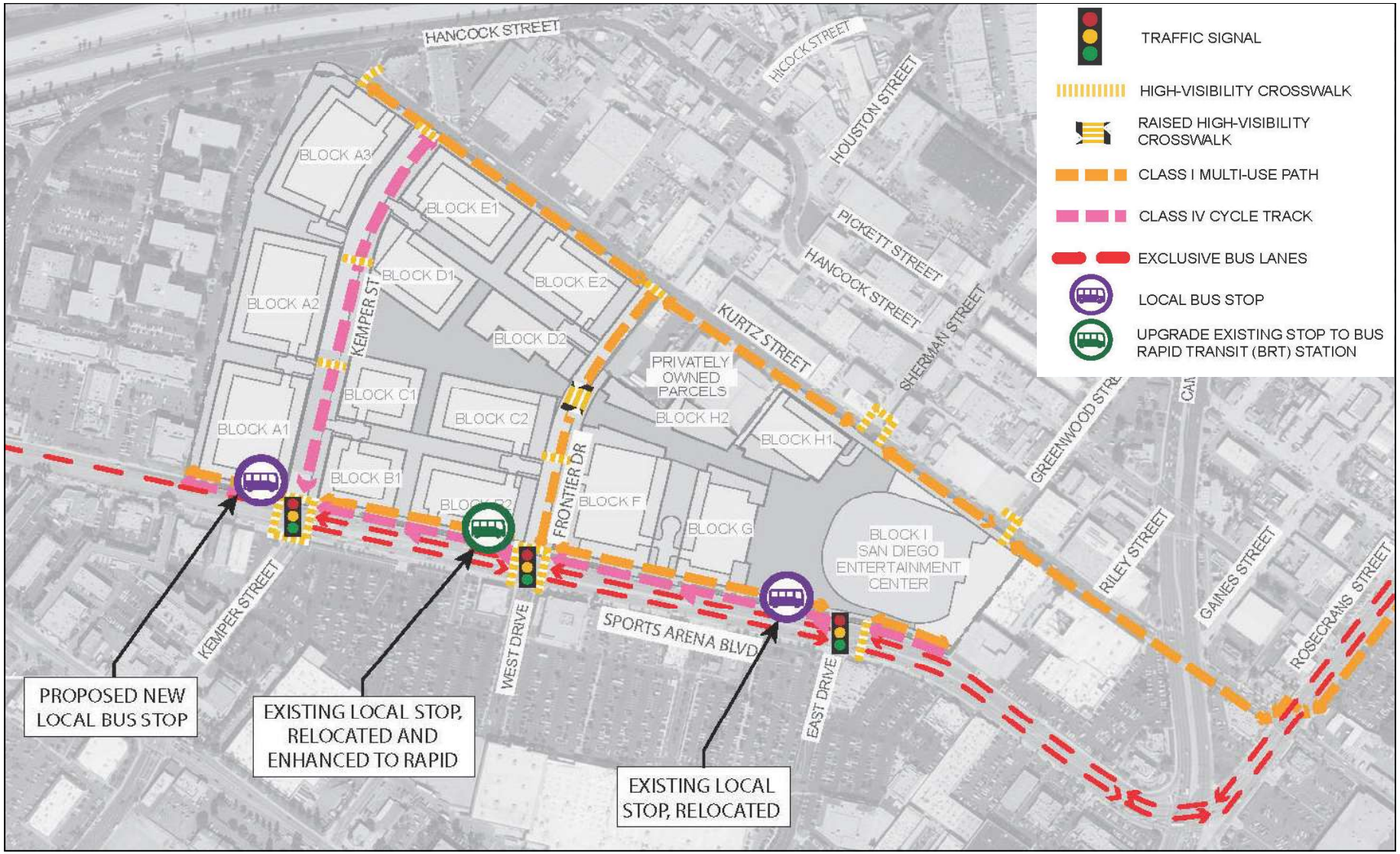

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Figure 3-20

Transit Diagram Bus Stops

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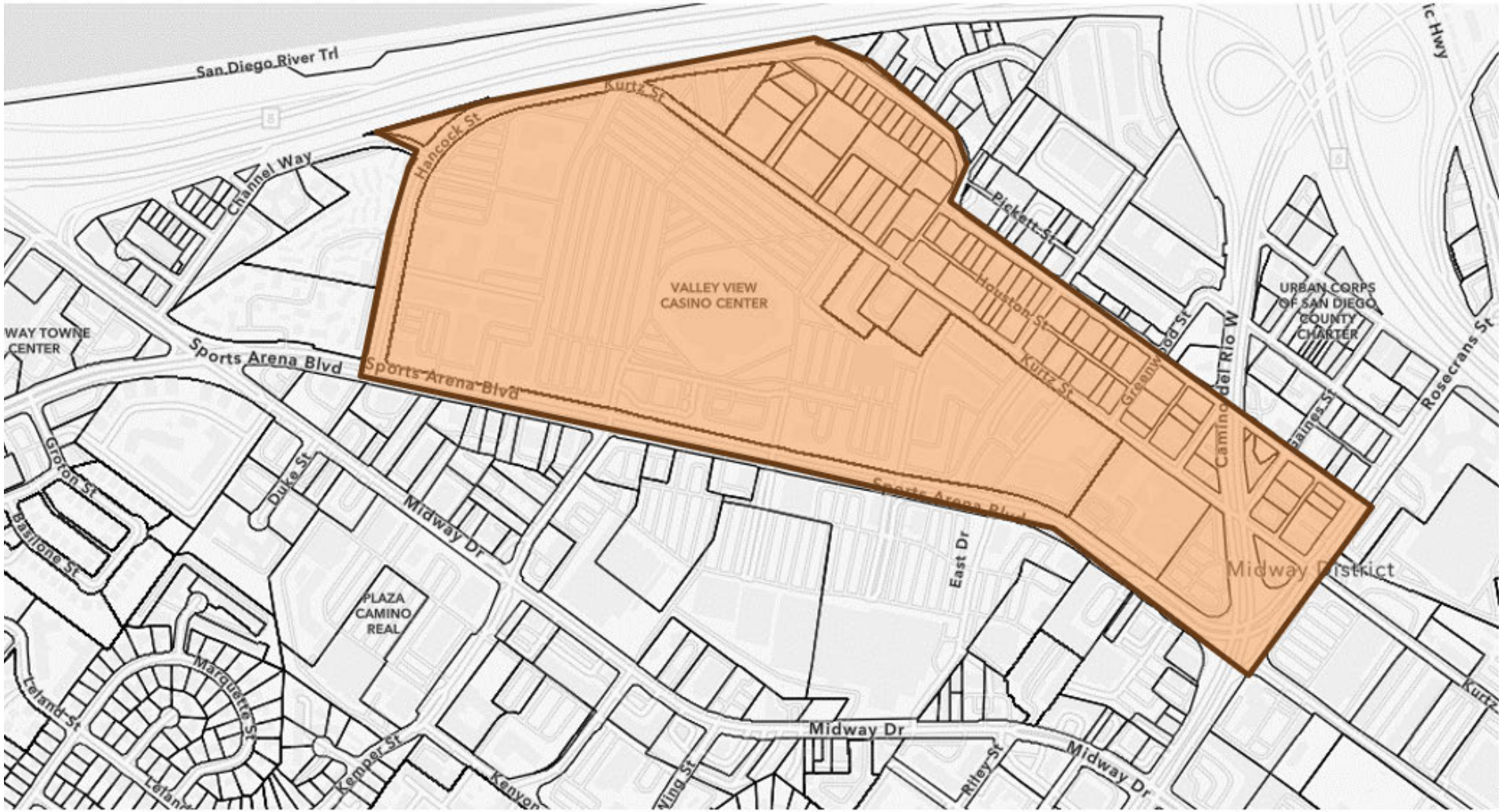

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Figure 3-21

Midway Rising Entertainment Center District

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Chapter 4.0 History of Project Changes

This Subsequent Environmental Impact Report (SEIR) chapter chronicles the physical changes made to the Midway Rising Project (Project) in response to changes in the Project footprint, revisions requested by City of San Diego (City) staff, and changes made during the project review and refinement process. The Project has been revised as described below.

During preparation of the SEIR and after distribution of the Notice of Preparation, the proposed land use for the Project site was changed from four planning areas (A–D) to one planning area. The prior proposal identified Planning Area A as Mixed Use Medium High (zero to 73 dwelling units per acre) and Planning Areas B–D as Mixed Use High (zero to 109 dwelling units per acre). The current single planning area identifies Community Village (72 dwelling units per acre) for the entire Project site. In addition, the zoning designation was changed from Community Commercial (CC-3-8 and CC-3-9) with modifications to Mixed Use Residential (RMX-2).

In addition, the Project footprint was decreased from 52.1 to 49.23 acres to remove all privately owned parcels (sometimes referred to as the outparcels) from the Midway Rising Specific Plan (included as Appendix C to this SEIR) at the request of the owners of the privately owned parcels. The removal of the privately owned parcels from the Midway Rising Specific Plan resulted in the following changes to the SEIR and revisions for consistency across various Project-related technical documents:

- The total number of residential units was decreased from 4,627 to 4,254 due to the removal of the privately owned parcels.
- The total retail square footage was decreased by 10,000 square feet (to a new total of 130,000 square feet) due to the removal of the privately owned parcels.
- The total acreage of public spaces was decreased from 15.08 to 14.54. This is due to the reduction in promenades and streetscape acreages adjacent to the privately owned parcels.
- The 3,500-seat indoor theater was removed from the Project due to the removal of the privately owned parcels.
- The Project frontage along Kurtz Street no longer includes the 30-foot promenade, Class I multi-use path, and landscape areas adjacent to the privately owned parcels.
- The eastern side of proposed Frontier Avenue no longer includes a 12-foot-wide multimodal bicycle and pedestrian path within a 30-foot promenade adjacent to the privately owned parcels.
- The following technical studies were updated to reflect the land use changes associated with removal of the privately owned parcels: Cultural Resources Technical Report, Addendum No. 1 to the Preliminary Geotechnical Investigation Report, Preliminary Drainage Report, Priority Development Project Storm Water Quality Management Plan, Storm Water Infiltration Feasibility Condition, Visual Impact Analysis, Greenhouse Gas Impact Analysis, Public Sewer System Analysis, Public Water System Analysis, Waste Management Plan, and Biological Resources Constraints Study.

- Supplemental memorandums were prepared for the following technical studies to reflect the land use changes associated with removal of the privately owned parcels: Air Quality Technical Report (including Health Risk Assessment), Noise Technical Report, Local Mobility Analysis, Vehicle Miles Traveled Memorandum, and Water Supply Assessment Report. These memorandums were prepared for each technical study to avoid schedule delays and explain that the original, larger Project analysis in these technical studies provides a conservative (i.e., overstated) analysis compared to the new, smaller Project without the privately owned parcels.

Chapter 5.0 Environmental Analysis

This Subsequent Environmental Impact Report (SEIR) chapter analyzes the potential environmental impacts that may occur from implementation of the Midway Rising Project (Project). The environmental issues addressed in this chapter include the following:

- Land Use
- Transportation and Circulation
- Historical and Tribal Cultural Resources
- Geologic Conditions
- Noise
- Health and Safety
- Hydrology/Water Quality
- Visual Effects and Neighborhood Character
- Air Quality
- Greenhouse Gas Emissions
- Public Services and Facilities
- Public Utilities
- Biological Resources
- Paleontological Resources

Each issue analysis section includes a description of the existing conditions, regulatory setting, thresholds to determine impact significance, analysis of impacts and their significance, mitigation for impacts identified as significant, and impact significance after mitigation.

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5.1 Land Use

This Subsequent Environmental Impact Report (SEIR) section describes the existing land use on and around the Midway Rising Project (Project) site and evaluates the potential for implementation of the Project to impact land use. In addition, this section discusses the Project's consistency with relevant development regulations, policies, and guidelines, including but not limited to the 2008 City of San Diego General Plan, as amended (2008 General Plan) (City of San Diego 2008), and 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018).

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- 2008 General Plan (City of San Diego 2008)
- City of San Diego Municipal Code (SDMC) (City of San Diego 2024)
- San Diego County (County) Multiple Species Conservation Program (MSCP) (County of San Diego 1998)
- 2014 San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP) (SDCRAA 2014)
- 2020 Naval Air Station North Island (NASNI) ALUCP (SDCRAA 2022)
- 2021 San Diego Association of Governments (SANDAG) San Diego Forward: The Regional Plan (2021 Regional Plan) (SANDAG 2021)
- 2022 City of San Diego Climate Action Plan (CAP) (City of San Diego 2022a)
- 2018 Community Plan (City of San Diego 2018)

5.1.1 Existing Conditions

5.1.1.1 Project Site

The Project site encompasses 49.23 acres of developed land located at 3220, 3240, 3250, 3350, and 3500 Sports Arena Boulevard in the City of San Diego (City). The site is generally bounded by Kurtz Street to the north, Sports Arena Boulevard to the south, and commercial properties to the west and east. The Midway Rising Specific Plan (Specific Plan) would encompass the San Diego International Sports Arena (currently named Pechanga Arena) site (49.23 acres; Assessor's Parcel Number 441-590-04). The Project site is currently developed with various commercial and entertainment uses, including the San Diego International Sports Arena, and paved surface parking areas.

The SDMC governs the zoning for the site. The base zone on the site is CC-3-6 (Community Commercial) (Figure 2-6, Zoning Designation). In addition to the base zones, Community Plan Implementation Overlay Zone B is applied to the entire site to provide supplemental development regulations that implement the 2018 Community Plan's vision and policies.

The 2018 Community Plan designates the Project site as Community Commercial – Residential Permitted with a maximum residential density of 44 dwelling units per acre. The 2008 General Plan designates the site as Multiple Use (Figure 2-4, General Plan Land Use Designations).

5.1.1.2 Surrounding Area

The Project site is surrounded by urban development. Existing uses in the surrounding area include community commercial services (such as grocery stores, drugstores, restaurants, hardware, and auto-related services), regional commercial (such as big box retailers and hotels), and community-serving uses (such as medical facilities and City services). Uses include commercial and office uses to the west, light industrial and office space to the north along Kurtz Street, and a parking structure and the Rosecrans Plaza Shopping Center to the east. The Sports Arena Shopping Center is directly south of Sports Arena Boulevard. Multi-family residential uses of varying scales and densities are located farther west and south of the Project site. Surrounding areas are zoned CC-3-8, CC-1-3, and CC 3-6, which are commercial base zones (Figure 2-6).

For additional information on the existing setting, refer to Chapter 2.0, Environmental Setting.

5.1.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address land use.

5.1.2.1 Federal

Federal Aviation Administration Regulations

The Federal Aviation Regulations are rules prescribed by the Federal Aviation Administration (FAA) governing aviation activities in the United States. The Federal Aviation Regulations comprise Title 14 of the Code of Federal Regulations. A variety of activities are regulated, such as aircraft design and maintenance, typical airline flights, pilot training activities, hot-air ballooning, lighter-than-air aircraft, human-made structure heights, obstruction lighting and marking, model rocket launches, commercial space operations, model aircraft operations, Unmanned Aircraft Systems, and kiteflying. The rules promote safe aviation, protecting pilots, flight attendants, passengers, and the public from unnecessary risk. The Project site is within the FAA Part 77 Noticing Area Overlay Zone requiring notification for structures within 20,000 feet of a public use or military airport that exceeds a 100:1 surface ratio from any point on the runway of an airport with at least one runway more than 3,200 feet long.

5.1.2.2 State

Senate Bill 18

Signed into law in September 2004, and effective March 1, 2005, Senate Bill (SB) 18 permits California Native American Tribes recognized by the Native American Heritage Commission (NAHC) to hold conservation easements on terms mutually satisfactory to the Tribe and the landowner. The

term “California Native American Tribe” is defined as “a federally recognized California Native American Tribe or a non-federally recognized California Native American Tribe that is on the contact list maintained by the NAHC.” The bill also requires that, before the adoption or amendment of a city or county’s General Plan, the city or county shall consult with California Native American Tribes to preserve specified places, features, and objects located within the city or county’s jurisdiction. SB 18 also applies to the adoption or Specific Plan or Community Plan Amendments. This bill requires the planning agency to refer to the California Native American Tribes specified by the NAHC and to provide them with involvement opportunities. Compliance with SB 18 is required due to the Project’s proposed General Plan and Community Plan Amendments.

5.1.2.3 Local

2008 City of San Diego General Plan

The 2008 General Plan was unanimously adopted by the San Diego City Council on March 10, 2008, with additional amendments approved in December 2010, January 2012, June 2015, June 2018, August 2021, December 2021, and August 2022. Further, an additional amendment (Blueprint SD) was approved in July 2024, which is after the issuance of the Notice of Preparation for the Project (December 2023) and, therefore, is not relevant to the following analysis. The adopted Environmental Justice Element and the amended 2008 General Plan (Blueprint SD) address the City’s environmental justice goals, housing needs, CAP goals, and the SANDAG 2021 Regional Plan and were developed after the issuance of the Notice of Preparation for the Project (December 2023) and, therefore, are noted for information only.

The 2008 General Plan, as amended, provides policy direction in land use, urban form, neighborhood character, historic preservation, public facilities, recreation, conservation, mobility, housing affordability, economic prosperity, and equitable development. It recognizes and explains the critical role of the community planning program as the vehicle to tailor the City of Villages strategy for each neighborhood. It also outlines the plan amendment process and other implementation strategies and considers the City's continued growth beyond the year 2020. The 2008 General Plan contains 10 elements that provide a comprehensive “blueprint” for the City’s growth over the next 20+ years. Most of the environmental goals relevant to the Project are contained in the 2008 General Plan Land Use and Community Planning, Urban Design, Economic Prosperity, Conservation, Recreation, and Noise Elements, as described in the following sections (City of San Diego 2008).

Land Use and Community Planning Element

This element aims to guide future growth and development into a sustainable Citywide development pattern while maintaining or enhancing the quality of life in the City’s communities. The Land Use and Community Planning Element addresses land use issues that apply to the City as a whole. The community planning program is the mechanism to refine Citywide policies, designate

land uses, and make additional site-specific recommendations as needed. The element establishes the structure to respect the diversity of each community and includes policy direction to govern the preparation of Community Plans. It also provides policy direction to guide zoning decisions and advise various other issue areas, including policy consistency, the plan amendment process, coastal planning, airport land use compatibility planning, annexation policies, balanced communities, equitable development, and environmental justice (City of San Diego 2015a).

One specific concept introduced in the 2008 General Plan is the City of Villages strategy, which proposes that growth be directed into pedestrian-friendly, mixed-use activity centers linked to an improved regional transit system. The City of Villages strategy shifts the focus of land use policies to encourage infill development and reinvest in existing communities. Locating different land use types near one another can decrease mobile emissions. Thus, developing dense urban "villages" would generate fewer greenhouse gas (GHG) emissions. The City of Villages strategy can be seen as an effort to avoid what is commonly referred to as "urban sprawl" (City of San Diego 2015a).

Urban Design Element

"Urban design" describes the physical features that define the character or image of a street, neighborhood, community, or the City as a whole. Urban design provides the visual and sensory relationship between people and the built and natural environments. The built environment includes buildings and streets, and the natural environment includes features such as shorelines, canyons, mesas, and parks as they shape and are incorporated into the urban framework. Citywide urban design recommendations are provided in this element to ensure that the built environment continues to contribute to the qualities that distinguish the City as a unique living environment (City of San Diego 2008).

Economic Prosperity Element

The structure of the City's economy influences the City's physical development and determines the City's capacity to fund essential services. The purpose of this element is to improve economic prosperity by ensuring that the economy grows in ways that strengthen the City's industries, retain and create good jobs with self-sufficient wages, increase average income, and stimulate economic investment in the City's communities (City of San Diego 2023).

Conservation Element

The Conservation Element provides for the long-term conservation and sustainable management of the rich natural resources that help define the City's identity, contribute to the economy, and improve its quality of life. The element contains policies to guide the conservation of the resources that are fundamental components of the City's environment, help define the City's identity, and these resources are relied on for continued economic prosperity (City of San Diego 2008).

Recreation Element

The City has over 38,930 acres of parks and open space that offer diverse recreational opportunities. The Recreation Element contains goals and policies to address the City's challenges to preserve, protect, develop, operate, maintain, and enhance public recreation opportunities and facilities throughout the City. The element helps manage the increasing demand on existing/remaining usable park and recreation resources/facilities; develop open space lands and resource-based parks for population-based recreational purposes; ensure that distribution and access to parks are achieved equally Citywide, recognizing the unique differences among communities; and achieve livable neighborhoods and communities (City of San Diego 2021).

Noise Element

The Noise Element protects people living and working in the City from excessive noise. The element provides goals and policies to guide compatible land uses and incorporates noise attenuation measures for new uses to protect people living and working in the City from an excessive noise environment (City of San Diego 2015b). It also establishes noise land use compatibility guidelines, as discussed in Section 5.5, Noise.

Housing Element

The Housing Element is the City's housing plan. The City is required to adequately plan to meet the housing needs of everyone in the community and to update its plan every eight years. The foundation for the Housing Element is the Regional Housing Needs Assessment, in which the State estimates each region's housing needs for all income groups for the upcoming eight years. Each region then determines how much of the region's total housing needs to be produced for each city and county in the region. On June 16, 2020, the San Diego City Council adopted the 2021–2029 Housing Element. The City subsequently adopted revisions to the Housing Element in June 2021 to meet the certification conditions identified by the California Department of Housing and Community Development in their October 2020 compliance letter. The Housing Element received full certification from California Department of Housing and Community Development on September 10, 2021 (City of San Diego 2021b).

City of San Diego Municipal Code

The City's Land Development regulations are included in SDMC Chapters 11, 12, 13, 14, and a portion of Chapter 15. The SDMC contains the City's planning, zoning, subdivision, and building regulations that regulate how land should be developed within the City. The SDMC sets forth the procedures used in applying land use regulations, the types of development review, and the regulations that apply to the use and development of land in the City. These procedures and regulations intend to facilitate fair and effective decision-making and to encourage public participation. Applicable code sections include but are not limited to the following (City of San Diego 2024):

- Chapter 12 – Land Development Reviews
  - Chapter 12 includes Extension of Time, Public Right-Of-Way Vacations, and other Regulatory procedures. Chapter 12 provides procedures to review land use plans, zoning actions, maps, and permit applications. Map and permit reviews are divided into two major categories: development review and construction review. A proposed map or permit may require either type or both types of review as specified. Development review is the review of conceptual or schematic plans. Development review is required when conditions must be applied to a map or permit or when adjustments or exceptions from regulations are proposed. Construction review is review of final or construction plans for compliance with regulations of the Municipal Code.
- Chapter 13 – Zones
  - Chapter 13 includes zoning regulations such as setbacks, floor-area-ratio (FAR), height, density, and specified overlay zones.
- Chapter 14 – General Regulations
  - Chapter 14 includes various regulations related to land development:
    - CAP Consistency Regulations. The City has adopted CAP Consistency Regulations (SDMC Chapter 14, Article 3, Division 14) to ensure that all new development is consistent with the 2022 CAP. The CAP Consistency Regulations apply to specified ministerial and discretionary projects to ensure that projects comply with the goals and objectives of the 2022 CAP and contain measures that are required to be implemented on a project-by-project basis to confirm that the specified emissions targets identified in the 2022 CAP are achieved.
    - Historical Resources Regulations. The City's Historical Resources Regulations (SDMC Chapter 14, Article 3, Division 2) apply when historical resources are present. As defined by these regulations, historical resources include designated historical resources, historical buildings, historical structures, historical objects, important archaeological sites, historical districts, historical landscapes, historical objects, historical structures, important archaeological sites, and Traditional Cultural Properties.
    - Land Development Manual. The City has established and adopted submittal requirements, review procedures, and standards and guidelines for development as manuals to supplement the Municipal Code. These support documents are known collectively as the Land Development Manual (LDM). Chapter 14 of the Municipal Code includes general development regulations, supplemental development regulations, building regulations, and electrical/plumbing/mechanical

regulations that govern all aspects of project development. The grading, landscaping, parking, signage, fencing, and storage requirements are all in Chapter 14, General Regulations.

- City of San Diego Affordable Housing Density Bonus Regulations. The City's Affordable Housing Density Bonus Regulations (SDMC, Chapter 14, Article 3, Division 7) provide incentives for developments that provide housing for very low-, low- and moderate-income households, as well as senior households, transitional age foster youth, disabled veterans, or homeless San Diegans. On March 6, 2018, the San Diego City Council approved changes to the density bonus program to allow a 10 percent density bonus for developments that do not exceed the maximum permitted building footprint, allowing developers to be eligible for an incentive or waiver even if they do not request a density bonus, and allowing for 100 percent density bonus for micro-unit production for developments that do not exceed the permitted building footprint.

San Diego County Multiple Species Conservation Program

The City participates in the County MSCP, a cooperative federal, state, and local environmental conservation program aimed at preserving San Diego's unique native plants and animals (covered species). The MSCP's boundaries extend over multiple jurisdictions and environments, including regional watersheds and migratory wildlife corridors. The MSCP protects the region's diverse native plant and animal species, including those that are threatened and endangered. The MSCP also provides provisions and regulations that accommodate future growth and streamline building regulations while protecting natural resources in the region (County of San Diego 1998).

1997 City of San Diego Multiple Species Conservation Program Subarea Plan

The City's MSCP Subarea Plan (SAP) was adopted in 1997 and encompasses 206,124 acres within the regional MSCP Study Area. The MSCP SAP provides a Multi-Habitat Planning Area (MHPA) where preserve planning is focused and where permanent conservation of habitat lands will be accomplished, and includes a process for the issuance of permits under the California Natural Communities Conservation Planning Act of 1991, federal Endangered Species Act, and California Endangered Species Act. The MSCP SAP is characterized predominantly by urban land uses, including associated parks and open space, and separates the City into several geographic units (City of San Diego 1997).

2014 San Diego International Airport Land Use Compatibility Plan

The Project site is located 1.8 miles north of the SDIA within the designated Airport Influence Area (AIA). Specifically, the Project site is bisected by the boundaries of AIA Review Areas 1 and 2. The southern half of the site is within Review Area 1, while the northern half of the site is within Review Area 2. Review Area 1 is defined by the combination of the 60 decibel (dB) Community Noise

Equivalent Level (CNEL) noise contour, the outer boundary of the safety zones, and the airspace threshold siting surfaces. Review Area 2 is defined by the combination of airspace protection and overflight boundaries beyond Review Area 1, where only airspace protection and overflight policies and standards apply within Review Area 2. Per the FAA, notification would be required for projects within 20,000 feet of a public use or military airport that exceeds a 100:1 surface ratio from any point on the runway of an airport with at least one runway more than 3,200 feet long for the SDIA. The SDIA ALUCP provides policies and criteria for the City to implement and for the Airport Land Use Commission to use when reviewing development proposals (SDCRAA 2014).

2020 North Island Air Station Airport Land Use Compatibility Plan

The Project site is 2.8 miles north of the NASNI within the NASNI AIA. Projects within the Airspace Protection Boundary must determine if they are required to file a Notice of Proposed Construction or Alteration (FAA Form 7460-1) (SDCRAA 2020). Per the FAA, notification is required for projects exceeding 181 feet (SDCRAA 2020).

2021 San Diego Association of Governments San Diego Forward: The Regional Plan

SANDAG is the federally designated Metropolitan Planning Organization for the San Diego region. SANDAG serves as a forum for public decision-making on regional issues such as growth, transportation, and land use in the County and consists of representatives from each of the County's local jurisdictions. The SANDAG Board of Directors adopted the 2021 Regional Plan on December 10, 2021. The 2021 Regional Plan provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources. The 2021 Regional Plan is the result of years of planning, data analysis, and community engagement to reimagine the San Diego region with a transformative transportation system, a sustainable pattern of growth and development, and innovative demand and management strategies (SANDAG 2021).

2022 City of San Diego Climate Action Plan

The City adopted an updated qualified CAP in August 2022 that builds upon the 2015 CAP and establishes a community-wide goal of net-zero emissions by 2035. It is anticipated that the City will achieve a reduction of 8,774,000 metric tons of carbon dioxide equivalent (MT CO_2e) by 2035 with implementation of the 2022 CAP. However, additional reductions would be required to achieve net-zero emissions. The 2022 CAP relies on significant City and regional actions, continued implementation of federal and state mandates, and local strategies with associated action steps for target attainment (City of San Diego 2022a).

The overall strategies to achieve the 2022 CAP target include decarbonization of the built environment, access to clean and renewable energy, reduction of vehicle miles traveled through land use and transportation options, methane (CH_4) capture and waste diversion, resilient infrastructure, habitat restoration, and pursuit of emerging climate actions (City of San Diego 2022a).

2018 City of San Diego Midway-Pacific Highway Community Plan

The San Diego City Council adopted an update to the previous 1991 Midway/Pacific Highway Corridor Community Plan on September 17, 2018. The purpose of the 2018 Community Plan is to establish a vision with policies to guide the future growth and development in the Midway-Pacific Highway Community planning area, consistent with the 2008 General Plan; provide strategies and implementing actions to accomplish the vision; provide guidance to design and evaluate development proposals and improvement projects; and provide the basis for plan implementation, including zoning, development regulations, and a public facilities financing plan (City of San Diego 2018).

The 2018 Community Plan includes a Land Use, Villages, and Districts Element and an Urban Design Element. The Land Use, Villages, and Districts Element identifies a vision for each district and village, as well as land use designations and policies to achieve this vision. The Urban Design Element addresses the defining features and relationships of buildings, groups of buildings, development sites, public spaces, and public infrastructure in a community (City of San Diego 2018).

The 2018 Community Plan Elements provide policies addressing commercial, mixed-use, and residential infill development. These policies are related to street wall articulation, ground-level uses, windows, building materials, lighting, signs, corners, architectural projections, rooftop and mechanical screening, public space, public art, street orientation and setbacks, sustainable building design, height and massing, and development transitions. In addition, the Land Use, Villages, and Districts Element includes specific goals and policies for creating distinctive villages and districts. These policies cover vision, uses, mobility, parks, urban design, and the public realm (City of San Diego 2018).

5.1.3 Significance Determination Thresholds

The thresholds used to evaluate potential land use impacts are generally based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU EIR. A significant impact on land use could occur if implementation of the Project would:

- **Issue 1:** Conflict with the environmental goals, objectives, or guidelines of a General Plan or Community Plan or other applicable land use plan or regulation and, as a result, cause an indirect or secondary environmental impact;
- **Issue 2:** Lead to development or conversion of General Plan or Community Plan designated open space or prime farmland to a more intensive land use, resulting in a physical division of the community;
- **Issue 3:** Conflict with the provisions of the City's MSCP Subarea Plan (SAP) or other approved local, regional, or state habitat conservation plan; or
- **Issue 4:** Result in land uses which are not compatible with an adopted Airport Land Use Compatibility Plan (ALUCP).

5.1.4 Impact Analysis

5.1.4.1 Issue 1: Conflicts with Applicable Plans

Would the Project conflict with the environmental goals, objectives, or guidelines of a General Plan or Community Plan or other applicable land use plan or regulation and, as a result, cause an indirect or secondary environmental impact?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR analyzed the 2018 Community Plan per the applicable plans and regulations for the Midway-Pacific Highway Community planning area: 2008 General Plan, SDMC, Environmentally Sensitive Lands Regulations, MSCP, MHPA Land Use Adjacency Guidelines, Historical Resources Regulations, SANDAG's 2015 Regional Plan, California Coastal Act of 1976, and San Diego Unified Port District's 2021 Port Master Plan. The Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan is consistent with the 2008 General Plan because the 2018 Community Plan provides site-specific recommendations that further express 2008 General Plan policies and establishes a framework for growth and development consistent with the 2008 General Plan.

The Midway-Pacific Highway CPU PEIR also determined that the 2018 Community Plan is consistent with the SDMC, Environmentally Sensitive Lands Regulations, MSCP, MHPA Land Use Adjacency Guidelines, Historical Resources Regulations, SANDAG's 2015 Regional Plan, California Coastal Act of 1976, and San Diego Unified Port District's 2021 Port Master Plan. Therefore, the Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding conflicts with the environmental goals, objectives, or guidelines of a General Plan or Community Plan or other applicable land use plan or regulation. Impacts were determined to be **Less than Significant**.

Project-Specific Impact Analysis

The following discussion addresses the Project's consistency with applicable land use plans, environmental policies, and regulations. Table 5.1-1, Project's Consistency with the City of San Diego's 2008 General Plan, and Table 5.1-2, Project's Consistency with the Goals and Policies of the 2018 Community Plan, identify the plans and applicable goals and policies that are relevant to the Project and provides an evaluation of the Project's consistency with them. In accordance with City practices, the Project was evaluated for consistency with the 2008 General Plan because this plan was in place at the time of issuance of the Notice of Preparation for the Project (December 2023).

2008 City of San Diego General Plan

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Land Use and Community Planning Element	
A. City of Villages Strategy Goal: Mixed use villages located throughout the City and connected by high-quality transit.	**Consistent:** The City of Villages strategy focuses growth into mixed-use activity centers that are pedestrian friendly, centers of community, and linked to the regional transit system. Figure LU-1, Village Propensity, identifies areas that have village-like qualities and/or can develop into village centers over time. On Figure LU-1, the Project is identified as a high village propensity area, where higher-density and intensity infill development is consistent with the City of Villages strategy. The Project's plans to establish an on-site pedestrian- and transit-oriented village with multimodal access through a network of streets, pedestrian paths, bicycle facilities, and transit services and amenities that provide for greater and enhanced access to and from the entertainment center and other uses across the Project site are consistent with the City of Villages strategy.
Policy LU-A.2: Identify sites suitable for mixed-use village development that will complement the existing community fabric or help achieve desired community character, with input from recognized community planning groups and the general public.	**Consistent:** The Land Use and Community Planning Element specifies that actual village locations will be designated in community plans. The 2018 Community Plan, which was informed by input from the Midway-Pacific Highway Community Planning Group and the public, identifies the Project site as the location for a future Sports Arena Community Village with the preparation of a more detailed Specific Plan or development plan per 2018 Community Plan Policy LU-4.1. Consistent with the 2008 General Plan and 2018 Community Plan, a more detailed Specific Plan has been prepared that furthers the Citywide and community vision and identifies the Project site as a village area.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
B. General Plan Land Use Category Goal: Land use categories and designations that remain consistent with the general plan land use categories as community plans are updated and/or amended.	**Consistent:** 2008 General Plan Figure LU-2, General Plan Land Use and Street Classification System, identifies the site as Multiple Use. The Multiple Use category is intended to support mixed-use village development further defined through community plans. The Project site is within the Midway-Pacific Highway Community planning area. The 2018 Community Plan, which was informed by input from the Midway-Pacific Highway Community Planning Group and the public, identifies the Project site as the location for a future Sports Arena Community Village with the preparation of a more detailed Specific Plan or development plan per 2018 Community Plan Policy LU-4.1. Consistent with this policy, a more detailed Specific Plan has been prepared. The Project requires a Community Plan Amendment to provide consistency between the details of the Specific Plan and the 2018 Community Plan. The 2018 Community Plan designates the Project site as Community Commercial – Residential Permitted (zero to 44 du/ac), which allows for various commercial uses and permits residential uses as a part of mixed-use development. The Project would change the land use designation of the site to Community Village (zero to 72 du/ac) (Figure 3-2, Land Use Map), which allows for a mix of uses and can include commercial uses that include retail sales, commercial services, personal services, entertainment, assembly, and visitor accommodation uses that serve residents and workers in the community and adjacent communities. The Specific Plan and supporting Community Plan Amendment would further refine the 2008 General Plan Multiple Use designation and would not conflict. The Project would be consistent with this goal.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy LU-C.1: Rely on community plans for site-specific land use and density designations and recommendations.	**Consistent:** The Project site is within the Midway-Pacific Highway Community planning area. The Project would change the site's Community Plan land use designation from Community Commercial – Residential Permitted (zero to 44 du/ac) to Community Village (zero to 72 du/ac). The revised land use designation is consistent with the overall vision of the 2018 Community Plan, which identifies this area as the location for a Sports Arena Community Village. In addition, the proposed Community Village land use designation is consistent with the Multiple Use land use identified in the 2008 General Plan. The Project would be consistent with this policy.
Policy LU-C.4: Ensure efficient use of remaining land available for residential development and redevelopment by requiring that new development meet the density minimums of applicable plan designations.	**Consistent:** The Project would provide up to 4,254 housing units, including affordable units, to provide a range of housing opportunities for individuals and families across multiple income levels and in various sizes and number of bedrooms. Structures may include residential uses at a density of zero to 72 du/ac with ground floor residential or commercial uses connected by public space. The Specific Plan proposes affordable residential units to be restricted at 80 percent area median income and to apply a density bonus of 20 percent above the base density for a total of 4,254 residential units. Development within the Specific Plan Area shall calculate maximum allowable residential density and/or floor area based on the entire parcel area, including the public right-of-way provided for new streets and the area provided for new parks and public spaces. Individual development may exceed the maximum allowable residential density and/or floor area provided that the maximum allowable residential density and/or floor area specified in the Specific Plan is not exceeded for the entire Specific Plan Area. The Specific Plan would ensure efficient land use by requiring that new development meet density minimums. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
H. Balanced Communities and Equitable Development Goal: Ensure diverse and balanced neighborhoods and communities with housing available for households of all income levels. Community and neighborhood-specific strategies and implementation measures to achieve equitable development.	**Consistent:** The purpose of the Project is to provide for a balanced and pedestrian-oriented community that offers a mix of uses, including entertainment, office, retail, restaurants, residential, recreational, public, and park uses. Residential uses on the Project site would provide various housing types for all age, income, and social groups and include affordable residences for households with incomes less than 80 percent of the County of San Diego area median income. Thus, the Specific Plan would allow for a diverse and balanced neighborhood with housing available for households of all income levels. The Project would be consistent with this goal.
Policy LU-H.3: Provide a variety of housing types and sizes with varying levels of affordability in residential and village developments.	**Consistent:** The Project plans for development of a range of housing opportunities for individuals and families across multiple income levels and in a variety of configurations, from studio lofts to 1-, 2-, and 3-bedroom units. The Project would include 4,254 units, including up to 2,000 affordable units. The rent-restricted dwelling units may include family housing, senior housing, and veterans housing, among other groups. The Project would be consistent with this policy.
Policy LU-I.6: Provide equal access to public facilities and infrastructure for all community residents.	**Consistent:** The Project plans for equal access to public space and recreational facilities on the Project site. The Project would expand mobility options and accessibility through the incorporation of multi-use pathways circulating throughout the Project site and connecting to the adjacent community. Proposed multi-use pathways would be ADA compliant. Rosecrans Street from the Old Town Transit Center to Kurtz Street and Kurtz Street from Rosecrans Street to the Project site are envisioned as a pedestrian, bicycle, and bus connection from the Project site to the Old Town Transit Center that encourages pedestrian and bicycle movement to and from the site to existing rail service and improves bus service to the site. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy LU-I.10: Improve mobility options and accessibility for the non-driving elderly, disabled, low- income and other members of the population (see also Mobility Element, Section B).	**Consistent:** The Project includes a key objective to establish a pedestrian- and transit-oriented village with multimodal access through a network of new streets, pedestrian paths, bicycle facilities, and transit that breaks up the superblock and provides for greater and enhanced access to the site, connectivity across the site, and improved north–south access across the neighborhood. The Specific Plan identifies a multimodal transportation network that would include new public streets, modified public streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways, which includes mobility options for all ages and income levels, including the those who cannot drive due to age or disability and low-income populations. The Project would be consistent with this policy.
Policy LU-I.11: Implement the City of Villages concept for mixed-use, transit-oriented development as a way to minimize the need to drive by increasing opportunities for individuals to live near where they work, offering a convenient mix of local goods and services, and providing access to high quality transit services.	**Consistent:** The Project would be designed in accordance with the City of Villages concept. Consistent with this concept, the 2018 Community Plan calls for the development of the Sports Arena site into a Sports Arena Community Village, with a mix of entertainment, office, retail, residential, public, and park uses. The proposed Specific Plan would allow for transformation of the area into a mixed-use Community Village with up to 4,254 residential units, parks and public space, an entertainment center, and pedestrian-oriented retail and supporting uses that together would result in a walkable and inclusive urban village with access to high-quality transit services. The Project would be consistent with this policy.
Policy LU-I.12: Ensure environmental protection that does not unfairly burden or omit any one geographic or socioeconomic sector of the City.	**Consistent:** The Project would adhere to environmental protection measures identified in this SEIR to reduce the Project's environmental effects. It would not unfairly burden or neglect any specific geographic or socioeconomic sector within the City and would provide a variety of housing options for all income levels. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy LU-I.16: Ensure the provision of noise abatement and control policies that do not disenfranchise, or provide special treatment of, any particular group, location of concern, or economic status.	**Consistent:** The Project would uphold noise abatement and control policies without providing special treatment of any particular group, location, or economic status. Refer to Section 5.5, Noise, for a discussion on the Project's consistency and compatibility with the City's noise abatement and control policies. The Project would be consistent with this policy.
Mobility Element	
A. Walkable Communities Goals: Create a safe and comfortable pedestrian environment. A complete, functional, and interconnected pedestrian network, that is accessible to pedestrians of all abilities. Greater walkability achieved through pedestrian-friendly street, site and building design.	**Consistent:** The Project would include a multimodal network that would provide a functional and interconnected pedestrian network consisting of new streets, modified streets, sidewalks, multi-use paths, promenades, and pedestrian paseo greens and paseo greenways accessible to pedestrians of all abilities. The Project would establish an on-site pedestrian- and transit-oriented village with multimodal access through a network of streets, pedestrian paths, bicycle facilities, and transit services and amenities providing greater and enhanced access to and from the entertainment center and other uses across the Project site, as well as improved north–south connections consistent with the General Plan City of Villages strategy. Refer to Chapter 3.0, Project Description, and Section 5.2, Transportation and Circulation, for further details regarding the Project's proposed pedestrian improvements. The Project would be consistent with this goal.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy ME-A.1: Design and operate sidewalks, streets, and intersections to emphasize pedestrian safety and comfort through a variety of street design and traffic management solutions, including but not limited to those described in the Pedestrian Improvements Toolbox, Table ME-1 of the Mobility Element.	**Consistent:** The Project would include multimodal access that emphasizes pedestrian safety through a network of new streets, pedestrian paths, bicycle facilities, and transit that would provide for greater and enhanced access to the site, connectivity across the site, and improved north–south access across the neighborhood. For example, separated protected bikeways are proposed for Sports Arena Boulevard and Kemper Street. Refer to the response to Mobility Element Goal A, Walkable Communities, and Section 5.2, Transportation and Circulation, for more detail on pedestrian safety. The Project would be consistent with this policy.
Policy ME-A.2.f: Provide adequate levels of lighting for pedestrian safety and comfort.	**Consistent:** Project lighting would conform to the City's lighting policies and standards, which would ensure that adequate lighting levels are provided for pedestrian safety and comfort. Refer to Section 5.8, Visual Effects and Neighborhood Character, for a discussion on the Project's impacts associated with light and glare. The Project would be consistent with this policy.
Policy ME-A.4: Make sidewalks and street crossings accessible to pedestrians of all abilities. a. Meet or exceed all federal and state requirements. b. Provide special attention to the needs of children, the elderly, and people with disabilities. c. Maintain pedestrian facilities to be free of damage or trip hazards.	**Consistent:** Proposed paths, sidewalks, and street crossings would be ADA accessible and constructed in accordance with federal, state, and local safety and design requirements to serve pedestrians of all abilities. Refer to Section 5.2, Transportation and Circulation, for a discussion on the Systemic Safety Review conducted for the Project. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy ME-A.6: a. Ensure that pedestrian facilities such as sidewalks, trails, bridges, pedestrian-oriented and street lighting, ramps, stairways and other facilities are implemented as needed to support pedestrian circulation. Additional examples of pedestrian facilities are provided in the Pedestrian Improvements Toolbox, Table ME-1. 1. Close gaps in the sidewalk network. 2. Provide convenient pedestrian connections between land uses. 3. Design grading plans to provide convenient and accessible pedestrian connections from new development to adjacent uses and streets. b. Link sidewalks, pedestrian paths and multipurpose trails into a continuous region-wide network where possible. c. Provide and maintain trash and recycling receptacles, and restrooms available to the public where needed. d. Address pedestrian needs as an integral component of community and public facilities financing plan updates and amendments, other planning studies and programs, and the development project review process. e. Routinely accommodate pedestrian facilities and amenities into private and public plans and projects.	**Consistent:** The Specific Plan envisions the Project site as a pedestrian-focused, walkable environment where the uses, buildings, parks and public spaces, and amenities on site are accessible and connected by a series of paths, promenades, paseo greens, and paseo greenways. Future residential, retail, and entertainment uses would be connected to the proposed internal pedestrian circulation network. The Project would include adequate public restrooms and trash and recycling receptacles and would comply with SDMC Chapter 6, Article 6, Division 7, Recycling Ordinance. Refer to the response to ME Goal A, Walkable Communities; response to Policy ME-A.4; and Section 5.2, Transportation and Circulation, for further discussion on the Project's pedestrian network and facilities. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy ME-A.7: Improve walkability through the pedestrian-oriented design of public and private projects in areas where higher levels of pedestrian activity are present or desired. a. Enhance streets and other public rights-of-way with amenities such as street trees, benches, plazas, public art or other measures. b. Design site plans and structures with pedestrian-oriented features (see also Urban Design, Policies UD-A.6, UD-B.4, and UD-C.6). c. Encourage the use of non-contiguous sidewalk design where appropriate to help separate pedestrians from auto traffic. In some areas, contiguous sidewalks with trees planted in grates adjacent to the street may be a preferable design. d. Enhance alleys as secure pathways to provide additional pedestrian connections. e. Implement traffic-calming measures to improve walkability in accordance with Policy ME-C.5. f. When existing sidewalks are repaired or replaced, take care to retain sidewalk stamps and imprints that are indicators of the age of a particular neighborhood, or that contribute to the historic character of a neighborhood.	**Consistent:** The Project would include a multimodal transportation network designed to be pedestrian-focused and walkable. a. In accordance with the Midway Rising Specific Plan Design Standard SDR-16 (Street Trees), two rows of street trees would be provided on Sports Arena Boulevard, Kurtz Street, and Kemper Street to provide shade upon the multi-use path, and to provide a buffer from vehicular traffic. b. The Project would establish a variety of parks and public spaces across the Project site, including widened, enhanced, and activated sidewalks, a central green, and an urban square that together can serve as a focal point for the community and meet the 2008 General Plan and Parks Master Plan requirements. c. The Project would include non-contiguous sidewalks along sections of Kurtz Street. The Project would also include contiguous sidewalks with trees planted along the streets. d. The Project does not propose any alleys. However, the Project is designed to be pedestrian-focused and walkable. e. The Project would include traffic-calming measures, including a roundabout at the intersection of Hancock Street and Kurtz Street to facilitate traffic flow and improve safety. f. Project plans include widened, enhanced, and activated sidewalks. Refer to the response to ME Goal A, Walkable Communities, and Section 5.2, Transportation and Circulation, for further discussion on the Project's proposed pedestrian network, sidewalks, and traffic-calming measures. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy ME-B.9.a: Identify recommended transit routes and stops/stations as a part of the preparation of community plans and community plan amendments, and through the development review process.	**Consistent:** The Project would require approval of a Specific Plan and Community Plan Amendment. Transit routes and bus stops are currently located within proximity to the Project site. The bus stop serving the immediate Project site include MTS Routes 8 and 9, which serve the Project site along Sports Arena Boulevard. Additionally, the Project site is within 0.5 mile of bus stops serving Routes 28 and 35 along Sports Arena Boulevard, Rosecrans Street, East Drive, and West Point Loma Boulevard and within 0.7 to 1 mile of the Old Town Transit Center, which serves the Green and Blue line trolleys and various local bus routes. The Project would provide enhancements to the two existing local bus stops along the Project frontage on Sports Arena Boulevard, which include installing transit shelters and benches. A third, new bus stop would be provided at Frontier Drive for the planned extension of Rapid Bus Route 10. The Project would also include multi-use pedestrian and bike paths that would enhance connectivity to the nearby MTS stations. The Project would be consistent with this policy.
Policy ME-B.9.e: Design for walkability in accordance with the Urban Design Element, as pedestrian supportive design also helps create a transit supportive environment.	**Consistent:** The Project would include a multimodal transportation network designed to be pedestrian focused and walkable in accordance with the Specific Plan Urban Design Element. Refer to the response to ME Goal A, Walkable Communities, and Section 5.2, Transportation and Circulation. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
C. Street and Freeway System Goal: • A street and freeway system that balances the needs of multiple users of the public right-of-way. • An interconnected street system that provides multiple linkages within and between communities. • Vehicle congestion relief. • Safe and efficient street design that minimizes environmental and neighborhood impacts. • Well maintained streets.	**Consistent:** The Project would enhance the street system, balancing the needs of multiple users. It does not propose any modifications to the freeway system. The Project would provide opportunities for multimodal interconnected travel, including pedestrian and bicyclist connectivity, which would increase connections for multiple users to surrounding communities. The Project would also include a well-maintained internal street system that would offer connectivity across the site. In addition, the Old Town Transit Center approximately 0.7 to 1 mile east of the Project site provides region-serving high-quality light-rail transit within the vicinity of the Project site to alleviate single-occupancy vehicle travel. Further, the Project would include several traffic-calming measures such as pop-outs at adjacent intersections or curb extension, raised crosswalks, and a roundabout at the intersection of Kurtz Street and Hancock Street. Refer to Section 5.2, Transportation and Circulation, for further discussion. The Project would be consistent with this goal.
Policy ME-C.1.b: Implement street improvements and multi-modal transportation improvements as needed with new development and as areas redevelop over time.	**Consistent:** Refer to the response to Goal C, Street and Freeway System Goals. The Project would include street frontage and off-site improvements at multiple intersections within the Project vicinity to improve transportation operations. Refer to Section 5.2, Transportation and Circulation, for further discussion. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy ME-C.3.c: Provide direct and multiple street and sidewalk connections within development projects, to neighboring projects, and to the community at large.	**Consistent:** The Project would include a multimodal transportation network designed to be pedestrian focused and walkable. The Project would provide opportunities for multimodal interconnected travel, including pedestrian and bicyclist connectivity, which would increase connections to neighboring projects and surrounding communities. Refer to the response to ME Goal A, Walkable Communities, and Section 5.2, Transportation and Circulation. The Project would be consistent with this policy.
Policy ME-C.5. Install traffic calming measures as appropriate in accordance with site specific recommendations which may include, but are not limited to, those identified on Table ME-2, to increase the safety and enhance the livability of communities. a. Use traffic calming techniques in appropriate locations to reduce vehicle speeds or discourage shortcutting traffic. b. Choose traffic calming devices to best fit the situations for which they are intended. c. Place traffic-calming devices so that the full benefit of calming will be realized with little or no negative effect upon the overall safety or quality of the roadway. d. Design traffic calming devices appropriately, including consideration for: accessibility; drainage; underground utilities; adequate visibility; the needs of emergency, sanitation, and transit vehicles; and landscape. e. Weigh any potential undesired effects of traffic calming devices (such as increased travel times, emergency response times, noise, and traffic diversion) against their prescribed benefits.	**Consistent:** The Project would include several traffic-calming measures such as pop-outs at adjacent intersections or curb extension, raised crosswalks, and a roundabout at the intersection of Kurtz Street and Hancock Street. Refer to Section 5.2, Transportation and Circulation, for further information regarding the Project's proposed traffic-calming measures. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy ME-C.7: Preserve and protect scenic vistas along public roadways. a. Identify state highways where the City desires to preserve scenic qualities and work with Caltrans to pursue official scenic highway designation. b. Designate scenic routes along City streets to showcase scenic vistas and to link points of visitor interest. c. Adopt measures to protect aesthetic qualities within scenic highways and routes.	**Consistent:** The Project would not block or impact scenic vistas. The 2018 Community Plan does not identify any scenic vistas, scenic views, or prominent view corridors on the Project site. There are no scenic roadways in proximity to the Project site. Refer to Section 5.8, Visual Effects and Neighborhood Character, for further details. The Project would be consistent with this policy.
Policy ME-C.8: Implement Traffic Impact Study Guidelines that address site and community specific issues. a. Give consideration to the role of alternative modes of transportation and transportation demand management (TDM) plans in addressing development project traffic impacts. b. Consider the results of site-specific studies or reports that justify vehicle trip reductions (see also ME-E.7). c. Implement best practices for multi-modal quality/level of service analysis guidelines to evaluate potential transportation impacts and determine appropriate mitigation measures from a multi-modal perspective.	**Consistent:** The Project's transportation studies were prepared in accordance with the City's Transportation Study Manual (2022b). The Project includes a Transportation Demand Management Plan (Appendix D4), which provides strategies and multimodal features per the SDMC and SB 743 (Transit-Oriented Development and Vehicle Miles Traveled). Refer to Section 5.2, Transportation and Circulation, for further discussion of transportation related mitigation measures. The Project would be consistent with this policy.
Policy ME-C.9: Implement best practices for multi-modal quality/level of service analysis guidelines to evaluate potential transportation improvements from a multimodal perspective in order to determine optimal improvements that balance the needs of all users of the right of way.	**Consistent:** The Project would provide opportunities for multimodal travel, including pedestrian and bicyclist connectivity, which would increase connections to the surrounding communities. The Project would include street frontage and off-site improvements at multiple intersections within the Project vicinity to improve transportation operations and multimodal connectivity. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
E. Transportation Demand Management Goals: Expanded travel options and improved personal mobility.	**Consistent:** The Project would establish an on-site pedestrian- and transit-oriented village with multimodal access through a network of streets, pedestrian paths, bicycle facilities, and transit services and amenities that provide for greater and enhanced access to and from the entertainment center and other uses across the Project site, as well as improved north–south connections. In addition, refer to the response to ME Goal A, Walkable Communities; response to Goal C, Street and Freeway System Goals; and Section 5.2, Transportation and Circulation, for a discussion on the Project's personal mobility options, which includes options for pedestrian, bicycle, and public transit. The Project would be consistent with this goal.
Policy ME-E.1: Support and implement TDM strategies including, but not limited to: alternative modes of transportation, alternative work schedules, and telework.	**Consistent:** The Project includes a Transportation Demand Management Plan (Appendix D4), which includes Project-specific transportation demand management measures to create an environment that is easily accessible via walking, biking, transit, and carpooling, as well as to meet requirements of the SDMC for Complete Communities: Mobility Choices, and Parking Standards Transit Priority Areas. Therefore, the Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy ME-E.3: Emphasize the movement of people rather than vehicles.	**Consistent:** The Project would emphasize the movement of people rather than vehicles by providing opportunities for multimodal travel, including pedestrian and bicyclist connectivity, to increase connections to surrounding communities. The Project improves mobility through a multimodal network by including new streets, modified streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways. Refer to the response to ME Goal A, Walkable Communities; response to Goal C, Street and Freeway System Goals; and Section 5.2, Transportation and Circulation, for a discussion of the Project's pedestrian multimodal network. The Project would be consistent with this policy.
Policy ME-E.6: Require new development to have site designs and on-site amenities that support alternative modes of transportation. Emphasize pedestrian and bicycle-friendly design, accessibility to transit, and provision of amenities that are supportive and conducive to implementing TDM strategies such as car sharing vehicles and parking spaces, bike lockers, preferred rideshare parking, showers and lockers, on-site food service, and child care, where appropriate.	**Consistent:** The Project would provide opportunities for multimodal travel, including bus, pedestrian, and bicycle improvements, that support alternative modes of transportation. The Old Town Transit Center located 0.7 to 1 mile east of the Project site would provide region-serving high-quality light-rail transit to the Project site. The Project includes a Transportation Demand Management Plan (Appendix D4), which provides strategies and multimodal features that emphasize walking, biking, transit, and carpooling. Refer to Section 5.2, Transportation and Circulation, for further discussion. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
F. Bicycling Goals: Environmental quality, public health, recreation and mobility benefits through increased bicycling.	**Consistent:** The Project would provide opportunities for increased bicycling through the provision of Class I, II, and IV bicycle facilities (Figure 3-19, Bicycle Circulation Concept) on and off site and an internal network of multimodal promenades, paseo greens, and paseo greenways. Refer to the response to ME Goal A, Walkable Communities; response to Goal C, Street and Freeway System Goals; and Section 5.2, Transportation and Circulation. The Project would be consistent with this goal.
Policy ME-F.2.b: Implement bicycle facilities based on a priority program that considers existing deficiencies, safety, commuting needs, connectivity of routes, and community input.	**Consistent:** The Project would improve bicycle access through the provision of Class I, II, and IV bicycle facilities and the network of promenades, paseos greens, and paseo greenways. The Project's bicycle improvements would extend along most of Kurtz Street and Rosecrans Street to connect the site with the Old Town Transit Center at Pacific Highway and Taylor Street. Bicycle parking would be provided to serve proposed residential, retail, and event uses, including in public spaces and promenades for public use. The proposed bicycle improvements consider existing deficiencies, safety, community needs, and connectivity. Refer to Chapter 3.0, Project Description, for further details regarding the Project's proposed bicycle network. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy ME-F.2.c: Recognize that bicyclists use all City roadways. 1. Design future roadways to accommodate bicycle travel; and 2. Upgrade existing roadways to enhance bicycle travel, where feasible	**Consistent:** The Project would include bicycle improvements as part of on- and off-site roadway and intersection improvements. Separated protected bikeways are proposed for Sports Arena Boulevard and Kemper Street. A multi-use path would be provided along the majority of planned Frontier Drive from Sports Arena Boulevard. Bicycle improvements would extend along most of Kurtz Street and Rosecrans Street to connect the site with the Old Town Transit Center at Pacific Highway and Taylor Street. Refer to the response to ME Goal A, Walkable Communities; response to Goal C, Street and Freeway System Goals; and Section 5.2, Transportation and Circulation. The Project would be consistent with this policy.
Policy ME-F.3: Maintain and improve the quality, operation, and integrity of the bikeway network and roadways regularly used by bicyclists.	**Consistent:** The Project would include bicycle improvements as part of on- and off-site roadway and intersection improvements. Refer to the response to ME Goal A, Walkable Communities; response to Goal C, Street and Freeway System Goals; Policies ME-F.2.b and ME-F.2.c; Chapter 3.0, Project Description; and Section 5.2, Transportation and Circulation, for further details regarding proposed improvements to the bicycle network. The Project would be consistent with this policy.
Policy ME-F.4: Provide safe, convenient, and adequate short- and long-term bicycle parking facilities and other bicycle amenities for employment, retail, multifamily housing, schools and colleges, and transit facility uses. a. Continue to require bicycle parking in commercial and multiple unit residential zones. b. Provide bicycle facilities and amenities to help reduce the number of vehicle trips.	**Consistent:** Bicycle parking would be provided at residential and non-residential development as required by SDMC Chapter 14, Article 2, Division 5. Bicycle parking for short-term and long-term bicycles would be provided to serve proposed residential, retail, and event uses; short-term bicycle parking would also be provided in parks and promenades for public use. Outlets for charging e-bikes would also be provided as required by the City. Refer to Chapter 3.0, Project Description, and Section 5.2, Transportation and Circulation, for further details on the Project's bicycle network. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
G. Parking Management Goal: • Parking that is reasonably available when and where it is needed through management of the supply. • Solutions to community-specific parking issues through implementation of a broad range of parking management tools and strategies. • New development with adequate parking through the application of innovative citywide parking regulations. • Increased land use efficiencies in the provision of parking.	**Consistent:** The Project would provide adequate on-site parking per Title 24 and the SDMC parking requirements. Parking would be provided in structures with residential, commercial, and retail uses wrapping the structure to screen it from view. Parking associated with entertainment and retail uses would be integrated with the parking structures of residential uses. Refer to Table 3-2, Parking for Proposed Land Uses, in Chapter 3.0, Project Description, for a summary of parking for the Project. The Project would be consistent with this goal.
Policy ME-G.5: Implement parking strategies that are designed to help reduce the number and length of automobile trips. Reduced automobile trips would lessen traffic and air quality impacts, including GHG emissions (see also Conservation Element, Section A). Potential strategies include, but are not limited to those described on Table ME-3.	**Consistent:** The Project would implement several parking strategies as listed in Table ME-3, including public parking facilities for events, minimum and maximum parking regulations, bicycle parking, parking wayfinding, and transit service, improving walking and bicycling conditions and encouraging car sharing. Refer to Section 5.2, Transportation and Circulation, for further discussion of transportation-related mitigation measures. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Urban Design Element	
Policy UD-A.1: Preserve and protect natural landforms and features. a. Protect the integrity of community plan designated open spaces. b. Continue to implement the Multiple Species Conservation Program (MSCP) to conserve San Diego's natural environment and create a linked open space system. Preserve and enhance remaining naturally occurring features such as wetlands, riparian zones, canyons, and ridge lines.	**Consistent:** The Project site encompasses approximately 49.23 acres of relatively flat land already developed with urban uses; therefore, there are no natural landforms or features to preserve or protect on the Project site. Further, the areas immediately surrounding the Project site are mapped as urban/developed land and do not support native vegetation communities. The Project site does not include natural open space areas regulated under the MSCP. Nevertheless, the Project shall comply with the applicable requirements of the MSCP SAP. Refer to Section 5.8, Visual Effects and Neighborhood Character, for further details on landform alteration and Section 5.13, Biological Resources, for the Project's consistency with the MSCP. The Project would be consistent with this policy.
Policy UD-A.2: Use open space and landscape to define and link communities. a. Link villages, public attractions, canyons, open space and other destinations together by connecting them with trail systems, bikeways, landscaped boulevards, formalized parks, and/or natural open space, as appropriate. b. Preserve and encourage preservation of physical connectivity and access to open space. c. Recognize that sometimes open spaces prevent the continuation of transportation corridors and inhibit mobility between communities. Where conflicts exist between mobility and open space goals, site-specific solutions may be addressed in community plans.	**Consistent:** The Project would provide 14.54 acres of new park and public space that would interconnect with the Project site. Public parks would consist of The Green, The Square, The Plaza, paseo greens, and paseo greenways. The public space areas would consist of promenades, streetscapes, and residential buffers. The Project would also include multi-use pathways to create better circulation and accessibility for non-motorized vehicles and pedestrians throughout the Project site, adjacent community, and greater Midway-Pacific Highway Community planning area. No natural open space is present on site. For further details, refer to Chapter 3.0, Project Description. The Project would be consistent with this policy.

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Goal/Policy	Project
Policy UD-A.3: l. Protect views from public roadways and parklands to natural canyons, resource areas, and scenic vistas.	**Consistent:** The Project site encompasses approximately 49.23 acres of land currently developed with urban uses. The Project does not include or preclude views of natural canyons, resources, or scenic vistas. Refer to Section 5.8, Visual Effects and Neighborhood Character, for a detailed discussion of the key view points selected for the Project. The Project would be consistent with this policy.
Policy UD-A.4: Use sustainable building methods in accordance with the sustainable development policies in the Conservation Element.	**Consistent:** The Project would be consistent with the sustainable development policies in the Conservation Element of the 2008 General Plan and would use sustainable building methods, including building efficiency through CALGreen, on-site photovoltaic cells, bicycle- and pedestrian-oriented transportation plans, and landscape plans that incorporate a continuous tree canopy. Refer to Chapter 3.0, Project Description, for a complete list of sustainability design features, and Section 5.10, Greenhouse Gas Emissions, for analysis of Project consistency with the Conservation Element. The Project would be consistent with this policy.
Policy UD-A.8: Landscape materials and design should enhance structures, create and define public and private spaces, and provide shade, aesthetic appeal, and environmental benefits. a. Maximize the planting of new trees, street trees and other plants for their shading, air quality, and livability benefits (see also Conservation Element, Policies CE-A.11, CE-A.12, and Section J). b. Use water conservation through the use of drought-tolerant landscape, porous materials, and reclaimed water where available. c. Use landscape to support storm water management goals for filtration, percolation and erosion control.	**Consistent:** Implementation of the Project would improve the landscaping on the Project site and create new park and public spaces. The Project landscape plan would comply with City standards and regulations, including the City's LDM, Street Tree Selection Guide, and Landscape Regulations. The Project landscape plan, as shown on the Vesting Tentative Map (PDC 2025~~2024~~), identifies a continuous tree canopy to provide shading on all adjacent Project streets. This would include new promenades with tree canopies on Sports Arena Boulevard, Kurtz Street, Kemper Street, and Frontier Drive. Shade trees are also proposed in The Square, The Green, paseo greens, paseo greenways, and promenades and along private drives. Trees would be placed

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
d. Use landscape to provide unique identities within neighborhoods, villages and other developed areas. e. Landscape materials and design should complement and build upon the existing character of the neighborhood. f. Design landscape bordering the pedestrian network with new elements, such as a new plant form or material, at a scale and intervals appropriate to the site. This is not intended to discourage a uniform street tree or landscape theme, but to add interest to the streetscape and enhance the pedestrian experience. g. Establish or maintain tree-lined residential and commercial streets. Neighborhoods and commercial corridors in the City that contain tree-lined streets present a streetscape that creates a distinctive character. 1. Identify and plant trees that complement and expand on the surrounding street tree fabric. 2. Unify communities by using street trees to link residential areas. 3. Locate street trees in a manner that does not obstruct ground illumination from streetlights. h. Shade paved areas, especially parking lots. i. Demarcate public, semi-public/private, and private spaces clearly through the use of landscape, walls, fences, gates, pavement treatment, signs, and other methods to denote boundaries and/or buffers. j. Use landscaped walkways to direct people to proper entrances and away from private areas. k. Reduce barriers to views or light by selecting appropriate tree types, pruning thick hedges, and large overhanging tree canopies. l. Utilize landscape adjacent to natural features to soften the visual appearance of a development and provide a natural buffer between the development and open space areas.	at a minimum of two trees per 5,000 square feet of lot area with a minimum of one tree per lot and would be placed so that a minimum of 50 percent of pedestrian areas in the public right-of-way would be shaded by street trees at 10 years maturity to meet the 2022 CAP goals. Trees would be planted in native, amended soil in areas not prohibited by site conditions and irrigated with permanent, below-grade irrigation systems to comply with planting and irrigation requirements in SDMC Section 142.0403 and be in line with the character of the neighborhood. Efficient irrigation practices would also be implemented to reduce nutrient runoff. The Project would also include stormwater quality control basins with planting areas that would be incorporated into the paseo greens to provide stormwater capture and treatment. Refer to Chapter 3.0, Project Description, for further details on the Project landscaping. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy UD-A.10: Design or retrofit streets to improve walkability, bicycling, and transit integration; to strengthen connectivity; and to enhance community identity. Streets are an important aspect of Urban Design as referenced in the Mobility Element (see also Mobility Element, Sections A, B, C, and F).	**Consistent:** The Project would provide multimodal transportation improvements to improve walkability, bicycling and transit integration, which would increase connections to the surrounding communities. Refer to the response to ME Goal A, Walkable Communities, and Section 5.2, Transportation and Circulation. Refer also to Chapter 3.0, Project Description, for further discussion of the Project's proposed street frontage and intersection improvements. The Project would be consistent with this policy.
Policy UD-A.11: Encourage the use of underground or above-ground parking structures, rather than surface parking lots, to reduce land area devoted to parking (see also Mobility Element, Section G). a. Design safe, functional, and aesthetically pleasing parking structures. b. Design structures to be of a height and mass that are compatible with the surrounding area. c. Use building materials, detailing, and landscape that complement the surrounding neighborhood. d. Provide well-defined, dedicated pedestrian entrances. e. Use appropriate screening mechanisms to screen views of parked vehicles from pedestrian areas, and headlights from adjacent buildings. f. Pursue development of parking structures that are wrapped on their exterior with other uses to conceal the parking structure and create an active streetscape. Where ground floor commercial is proposed, provide a tall, largely transparent ground floor along pedestrian active streets. g. Encourage the use of attendants, gates, natural lighting, or surveillance equipment in parking structures to promote safety and security.	**Consistent:** The Project would provide on-site parking per Title 24 and the SDMC parking requirements. The Project would remove the majority of surface parking on the site and replace it with structured parking with residential, commercial, and retail uses wrapping the parking structures to screen them from view. Parking associated with entertainment and retail uses would be integrated with the parking structures of residential uses. Within residential parking structures, separate parking stalls, auxiliary areas, vehicle and pedestrian access, and circulation would be provided for the entertainment and retail users. Proposed parking structures would be designed to be compatible with the surrounding neighborhood. Minimal surface parking would be provided. Refer to Table 3-2, Parking for Proposed Land Uses, in Chapter 3.0, Project Description, for a summary of parking for the Project. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy UD-A.13: Provide lighting from a variety of sources at appropriate intensities and qualities for safety.	**Consistent:** The Project would comply with all applicable safety lighting requirements. Refer to Section 5.8, Visual Effects and Neighborhood Character, for a discussion on Project lighting. The Project would be consistent with this policy.
Goal B: Distinctive Neighborhoods and Residential Design • Development that protects and improves upon the desirable features of San Diego's neighborhoods. • Architectural design that contributes to the creation and preservation of neighborhood character and vitality. • Innovative design for a variety of housing types to meet the needs of the population. • Infill housing, roadways and new construction that are sensitive to the character and quality of existing neighborhoods. • Pedestrian connections linking residential areas, commercial areas, parks and open spaces.	**Consistent:** The Project would be consistent with the planned character of the Midway-Pacific Highway Community planning area as presented in the 2018 Community Plan. The 2018 Community Plan envisions the Sports Arena Community Village as a vibrant, pedestrian- and transit-oriented entertainment area that is a landmark and attraction for the Midway-Pacific Highway Community and surrounding neighborhoods. The Project would be designed in accordance with the Urban Design Element Goals and Policies in the 2018 Community Plan as laid out in the proposed Specific Plan, which includes an overarching goal to create a community with an enhanced sense of place and improved building, site, and streetscape design focused on walkability and livability. The Project would include a variety of housing types (4,254 housing units, including 2,000 affordable units) and improve pedestrian connections on an infill site. Refer to Section 5.8, Visual Effects and Neighborhood Character, for further details on the Project's consistency with the surrounding neighborhood character and design. The Project would be consistent with this goal.

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Goal/Policy	Project
Policy UD-B.2: Achieve a mix of housing types within single developments (see also Land Use and Community Planning Element, Section H, and Housing Element). a. Incorporate a variety of unit types in multifamily projects. b. Incorporate a variety of single-family housing types in single-family projects/ subdivisions. c. Provide transitions of scale between higher-density development and lower-density neighborhoods. d. Identify sites for revitalization and additional housing opportunities in neighborhoods.	**Consistent:** The Project would provide up to 4,254 housing units, including affordable units, that would provide a range of housing opportunities for individuals and families across multiple income levels and in a variety of sizes and numbers of bedrooms. The Project includes structures that may include residential uses at a density of zero to 72 du/ac with ground floor residential or commercial uses that activate a horizontal mix of uses connected by public space. Commercial uses would be consistent with surrounding commercial development. Refer to Chapter 3.0, Project Description, for further details. The Project would be consistent with this policy.
Policy UD-B.5: Design or retrofit streets to improve walkability, strengthen connectivity, and enhance community identity. a. Design or retrofit street systems to achieve high levels of connectivity within the neighborhood street network that link individual subdivisions/projects to each other and the community. b. Avoid closed loop subdivisions and extensive cul-de-sac systems, except where the street layout is dictated by the topography or the need to avoid sensitive environmental resources. c. Design open ended cul-de-sacs to accommodate visibility and pedestrian connectivity, when development of cul-de-sacs is necessary. d. Emphasize the provision of high quality pedestrian and bikeway connections to transit stops/stations, village centers, and local schools. e. Design new streets and consider traffic calming where necessary, to reduce neighborhood speeding (see also Mobility Element, Policy ME-C.5).	**Consistent:** The Project would establish a pedestrian- and transit-oriented Community Village with multimodal access through a network of new streets, pedestrian paths, bicycle facilities, and transit services and amenities that break up the superblock and provide for greater and enhanced access to the site, connectivity across the site, and improved north–south access across the neighborhood. The Project does not include cul-de-sacs. Refer to the consistency analysis with Policy ME-3 and 6. See Chapter 3.0, Project Description, for further details. The Project would be consistent with this policy.

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Goal/Policy	Project
f. Enhance community gateways to demonstrate neighborhood pride and delineate boundaries. g. Clarify neighborhood roadway intersections through the use of special paving and landscape. h. Develop a hierarchy of walkways that delineate village pathways and link to regional trails. i. Discourage use of walls, gates and other barriers that separate residential neighborhoods from the surrounding community and commercial areas.	
Policy UD-B.8: Provide useable open space for play, recreation, and social or cultural activities in multifamily as well as single-family projects. a. Design attractive recreational facilities, common facilities, and open space that can be easily accessed by everyone in the development it serves. b. Design outdoor space as "outdoor rooms" and avoid undifferentiated, empty spaces. c. Locate small parks and play areas in central accessible locations	**Consistent:** The Project would include a network of public spaces consisting of approximately 14.54 acres of parks and public space in a network of plazas, promenades, paseo greens, and streetscapes in central locations throughout the site. The Project would provide an interconnected mix of active and passive public spaces and parks with varying sizes, activities, designs, and landscapes. Refer to Chapter 3.0, Project Description, for further details. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Goal C: Mixed-Use Villages and Commercial Areas • Mixed-use villages that achieve an integration of uses and serve as focal points for public gathering as a result of their outstanding public spaces. • Vibrant, mixed-use main streets that serve as neighborhood destinations, community resources, and conduits to the regional transit system. • Neighborhood commercial shopping areas that serve as walkable centers of activity. • Attractive and functional commercial corridors which link communities and provide goods and services.	**Consistent:** The Project would establish a pedestrian- and transit-oriented village consistent with the 2008 General Plan City of Villages strategy that would include entertainment, retail, restaurant, residential, recreational, public, and park uses that serve residents and workers in the community and adjacent communities. The Project would include walkable commercial shopping opportunities. The Project would be consistent with this goal.
Policy UD-C.2: Design village centers to be integrated into existing neighborhoods through pedestrian-friendly site design and building orientation, and the provision of multiple pedestrian access points.	**Consistent:** The Project would establish a pedestrian- and transit-oriented village with multimodal access through a network of new streets, pedestrian paths, bicycle facilities, and transit services and amenities that provide for greater and enhanced access to the site, connectivity across the site, and improved north–south access across the neighborhood. The Project would link the proposed parks with a pedestrian promenade called The Plaza to bring people into the heart of the development. The Project would be consistent with this policy.
Policy UD-C.4: Create pedestrian-friendly village centers (see also Mobility Element, Sections A and C). a. Respect pedestrian-orientation by creating entries directly to the street and active uses at street level. b. Design or redesign buildings to include pedestrian-friendly entrances, outdoor dining areas, plazas, transparent windows, public art, and a variety of other elements to encourage pedestrian activity and interest at the ground floor level.	**Consistent:** The Project identifies a multimodal transportation network that would include new public streets, modified public streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways that would create a pedestrian-friendly village. All future residential, retail, and entertainment uses would be connected to the proposed internal pedestrian circulation network. Pedestrian paths would also be provided within the right-of-way on Sports Arena Boulevard, Kurtz Street, Kemper Street, and Frontier Drive. The Project's

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
c. Orient buildings in village centers to commercial local streets, or to internal project drives that are designed to function like a public street, in order to create a pedestrian oriented shopping experience, including provision of on-street parking. d. Provide pathways that offer direct connections from the street to building entrances. e. Break up the exterior facades of large retail establishment structures into distinct building masses distinguished by offsetting planes, rooflines and overhangs or other means. f. Where feasible, use small buildings in key locations to create a human scale environment in large retail centers. Incorporate separate individual main entrances directly leading to the outside from individual stores.	pedestrian improvements on Kurtz Street would continue to Rosecrans Street. Rosecrans Street would be improved with a 4-foot-wide sidewalk on the eastern side of the street between Kurtz Street and Pacific Highway separated from the cycle track by landscaping. Refer to Section 5.8, Visual Effects and Neighborhood Character, for a detailed discussion of current legislation and regulations regarding aesthetic resources and neighborhood character. The Project would be consistent with this policy.
Policy UD-C.6: Design project circulation systems for walkability. a. Extend existing street grid patterns into development within existing fine-grained neighborhoods. b. Design a grid or modified-grid internal project street system, with sidewalks and curbs, as the organizing framework for development in village centers. c. Diagonal or "on-street" parallel parking may be appropriate along driveways in order to contribute to a "main street" appearance. d. Provide pedestrian shortcuts through the developments to connect destinations where the existing street system has long blocks or circuitous street patterns. e. Use pedestrian amenities, such as curb extensions and textured paving, to delineate key pedestrian crossings.	**Consistent:** The Project identifies a multimodal transportation network that would include a pedestrian-focused, walkable environment where all uses, buildings, public spaces, and amenities on site are accessible and connected by a series of paths, promenades, paseo greens, and paseo greenways. All future residential, retail, and entertainment uses would be connected to the proposed internal pedestrian circulation network. Pedestrian paths would also be provided within the right-of-way on Sports Arena Boulevard, Kurtz Street, Kemper Street, and Frontier Drive. Pedestrian improvements on Kurtz Street would continue to Rosecrans Street. Rosecrans Street would be improved with a 4-foot-wide sidewalk on the eastern side of the street between Kurtz Street and Pacific Highway. The Project would be consistent with this policy.

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Goal/Policy	Project
f. Design new connections, and remove any barriers to pedestrian and bicycle circulation in order to enable people to walk or bike, rather than drive, to neighboring destinations (see also Mobility Element, Sections A and F). g. Lay out streets to take advantage of and maximize vistas into public view sheds. h. Share and manage commercial, residential, and public parking facilities where possible to manage parking for greater efficiency (see also Mobility Element, Section G). i. Incorporate design features that facilitate transit service along existing or proposed routes, such as bus pullout areas, covered transit stops, and multi-modal pathways through projects to transit stops.	
Policy UD-C.8: Retrofit existing large-scale development patterns, such as "superblocks" or "campus-style" developments, to provide more and improved linkages among uses in the superblock, neighboring developments, and the public street system. a. Coordinate the redesign of roads, sidewalks, and open spaces of adjacent developments. b. Locate new infill buildings in a manner that will promote increased pedestrian activity along streets and in public common areas. c. Implement exterior improvements such as public art, pedestrian-scale windows and entrances, signs, and street furniture.	**Consistent:** The Project would include new roadways to divide the large Project site into smaller blocks to support greater connectivity and shorten walking distances. The Project would be considered infill development. Refer to the response to ME Goal A, Walkable Communities, and Section 5.2, Transportation and Circulation, for further information. The Project would be consistent with this policy.

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Goal/Policy	Project
Public Facilities, Services, and Safety Element	
Policy PF-A.3: Consider the potential impacts of changing demographics, conditions and other events – such as climate change, technological changes, and natural and manmade disasters – to ensure resilient infrastructure and public spaces.	**Consistent:** The Project would meet the adopted building code requirements (California Code of Regulations Title-24 and California Green Building Standards Code "CALGreen" Title-24, Part 1 and 11) at the time of permitting. The Project would be consistent with this policy.
Policy PF-D.5: Maintain [fire] service levels to meet the demands of continued growth and development, tourism, and other events requiring fire-rescue services.	**Consistent:** The Project would result in an increase in population within the fire protection service area, thereby increasing the demand for fire protection and emergency services. The San Diego Fire Department indicates that they do not anticipate the need for an additional fire station or other improvements that would result in a physical impact as a result of the Project. Refer to Section 5.11, Public Services and Facilities, for a discussion on fire service to the Project site. The Project would be consistent with this policy.
Policy PF-E.7: Maintain [police] service levels to meet demands of continued growth and development, tourism, and other events requiring police services.	**Consistent:** The Project would result in a population increase that would increase police service calls, but no new facilities or improvements to existing facilities would be required as a result of the Project. Refer to Section 5.11, Public Services and Facilities, for a discussion of police service to the Project site. The Project would be consistent with this policy.
F. Wastewater Goals: Environmentally sound collection, treatment, reuse, disposal, and monitoring of wastewater. Increased use of reclaimed water to supplement the region's limited water supply.	**Consistent:** Wastewater from the Project site would be conveyed by the City's local 36-inch main sewer line within Sports Arena Boulevard. Based on the gravity sewer analysis in Appendix M1, the 36-inch main sewer line has available capacity for the Project. The Project is not expected to increase demands on wastewater facilities based on the land uses proposed. Refer to Section 5.12, Public Utilities, for further discussion of public utilities. The Project would be consistent with this policy.

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Goal/Policy	Project
G. Storm Water Infrastructure Goals: Protection of beneficial water resources through pollution prevention and interception efforts. A storm water conveyance system that effectively reduces pollutants in urban runoff and storm water to the maximum extent practicable.	**Consistent:** On-site runoff would be collected and conveyed through a series of new underground private storm drains collecting rooftop and surface drainage. The Project would provide multiple connections into the existing storm drains surrounding the site. Frontage improvements would also include the replacement of storm drain inlets along Sports Arena Boulevard. The new on-site storm drain system would collect and treat stormwater before it discharges off site through a combination of modular wetland units and private biofiltration planters. Refer to Section 5.7, Hydrology and Water Quality, for further details. The Project would be consistent with this policy.
Policy PF-G.2: Install infrastructure that, where feasible, includes components to capture, minimize, and prevent pollutants in urban runoff from reaching receiving waters and our potable water supplies.	**Consistent:** Refer to the response to Goal G, Storm Water Infrastructure Goals. Refer to Section 5.7, Hydrology/Water Quality, for discussion of impacts regarding urban runoff from the Project. The Project would be consistent with this policy.
Policy PF-G.5: Identify and implement BMPs for projects that repair, replace, extend, or otherwise affect the storm water conveyance system. These projects should also include design considerations for maintenance, inspection, and, as applicable, water quality monitoring.	**Consistent:** Refer to the response to Goal G, Storm Water Infrastructure Goals. Refer to Section 5.7, Hydrology/Water Quality, for discussion of impacts regarding BMPs the Project would implement. Pollutants generated from the Project during its construction period would be temporary and addressed through preparation of a Project specific Stormwater Pollution Prevention Plan (SWPPP) in accordance with the City's Stormwater Standards Manual and the City's Grading Ordinance. The SWPPP would include BMPs to control site runoff volumes and reduce the potential for contaminated runoff. BMPs may include solid waste management, spill prevention and control, concrete waste management, water conservation practices, paving and grinding operations, and the designation of material storage and stockpile

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
	areas. Additionally, post-construction (or permanent) site design, source control, and treatment control BMPs would be required in accordance with the City's Stormwater Standards Manual (City of San Diego 2021c). Refer to Section 5.7, Hydrology/Water Quality for further discussion on stormwater BMPs. The Project would be consistent with this policy.
I. Waste Management Goal: Maximum diversion of materials from disposal through the reduction, reuse, and recycling of wastes to the highest and best use.	**Consistent:** A Waste Management Plan (Appendix M4), which was prepared for the Project, provides the proposed methodology for salvage and recycling activities for the Project. The Waste Management Plan for the Project is designed to implement and adhere to City ordinances and regulations related to waste management, which would reduce the amount of waste being transported to landfills. The Project would be required to adhere to City ordinances, including the C&D Debris Diversion Deposit Program, the City's Recycling Ordinance, and the Refuse and Recyclable Materials Storages Regulations. Refer to Section 5.12, Public Utilities, for further discussion of the Project's solid waste and recycling activities. The Project would be consistent with this goal.
Policy PF-I.2: Maximize waste reduction and diversion.	**Consistent:** The Project would maximize waste reduction and diversion. Refer to the consistency analysis for 2008 General Plan Goal PF-I above related to waste reduction and diversion. The Project would be consistent with this policy.

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Goal/Policy	Project
Q. Seismic Safety Goal: Protection of public health and safety through abated structural hazards and mitigated risks posed by seismic conditions. Development that avoids inappropriate land uses in identified seismic risk areas.	**Consistent:** The Project would be required to comply with seismic requirements of the CBC and the site-specific recommendations in the Geological Investigation (Appendix F2) to ensure that potential impacts to people and/or structures would be reduced to an acceptable level of risk, and therefore, would be consistent with these goals. Refer to Section 5.4, Geologic Conditions, and Appendix F1, Geotechnical Desktop Study Report, for a discussion of geological conditions and seismic safety. The Project would be consistent with this goal.
Policy PF-Q.2: Maintain or improve integrity of structures to protect residents and preserve communities.	**Consistent:** The Project would demolish all existing on-site structures and construct all new structures in accordance with CBC requirements, which would improve the structural integrity of the site. Refer to consistency analysis for 2008 General Plan Goal PF-Q above and Section 5.4, Geologic Conditions. The Project would be consistent with this policy.
Recreation Element	
A. Park and Recreation Guidelines Goal: An equitable citywide distribution of and access to parks and recreation facilities.	**Consistent:** The Project includes 14.54 acres of new park and public space that would provide equitable public access to the proposed on-site parks and public space resources. Refer to response to Policy UD-B.8 for a discussion on the Project's proposed park and public space amenities for both proposed residents and the community. The Project would be consistent with this goal.
Policy RE-A.6: In addition to upgrading existing parks, continue to pursue opportunities to develop new parks and acquire new parkland.	**Consistent:** The Project would include new recreational amenities, including 14.54 acres of parks and public space in a network of plazas, promenades, paseo greens, and streetscapes. The Project would provide an interconnected mix of active and passive public spaces and parks with varying sizes, activities, designs, and landscapes. The Project would be consistent with this policy.

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Goal/Policy	Project
Policy RE-C.2: Protect, manage and enhance population- and resource-based parks and open space lands through appropriate means which include sensitive planning, park and open space dedications, and physical protective devices.	**Consistent:** The Project would provide new park and public space facilities to serve the Project and would meet the required minimum recreation value points. Because the Project involves an addition of parks space, the Project would relieve demand on existing parks in the area. Refer to consistency analysis for 2008 General Plan Policy RE-A.6. The Project would be consistent with this policy.
Policy RE-C.10: Develop strategies that adapt public rights-of-way that support recreation, walkability, sociability, bikeability, and health, while reducing vehicular congestion and emissions.	**Consistent:** The Project would include a pedestrian-focused, walkable environment where all uses, buildings, public spaces, and amenities on site are accessible and connected by a series of paths, promenades, paseo greens, and paseo greenways. All future residential, retail, and entertainment uses would be connected to the proposed internal pedestrian circulation network. Pedestrian paths would also be provided within the right-of-way on Sports Arena Boulevard, Kurtz Street, Kemper Street, and Frontier Drive. Pedestrian improvements on Kurtz Street would continue to Rosecrans Street. Additionally, separated protected bikeways are proposed for Sports Arena Boulevard and Kemper Street. Bicycle improvements would extend along most of Kurtz Street and Rosecrans Street to connect the site with the Old Town Transit Center at Pacific Highway and Taylor Street. The Project would be consistent with this policy.

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Goal/Policy	Project
Policy RE-D.1: Provide new and upgraded park and recreation facilities that employ barrier-free design principles that make them accessible to San Diegans regardless of age or physical ability, giving priority to economically disadvantaged communities.	**Consistent:** The Project would include new recreational amenities, including 14.54 acres of parks and public space in a network of plazas, promenades, paseo greens, and streetscapes. The Project would provide an interconnected mix of active and passive public spaces and parks with varying sizes, activities, designs, and landscapes. The City uses the Value Standard, as established in the 2021 Parks Master Plan (City of San Diego 2021d) as the guideline for planning parks and recreation facilities. The value is determined based on park size, health/fitness/sports, social spaces, site amenities, access/connectivity, and activation and engagement, as detailed in the 2021 Parks Master Plan Appendix D. The Project shall meet the minimum Value Standard requirement through a combination of proposed on-site public parks with recreational amenities and the payment of applicable fees. The Project's proposed on-site parks and public space would serve new residents of the Project and surrounding neighborhood residents. Any collected fees would support the future development of public parks and public space consistent with Citywide policies. Refer to Section 5.11, Public Services and Facilities, for further discussion on the new recreational amenities the Project would provide. The Project would be consistent with this policy.

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Goal/Policy	Project
Policy RE-D.7: Provide public access to open space for recreational purposes.	**Consistent:** The Project would improve public accessibility of the Project site, including public space areas and recreation uses. The Project would include a network of park and public spaces consisting of approximately 14.54 acres of parks and public space, including a network of plazas, promenades, paseo greens, and streetscapes. The Project would provide an interconnected mix of active and passive public spaces and parks with varying sizes, activities, designs, and landscapes that would be accessible by the public. The Project would be consistent with this policy.
Conservation Element	
A. Climate Change & Sustainable Development Goal: To reduce the City's overall carbon dioxide footprint by improving energy efficiency, increasing use of alternative modes of transportation, employing sustainable planning and design techniques, and providing environmentally sound waste management. To be prepared for, and able to adapt to, adverse climate change impacts. To become a city that is an international model of sustainable development and conservation.	**Consistent:** Future Project design would be required to comply with the sustainability regulations adopted to meet the 2008 General Plan, 2022 CAP, and CAP Consistency Regulations. The Project would also include a series of sustainability features to limit its overall carbon dioxide footprint including sustainable building design, electric charging stations, and installation of photovoltaic cells. Refer to Chapter 3.0, Project Description, for a complete list of sustainability features the Project is incorporating. The Project would be consistent with applicable plans to reduce GHG emissions and would not result in a significant impact related to GHG emissions. Refer to Section 5.10, Greenhouse Gas Emissions. The Project would be consistent with this goal.
Policy CE-A.5: Employ sustainable or "green" building techniques for the construction and operation of buildings.	**Consistent:** The Project would meet the adopted building code requirements (California Code of Regulations Title-24 and CALGreen) at the time of permitting. Refer to Section 5.10, Greenhouse Gas Emissions, for further discussion. The Project would be consistent with this policy.

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Goal/Policy	Project
Policy CE-A.8: Reduce construction and demolition waste in accordance with Public Facilities Element, Policy PF-I-2, or by renovating or adding on to existing buildings, rather than constructing new buildings where feasible.	**Consistent:** Construction of the Project would comply with the City's C&D Debris Diversion Ordinance, as applicable. Project development would implement a comprehensive waste diversion plan showing how a building or set of buildings would reduce single-use plastic/Styrofoam and increase recycling and compost collection. As such, new development would be expected to be more waste-efficient compared to existing uses. Refer to the consistency analysis with PF Goal I, and Policy PF-I.2 for further discussion on waste diversion during construction. The Project would be consistent with this policy.
Policy CE-A.9: Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible.	**Consistent:** Construction debris would be separated on site into material-specific containers to facilitate reuse and recycling and to increase the efficiency of waste reclamation. The Project would reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible in accordance with AB 341 and City requirements. Refer to Section 5.12, Public Utilities, for discussion of the Project's compliance with the CALGreen and discussion of its comprehensive Waste Management Plan. The Project would be consistent with this policy.

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Goal/Policy	Project
Policy CE-A.10: Include features in buildings to facilitate recycling of waste generated by building occupants and associated refuse storage areas.	**Consistent:** On-site recycling services would be provided to tenants/residents on the Project site, including the entertainment center. Tenants/residents on the Project site who receive solid waste collection service would participate in a recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in the recycling container provided for occupants. For the Project, the building management or other designated personnel shall ensure that occupants are educated about the recycling services available per requirements set forth by SDMC Section 66.0707. Refer to also response to Goal PF-I, Waste Management Goals, and Section 5.12, Public Utilities, for further discussion of the comprehensive Waste Management Plan for the Project. The Project would be consistent with this policy.
Policy CE-A.11: Implement sustainable landscape design and maintenance, where feasible.	**Consistent:** The Project plans to encourage a diversity of plant and tree species and drought-tolerant and climate-friendly plants in the development's parks and public space areas. The planting palette would include a diversity of plant and tree species, including drought-tolerant, climate-friendly plants in public areas. Native and adaptive trees have been selected based on the following characteristics: abundant shade canopy, drought-tolerant, low maintenance, and seasonal interest. Further, the Project would provide opportunities for urban greening and to expand the urban forest through the implementation of double rows of street trees, selection of trees with increased tree canopy, and sustainable stormwater quality features. A list of tree species allowed on the Project site is provided in Appendix D, Planting Palette, of the Specific Plan. The Project would be consistent with this policy.

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Goal/Policy	Project
Policy CE-B.1: Protect and conserve the landforms, canyon lands, and open spaces that: define the City's urban form; provide public views/vistas; serve as core biological areas and wildlife linkages; are wetlands habitats; provide buffers within and between communities; or provide outdoor recreational opportunities.	**Consistent:** The Project site encompasses approximately 49.23 acres of land currently developed with urban uses. The Project does not include natural open space or wetlands. Refer to the consistency analysis with Policy UD-A.1 and Section 5.8, Visual Effects and Neighborhood Character, for a detailed discussion of landform alteration from the Project and Section 5.13, Biological Resources, for a discussion regarding wildlife linkages. The Project would be consistent with this policy.
Policy CE-B.4: Limit and control runoff, sedimentation, and erosion both during and after construction activity.	**Consistent:** On-site runoff would be collected and conveyed through a series of new underground private storm drains collecting rooftop and surface drainage. The Project would not cause significant impacts to flooding and drainage patterns, water quality, or groundwater. Refer to Section 5.7, Hydrology/Water Quality, for a detailed discussion of impacts regarding hydrology and water quality during and after construction. The Project would be consistent with this policy.
Policy CE-C.7: Encourage conservation measures and water recycling programs that eliminate or discourage wasteful uses of water.	**Consistent:** The Project would promote water conservation through compliance with CALGreen, City Water Use Restrictions, and City Landscape Standards. Trees would be irrigated with permanent, below-grade irrigation systems and comply with City planting and irrigation requirements. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
D. Water Resource Management Goal: Effective long-term management of water resources so that demand is in balance with efficient, sustainable supplies.	**Consistent:** In compliance with SB 610, a Water Supply Assessment and Verification Report (Appendix M3) was prepared for the Project to assess if sufficient water supplies are, or would be, available to meet the projected water demands of the Project. The Water Supply Assessment and Verification Report concluded there is sufficient water planned to supply the Project's estimated annual average usage. Refer to Section 5.12, Public Utilities, for additional information on the Project's water supply. The Project would be consistent with this goal.
Policy CE-E.2: Apply water quality protection measures to land development projects early in the process-during project design, construction, and operations in order to minimize the quantity of runoff generated on-site, the disruption of natural water flows and the contamination of storm water runoff.	**Consistent:** The Project would implement water quality protection measures, such as water quality detention/swale areas, and future implementation of BMPs. Refer to the consistency analysis with Policy PF-G.5 and Section 5.7, Hydrology/Water Quality. The Project would be consistent with this policy.
Policy CE-E.3: Require contractors to comply with accepted storm water pollution prevention planning practices for all projects.	**Consistent:** The Project would be required to prepare and comply with a SWPPP in accordance with the City's Stormwater Standards Manual and the City's Grading Ordinance. Refer to the consistency analysis with Policy PF-G.5 and Section 5.7, Hydrology/Water Quality. The Project would be consistent with this policy.
Policy CE-E.6: Continue to encourage "Pollution Control" measures to promote the proper collection and disposal of pollutants at the source, rather than allowing them to enter the storm drain system.	**Consistent:** The Project would implement pollution control measures, as required. Refer to Section 5.7, Hydrology/Water Quality, for further information. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy CE-E.7: Manage floodplains to address their multi-purpose use, including natural drainage, habitat preservation, and open space and passive recreation, while also protecting public health and safety.	**Consistent:** There are no FEMA-designated Special Flood Hazard Areas on the Project site. A portion of the Project site is within Shaded Zone X, an area of Minimal Flood Hazard. The nearest Special Flood Hazard Area is the San Diego River flood control channel located to the north of Interstate 8. Refer to Section 5.7, Hydrology/Water Quality, for further information. The Project would be consistent with this policy.
F. Air Quality Goals: Regional air quality which meets state and federal standards. Reduction in greenhouse gas emissions effecting climate change.	**Consistent:** As discussed in Section 5.9, Air Quality, the Project would result in criteria air pollutant emissions during both the construction and operational phases of the Project. Emissions associated with construction of the Project would be temporary and would not exceed the screening level thresholds for criteria air pollutants. The increase in operational air pollutant emissions associated with the Project would not exceed the screening level thresholds established by the San Diego County Air Pollution Control District and are anticipated to decrease compared to existing conditions. Furthermore, as discussed in Section 5.10, Greenhouse Gas Emissions, the Project would not conflict with any applicable GHG plan or policy. The Project would be consistent with this goal.
Policy CE-F.4: Preserve and plant trees and vegetation that are consistent with habitat and water conservation policies and that absorb carbon dioxide and pollutants.	**Consistent:** The Project would encourage a diversity of plant and tree species and drought-tolerant and climate-friendly plants in the public space areas. Refer to consistency analysis with Policy CE-A.11. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
I. Sustainable Energy Goal: An increase in local energy independence through conservation, efficient community design, reduced consumption, and efficient production and development of energy supplies that are diverse, efficient, environmentally sound, sustainable, and reliable.	**Consistent:** Project construction activities would be temporary, and no known conditions on the Project site would require non-standard equipment or construction practices that would increase fuel-energy consumption above typical rates. As detailed in Specific Plan Appendix A, Climate Action Plan Consistency, Project energy demand would be met through on-site renewable energy generation (solar) and provision of renewable energy through participation in San Diego Community Power. The Project would increase overall development density on the site, which would decrease residential and commuter vehicle trip lengths compared to regional averages. The Project would introduce new transit-supporting density and design, including mixed-use development, pedestrian and bicycle facilities that connect all internal site uses and adjacent properties, and electric vehicle charging stations for vehicles and e-bikes. Project buildings would meet enhanced building energy efficiency standards compared to existing land uses because more stringent energy efficiency standards have been adopted since previous site development. As discussed in Chapter 7.0, Other Mandatory Discussion Areas, the Project would not result in the inefficient or wasteful use of energy during Project implementation and the Project would not conflict with existing energy standards or regulations. The Project would be consistent with this goal.
Policy CE-I.4: Maintain and promote water conservation and waste diversion programs to conserve energy.	**Consistent:** Refer to the consistency analysis with Policy CE-A.8 related to waste diversion and Policy CE-C.7 related to water conservation. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy CE-I.5: Support the installation of photovoltaic panels, and other forms of renewable energy production.	**Consistent:** Project energy demand would be met through on-site renewable energy generation (solar) and provision of renewable energy through participation in San Diego Community Power. San Diego Community Power is a Community Choice Aggregate program that serves the Project site. San Diego Community Power partners with San Diego Gas & Electric to deliver purchased electricity from renewable energy sources. Refer to Section 5.10, Greenhouse Gas Emissions, for further details on renewable energy generation. The Project would be consistent with this policy.
Policy CE-K.1: Promote the recycling and reclamation of construction materials to provide for the City's current and future growth and development needs.	**Consistent:** Construction debris would be separated on site into material-specific containers to facilitate reuse and recycling and to increase the efficiency of waste reclamation. The Project would reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible in accordance with AB 341 and City requirements. Refer to Section 5.12, Public Utilities, for discussions on the Project's compliance with the CALGreen and its comprehensive Waste Management Plan. The Project would be consistent with this policy.
Noise Element	
A. Noise and Land Use Compatibility Goal: Consider existing and future noise levels when making land use planning decisions to minimize people's exposure to excessive noise.	**Consistent:** The Project proposes land uses similar to existing uses on the Project site and consistent with the planned uses in the 2018 Community Plan; therefore, no conflict would occur regarding noise-compatible land uses. Further, the Project requires a Municipal Code Amendment to Chapter 5 for the Midway Rising Entertainment Center District ~~Overlay~~, which would provide additional regulations for events of 1,000 people or more on the Project site. Refer to Section 5.5, Noise, for further details. The Project would be consistent with this goal.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy NE-A.1: Separate excessive noise-generating uses from residential and other noise-sensitive land uses with a sufficient spatial buffer of less sensitive uses.	**Consistent:** The nearest noise-sensitive land use to the Project site is The Orchard Senior Living facility west of the Project site at 3840 Sports Arena Boulevard. Other noise-sensitive land uses within the Project vicinity include residential developments south of Sports Arena Boulevard, including Pointe Lux Apartment Homes at 3889 Midway Drive, and Villa Marbella apartments at 3142 Midway Drive (refer to Figure 5.5-1, Noise Measurement and Receptor Locations). The apartment complexes are generally separated from the Project site by commercial development along the Sports Arena Boulevard frontage. As discussed in Section 5.5, Noise (Issue 2), noise levels on the Project site would exceed the 2008 General Plan Noise Element compatibility level of 60 dBA CNEL for residential uses, up to 72.8 dBA CNEL along Sports Area Boulevard. However, noise levels up to a maximum of 75 dBA CNEL from traffic noise for multi-family residential are considered conditionally compatible, since interior noise levels can be reduced to 45 dBA. All new residential development on the Project site would be subject to existing state and City requirements to demonstrate that interior noise levels of 45 dBA CNEL would be achieved in areas potentially exposed to traffic noise above compatible noise levels. This requirement is implemented through submission of a Title 24 Compliance Report to demonstrate interior noise levels of 45 dBA CNEL. Refer to Section 5.5, Noise, for further details. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy NE-A.2: Assure the appropriateness of proposed developments relative to existing and future noise levels by consulting the guidelines for noise-compatible land use (shown on Table NE-3) to minimize the effects on noise-sensitive land uses.	**Consistent:** The Noise Technical Report (Appendix G1) prepared for the Project used the City of San Diego Land Use-Noise Compatibility Guidelines (Table NE-3) for assessing compatibility of existing land uses with proposed land uses. Implementation of the Project would result in increases in ambient noise levels within the Project vicinity. However, noise levels with Project implementation would not exceed the City's significance thresholds by causing any roadway to exceed 65 dBA CNEL or a 3 dBA CNEL increase on any roadway that would exceed 65 dBA CNEL without the Project. Refer to Section 5.5, Noise, for further details. The Project would be consistent with this policy.
Policy NE-A.3: Limit future residential and other noise-sensitive land uses in areas exposed to high levels of noise.	**Consistent:** The Project site is in the Midway-Pacific Highway Community planning area, an urban community with a mix of land uses and major transportation facilities. The community experiences ambient noise levels on the higher end of noise compatibility standards for noise-sensitive land uses. Noise levels are higher compared to typical residential-only neighborhoods due to ambient noise from commercial and industrial land uses, freeways, major streets, aircraft operations, and rail operations. As discussed in Section 5.5, Noise (Issue 2), noise levels on the Project site would exceed the 2008 General Plan Noise Element compatibility level of 60 dBA CNEL for residential uses, up to 72.8 dBA CNEL along Sports Area Boulevard. However, noise levels up to a maximum of 75 dBA CNEL from traffic noise for multi-family residential are considered conditionally compatible, since interior noise levels can be reduced to 45 dBA. All new residential development on the Project site would be subject to existing state and City requirements to demonstrate that interior noise levels of 45 dBA CNEL would be achieved in areas potentially exposed to traffic noise above

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
	compatible noise levels. This requirement is implemented through submission of a Title 24 Compliance Report to demonstrate interior noise levels of 45 dBA CNEL. Refer to Section 5.5, Noise, for further details. The Project would be consistent with this policy.
Policy NE-A.4: Require an acoustical study consistent with acoustical study guidelines (Table NE-4) for proposed developments in areas where the existing or future noise level exceeds or would exceed the "compatible" noise level thresholds as indicated on the land use–noise compatibility guidelines (Table NE-3), so that noise mitigation measures can be included in the project design to meet the noise guidelines.	**Consistent:** Refer to the response to Policy NE-A.2 above. A Noise Technical Report was prepared for the Project, which is provided as Appendix G1. The Noise Technical Report was prepared consistent with the City's acoustical study guidelines. Refer to Section 5.5, Noise, for further details. The Project would be consistent with this policy.
Policy NE-B.1: Encourage noise-compatible land uses and site planning adjoining existing and future highways and freeways.	**Consistent:** The western portion of the Project site is located within the projected 65–75 dBA CNEL noise contours for roadway noise, primarily from I-8. New residential development would be subject to existing state and City requirements to demonstrate that interior noise levels of 45 dBA CNEL would be achieved in areas potentially exposed to traffic noise above compatible noise levels. This requirement is implemented through submission of a Title 24 Compliance Report to the City to demonstrate interior noise levels of 45 dBA CNEL. With this existing framework, exterior traffic noise impacts associated with development of new residences on the Project site would be compatible with adjoining existing uses; including I-8. Refer to Section 5.5, Noise, for further details. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy NE-B.2: Consider traffic calming design, traffic control measures, and low-noise pavement surfaces that minimize motor vehicle traffic noise (see also Mobility Element, Policy ME–C.5 regarding traffic calming).	**Consistent:** Refer to the consistency analysis with Policy ME-C.5, which discusses the traffic-calming and control measures the Project would implement. Refer to Section 5.5, Noise, for discussion on transportation noise related impacts. The Project would be consistent with this policy.
Policy NE-B.3: Require noise reducing site design, and/or traffic control measures for new development in areas of high noise to ensure that the mitigated levels meet acceptable decibel limits.	**Consistent:** Refer to the consistency analysis with Policy ME-C.5, which discusses the traffic-calming and control measures and noise reducing site design the Project would implement. Further, refer to Section 5.5, Noise, for discussion on noise related impacts. The Project would be consistent with this policy.
Policy NE-B.4: Require new development to provide facilities which support the use of alternative transportation modes such as walking, bicycling, carpooling, and, where applicable, transit to reduce peak-hour traffic.	**Consistent:** The Project would provide bicycle access throughout the Project site through Class I, II, and IV bicycle facilities. Additionally, the Project would provide one new local bus stop and enhancements to the two existing local bus stops along the Project frontage on Sports Arena Boulevard, which include installing transit shelters and benches. During peak-hour traffic during large events, it is anticipated that overflow parking may be necessary for large event sizes. Event shuttles would be provided for access to Old Town Transit Center and off-site parking lots. Refer to Chapter 3.0, Project Description, for further details on the Project's alternative transportation modes. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
E. Commercial and Mixed-Use Activity Noise Goal: Minimal exposure of residential and other noise-sensitive land uses to excessive commercial and mixed-use related noise.	**Consistent:** Potential operational noise sources associated with commercial development on the Project site would include heating, ventilation, and air conditioning equipment, commercial truck deliveries at loading docks, and human activity associated with live entertainment or outdoor patios. Due to distance, intervening structures, existing ambient noise, and on-site attenuation, noise from human activity would not be expected to be audible at the nearest existing noise-sensitive land uses or exceed SDMC noise level limits. Refer to Section 5.5, Noise, for further details. The Project would be consistent with this goal.
Policy NE-G.2: Implement limits on excessive public noises that a person could reasonably consider disturbing and/or annoying in residential areas and areas abutting residential areas.	**Inconsistent**: Implementation of large special events accommodated in Project outdoor public space areas would have the potential to exceed SDMC hourly noise standards, and mitigation requiring best management practices (**MM NOISE-5.5-1**) would be implemented during outdoor events, which would reduce impacts to the extent feasible. Since the specifics of future events and required equipment cannot be determined at this time, it cannot be demonstrated that Mitigation Measure **NOISE-5.5-1** would fully reduce event noise to below a significant level. Therefore, the Project would be inconsistent with this policy. Refer to Section 5.5, Noise, for further discussion on mitigation measures for noise impacts. The No Commercial Development Alternative to the Project includes event time limitations (refer to Chapter 8.0, Alternatives). Operational noise sources associated with commercial development, residential development, parking areas, event noise, mechanical equipment, outdoor human activities and recreational facilities, and landscape and maintenance activities and regular trash pickup would not result in the exposure of people to noise levels

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
	that exceed property line limits established in the Noise Abatement and Control Ordinance of the SDMC for hourly noise standards.
I. Typical Noise Attenuation Methods Goal: Attenuate the effect of noise on future residential and other noise-sensitive land uses by applying feasible noise mitigation measures.	**Inconsistent:** Noise levels associated with the Project would increase with implementation of the Project. Mitigation measures as discussed in Section 5.5, Noise, include implementing best practices to minimize event noise (**MM NOISE-5.5-1**) and would reduce noise from special events in Project outdoor public space areas. Since the specifics of future events and required equipment cannot be determined at this time, it cannot be demonstrated that Mitigation Measure **NOISE-5.5-1** would fully reduce event noise to below a significant level. Therefore, the Project would be inconsistent with this policy. Refer to Section 5.5, Noise, for further discussion on mitigation measures for noise impacts.
Policy NE-I.1: Require noise attenuation measures to reduce the noise to an acceptable noise level for proposed developments to ensure an acceptable interior noise level, as appropriate, in accordance with California's noise insulation standards (CCR Title 24) and Airport Land Use Compatibly Plans.	**Inconsistent:** Noise levels associated with Project outdoor events would increase with implementation of the Project. Mitigation as discussed in Section 5.5, Noise, would reduce impacts by implementing best management practices during events, which would reduce impacts to the extent feasible. Since the specifics of future events and required equipment cannot be determined at this time, it cannot be demonstrated that Mitigation Measure **NOISE-5.5-1** would fully reduce event noise to below a significant level. Therefore, the Project would be inconsistent with this policy. Refer to Section 5.5, Noise, for further discussion on mitigation measures for noise impacts. A Project alternative that includes event time limitation is addressed in Chapter 8.0, Alternatives.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Policy NE-I.2: Apply CCR Title 24 noise attenuation measures requirements to reduce the noise to an acceptable noise level for proposed single-family, mobile homes, senior housing, and all other types of residential uses not addressed by CCR Title 24 to ensure an acceptable interior noise level, as appropriate.	**Consistent:** Title 24 requires that residential structures be designed to prevent the intrusion of exterior noise so that the interior noise, with windows closed, attributable to exterior sources shall not exceed 45 dBA CNEL in any habitable room. Traffic is the primary source of ambient traffic noise on the Project site; therefore, the analysis of the Project's potential to result in ambient noise level increases is focused on its contribution to traffic noise levels. Operational noise levels would be subject to SDMC Article 11, which adopts Title 24 building regulations, and 2008 General Plan Policy NE-A.4. Refer to Section 5.5, Noise, for further details on the Project's traffic noise impacts. The Project would be consistent with this policy.
Policy NE-I.3: Consider noise attenuation measures and techniques addressed by the Noise Element, as well as other feasible attenuation measures not addressed as potential mitigation measures, to reduce the effect of noise on future residential and other noise-sensitive land uses to an acceptable noise level.	**Consistent:** Refer to the response to Policy NE-I.2 and Section 5.5, Noise, for further details. The Project would be consistent with this policy.
Economic Prosperity Element	
Policy EP-G.7: Eliminate or minimize land use conflicts that pose a significant hazard to human health and safety.	**Consistent:** The Project would change the zoning of the site from CC-3-6 (Community Commercial) to a mixed-use residential base zone (RMX-2), which allows residential and commercial uses that include retail sales, commercial services, personal services, entertainment, assembly, and visitor accommodation uses that serve residents and workers in the community and adjacent communities. These uses would not conflict or pose a significant hazard to human health and safety. Refer to Section 5.6, Health and Safety, for further discussion. The Project would be consistent with this policy.

Table 5.1-1. Project's Consistency with the City of San Diego's 2008 General Plan

Goal/Policy	Project
Historic Preservation Element	
A. Identification and Preservation of Historical Resources Goal: Preservation of the City's important historical resources.	**Inconsistent:** The Project would result in the demolition of the San Diego International Sports Arena, a designated historical resource. With the implementation of feasible mitigation measures, the impact to the historical structure would be reduced to the extent feasible. Refer to Section 5.3, Historical and Tribal Cultural Resources, for further details. Refer to Chapter 8.0, Alternatives, for a discussion on the Retain San Diego International Sports Arena Alternative to the Project, which would preserve the San Diego International Sports Arena in place. Since the Project is proposing the demolition of a designated historical resource, the Project would be inconsistent with this goal.
Policy HP-A.5: Designate and preserve significant historical and cultural resources for current and future generations.	**Inconsistent:** Based on site-specific surveys conducted for the Project site, there are no significant archaeological resources on the Project site and one significant historical resource (San Diego International Sports Arena) that would be demolished. Refer to Section 5.3, Historical and Tribal Cultural Resources, for further details. Refer to Chapter 8.0, Alternatives, for a discussion of Project alternatives that would preserve the San Diego International Sports Arena in place. Since the Project is proposing the demolition of a designated historical resource, the Project would be inconsistent with this policy.

Notes: AB = Assembly Bill; ADA = Americans with Disabilities Act; BMP = best management practices; C&D = Construction and Demolition; CALGreen = California Green Building Standards Code; CAP = Climate Action Plan; CBC = California Building Code; CCR = California Code of Regulations; CNEL = Community Noise Equivalent Level; dBA = A-weighted decibel; du/ac = dwelling units per acre; FEMA = Federal Emergency Management Agency; GHG = greenhouse gas; LDM = Land Development Manual; MSCP = Multiple Species Conservation Program; MTS = San Diego Metropolitan Transit District; SB = Senate Bill; SDMC = San Diego Municipal Code; SEIR = Subsequent Environmental Impact Report; SWPPP = Stormwater Pollution Prevention Plan; TDM = transportation demand management

2018 Midway-Pacific Highway Community Plan

The 2018 Community Plan is closely aligned with the 2008 General Plan goals for land use, mobility, urban design, economic prosperity, public facilities, recreation, conservation, and historic

preservation. The 2018 Community Plan vision, principles, recommendations, and implementation strategy are included in the Specific Plan for consistency with the intent of the 2018 Community Plan and to provide the City with a strong policy document for Project development. Project consistency with the environmental goals and policies of the 2018 Community Plan are discussed in Table 5.1-2.

Table 5.1-2. Project's Consistency with the Goals and Policies of the 2018 Community Plan

Goal/Objective	Project
Land Use, Villages and Districts	
Policy LU-2.3: Encourage residential mixed-use in areas designated Community Commercial – Residential Permitted.	**Consistent:** The Project would change the Community Plan land use designation of the site from Community Commercial – Residential Permitted (zero to 44 dwelling units per acre) to Community Village (zero to 72 dwelling units per acre), which allows residential and commercial uses that include retail sales, commercial services, personal services, entertainment, assembly, and visitor accommodation uses that serve residents and workers in the community and adjacent communities. The proposed change allows for greater flexibility to support residential mixed-use development that is consistent with the overall vision for the "Sports Arena Community Village" that is identified in the 2018 Community Plan. The Project would be consistent with this policy.
Policy LU-2.6: Support the inclusion of on-site affordable housing units in residential developments.	**Consistent:** The Project would provide a range of housing opportunities for individuals and families across multiple income levels and in a variety of configurations, from studio lofts to 1, 2, and 3-bedroom units. The Project would include affordable dwelling units, which may include family housing, senior housing, and veterans housing among other groups as stated in the Specific Plan. The Project would be consistent with this policy.

Table 5.1-2. Project's Consistency with the Goals and Policies of the 2018 Community Plan

Goal/Objective	Project
Policy LU-2.7: Support the development of workforce, affordable, and senior housing in proximity to transit stations.	**Consistent:** The Project would include 4,254 dwelling units, including up to 2,000 affordable units. The Project site is located within proximity to transit routes and bus stops and would relocate and provide enhancements to the two existing local bus stops along the Project frontage on Sports Arena Boulevard, and construct a new third bus stop on the west side of Frontier Drive for the planned extension of Rapid Bus Route 10. Refer to the response to Policy ME-B.9.a, and Section 5.2, Transportation and Circulation. The Project would be consistent with this policy.
Policy LU-4.1 Prepare a specific plan or a development plan with a Master Planned Development Permit that is consistent with the Community Plan vision and General Plan's City of Villages strategy to comprehensively guide the transformation of the City-owned property within Sports Arena Community Village.	**Consistent:** The Project proposes to redevelop the site with a mix of uses, including entertainment, retail, residential, recreational, and public park uses consistent with the City of Villages strategy. To ensure that the Sports Arena Community Village is planned comprehensively, the 2018 Community Plan requires a Specific Plan or Master Plan. The Project complies with this policy and a Specific Plan has been prepared to provide guidance and direction on land use, site planning, building, public space, and landscape design to ensure that future development of the Project site results in a pedestrian- and transit-oriented mixed-use entertainment destination. The Specific Plan provides supplemental development regulations that work with the underlying base zones and development regulations in the SDMC to ensure implementation of the vision. The Project would be consistent with this policy.

Table 5.1-2. Project's Consistency with the Goals and Policies of the 2018 Community Plan

Goal/Objective	Project
Mobility	
Policy ME-2.2: Support and promote walkability and connectivity through the construction of sidewalk and intersection improvements throughout the community. Pedestrian improvement locations should include, but are not limited to, the locations listed in Box 3-3.	**Consistent:** The Project would establish a pedestrian- and transit-oriented village with multimodal access through a network of new streets, pedestrian paths, bicycle facilities, and transit services and amenities that break up the superblock and provide for greater and enhanced access to the site, connectivity across the site, and improved north–south access across the neighborhood. The Project would also include street frontage and various intersection improvements within the Community Plan area to enhance transportation operations. The Project site is included in Key Pedestrian Improvement Locations identified in the 2018 Community Plan. Refer to Section 5.2, Transportation and Circulation, for further information. The Project would be consistent with this policy.
Policy ME-2.9: Install adequate street lighting along pedestrian routes throughout the community with priority on higher pedestrian/vehicle conflict areas.	**Consistent:** The Specific Plan envisions the Project site as a pedestrian-focused, walkable environment where the uses, buildings, parks and public spaces, and amenities on site are accessible and connected by a series of paths, promenades, paseo greens, and paseo greenways that would be well lit by street lighting. The promenades would provide active and passive public space surrounding and within the Community Village and along Sports Arena Boulevard, Kurtz Street, Kemper Street, and Frontier Drive and would include pedestrian-scaled lighting fixtures to create a well-lit and walkable environment. Future residential, retail, and entertainment uses would be connected to the proposed internal pedestrian circulation network. Refer to the response to ME Goal A, Walkable Communities; response to Policy ME A.4; and Section 5.2, Transportation and Circulation, for further discussion on the Project's pedestrian network and facilities. The Project would be consistent with this policy.

Table 5.1-2. Project's Consistency with the Goals and Policies of the 2018 Community Plan

Goal/Objective	Project
Bicycling	
Policy ME-3.4: Implement separated bicycle facilities as part of the multi-use urban path system, as shown in Figure 3-2, along the following existing roadways: • Rosecrans Street (Lytton Street to Pacific Highway) • Sports Arena Boulevard (I-8 to Dutch Flats Parkway) • Midway Drive (Sports Arena Boulevard to Barnett Avenue) • Lytton Street/Barnett Avenue (Rosecrans Street to Pacific Highway) • Pacific Highway (Taylor Street to Laurel Street)	**Consistent:** The Project would provide bicycle access through Class I, II, and IV bicycle facilities and the network of promenades, paseos greens, and paseo greenways. Separated protected bikeways are proposed for Sports Arena Boulevard and Kemper Street. Bicycle improvements would extend along most of Kurtz Street and Rosecrans Street to connect the site with the Old Town Transit Center at Pacific Highway and Taylor Street. Refer to Chapter 3.0, Project Description, for more details. The Project would be consistent with this policy.
Policy ME-3.5: Encourage separated or buffered bicycle facilities along new streets where feasible.	**Consistent:** The Specific Plan envisions enhanced pedestrian and cyclist experience features that may include wide landscaped buffers. The Promenades Concept includes bike buffer zones (Figure 30 in the Specific Plan). Refer to Section 5.2, Transportation and Circulation, for further discussion on the Project's pedestrian network and facilities. The Project would be consistent with this policy.
Policy ME-3.7: Enhance safety, comfort, and accessibility for all levels of bicycle riders with improvements such as wayfinding and markings, actuated signal timing, bicycle parking, buffered bicycle lanes, and protected bicycle facilities	**Consistent:** Bicycle parking would be provided to serve proposed residential, retail, and event uses, including in public spaces and promenades for public use. Refer to the consistency analysis with Policy ME-3.4. The Project would be consistent with this policy.

Table 5.1-2. Project's Consistency with the Goals and Policies of the 2018 Community Plan

Goal/Objective	Project
Street	
Policy ME-5.2: Reconfigure existing right-of-way as appropriate to provide bicycle, pedestrian, and transit facilities while maintaining vehicular access.	**Consistent:** Refer to the consistency analysis with 2008 General Plan Policy ME-C.1.b related to frontage and off-site improvements that would be implemented by the Project. The Project would expand mobility options and accessibility through the incorporation of multi-use pathways circulating throughout the Project site and connecting to the adjacent community. Separated protected bikeways are proposed for Sports Arena Boulevard and Kemper Street. Bicycle improvements would extend along most of Kurtz Street and Rosecrans Street to connect the site with the Old Town Transit Center at Pacific Highway and Taylor Street. The Project includes a pedestrian and bike multi-use path that would enhance connectivity to the nearby MTS stations. The Project requires a Community Plan Amendment to address the circulation of Greenwood Street. Figure 3-7 of the Community Plan identifies Greenwood Street as a future conceptual street. Due to the Project's layout and circulation needs, the Project would provide vehicle access using existing public rights-of-way. In lieu of extending Greenwood Street, the Project includes a multi-use pedestrian and bicycle path where this connection is identified. This approach addresses vehicular circulation while also providing bicycle and pedestrian access. The Project would be consistent with this policy.
Intelligent Transportation Systems	
Policy ME-6.3: Encourage implementation or accommodation of infrastructure for electric vehicles including vehicle charging stations as part of residential, commercial, industrial, and infrastructure development projects based on future demand and changes in technology.	**Consistent:** Parking infrastructure would include infrastructure for EV capable spaces, EV-ready spaces, or EV charging equipment spaces in accordance with building code requirements (California Code of Regulations, Title-24, and CALGreen Title 24, Part 11). Refer to Table 3-2, Parking for Proposed Land Uses, in Chapter 3.0, Project Description, for further details regarding parking associated with the Project. The Project would be consistent with this policy.

Table 5.1-2. Project's Consistency with the Goals and Policies of the 2018 Community Plan

Goal/Objective	Project
Urban Greening	
Policy UD-2.1: Incorporate public spaces (e.g. plazas, pocket parks, or greens) as an integral aspect of site and building design within villages and where feasible within residential/commercial mixed-used districts.	**Consistent:** The Specific Plan envisions the Project site as a pedestrian-focused, walkable environment where the uses, buildings, parks and public spaces, and amenities on site are accessible and connected. The Project would include a network of park and public spaces consisting of approximately 14.54 acres of parks and public space, including plazas, promenades, paseo greens, and streetscapes. The Project would provide an interconnected mix of active and passive public spaces and parks with varying sizes, activities, designs, and landscapes that would be accessible by the public. Future residential, retail, and entertainment uses would be connected to the proposed internal pedestrian circulation network. The Project would be consistent with this policy.
Policy UD-2.4: Provide streetscapes that incorporate a frontage area, a pedestrian walkway with non-contiguous sidewalks, and a furnishing area with street trees between the street curb and sidewalk within villages and where feasible within districts.	**Consistent:** The Specific Plan envisions enhanced pedestrian and cyclist experience features that may include wide landscaped buffers. The Promenades Concept includes bike buffer zones (Figure 30 in the Specific Plan). Refer to Section 5.2, Transportation and Circulation, for further discussion on the Project's pedestrian network and facilities. The Project would be consistent with this policy.
Policy UD-3.5: Maximize the use of landscaping to provide shade and passive cooling to buildings, outdoor recreational spaces, and paved surfaces.	**Consistent:** The Project landscape plan, as shown on the Vesting Tentative Map (PDC 2025~~2024~~), identifies a continuous tree canopy to provide shading on all adjacent Project streets. The Project would be consistent with this policy.
Policy UD-3.14: Encourage the development and implementation of a tree maintenance and watering plan for village areas and large development to maintain the long-term health of street trees that includes the activities listed in Box 4-3.	**Consistent:** The Project landscape plan, as shown on the Vesting Tentative Map (PDC 2025~~2024~~), identifies a continuous tree canopy to provide shading on all adjacent Project streets. Refer to the consistency analysis with 2008 General Plan Policy CE-A.11 related to proposed landscaping and irrigation on the Project site. The Project would be consistent with this policy.

Table 5.1-2. Project's Consistency with the Goals and Policies of the 2018 Community Plan

Goal/Objective	Project
Conservation	
Policy CE-1.1: Continue to implement General Plan policies related to climate change and support implementation of the CAP through a wide range of actions including: A. Implementing pedestrian and bicycle infrastructure improvements in Transit Priority Areas to increase commuter walking and bicycling opportunities. B. Supporting higher density/intensity housing and employment development in Transit Priority Areas to increase transit ridership. C. Providing bicycle and pedestrian improvements in coordination with street resurfacing as feasible. D. Coordinating with San Diego Association of Governments to identify transit right-of-way and priority measures to support existing and planned transit routes, prioritizing for implementation the highest priority bicycle and pedestrian improvements. E. Supporting regional improvements that promote alternative modes of transportation, such as mobility hubs. F. Providing bicycle- and car-sharing programs and their facilities such as bike-sharing stations and car-sharing vehicle access points. G. Retiming traffic signals and installing roundabouts where needed to reduce vehicle fuel consumption. H. Applying the CAP consistency checklist as a part of the development permit review process, as applicable.	**Consistent:** Refer to Section 5.10, Greenhouse Gas Emissions, for a detailed discussion of the Project's consistency with the CAP. The Project would be consistent with this policy.

Table 5.1-2. Project's Consistency with the Goals and Policies of the 2018 Community Plan

Goal/Objective	Project
I. Supporting and implementing improvements to enhance transit accessibility and operations, as feasible. J. Monitoring the mode share within the community's TPAs to support the CAP Annual Monitoring Report Program.	
Policy CE-1.4: Promote and facilitate the siting of new on-site photovoltaic energy generation and energy storage systems to reduce the need for conventional purchased electricity and reduce greenhouse gas emissions within the community.	**Consistent:** Refer to the consistency analysis with 2008 General Plan Policy CE-I.5 for a discussion of the Project's renewable energy generation. The Project would be consistent with this policy.
Policy CE-1.9: Increase the community's overall tree canopy within the public right-of-way and in developments to provide air quality benefits and urban runoff management.	**Consistent:** Refer to the consistency analysis with 2008 General Plan Policy UD-A.8 for a discussion of the Project's landscaping. The Project would be consistent with this policy.
Noise	
NOISE GOAL: Minimize the exposure of residential and other land uses to excessive noise levels.	**Consistent:** Refer to the consistency analysis with the 2008 General Plan Noise Element. Refer to Section 5.5, Noise, for further discussion on mitigation measures that would minimize residential and other land uses to excessive noise levels. While all impacts would not be fully reduced to below a significant level, the Project would implement mitigation measures to minimize the noise impacts consistent with this Community Plan goal. The Project would be consistent with this goal.

Table 5.1-2. Project's Consistency with the Goals and Policies of the 2018 Community Plan

Goal/Objective	Project
Historic Preservation	
Policy HP-2.1: Preserve designated historical resources and promote the continued use and new, adaptive reuse of these resources consistent with the U.S. Secretary of the Interior's Standards.	**Inconsistent:** Refer to Section 5.3, Historical and Tribal Cultural Resources, for a discussion of the Project's impact on historical resources, including the San Diego International Sports Arena. The Project proposes to demolish the San Diego International Sports Arena, which is a designated historic resource. Refer to Chapter 8.0, Alternatives, for a discussion of Project alternatives that would preserve the San Diego International Sports Arena and promote its continued use. Since the Project is proposing the demolition of a designated historical resource, the Project would be inconsistent with the Policy.
Policy HP-2.7: Conduct project-specific Native American consultation early in the development review process to ensure culturally appropriate and adequate treatment and mitigation for significant archaeological sites or sites with cultural and religious significance to the Native American community in accordance with all applicable local, state and federal regulations and guidelines.	**Consistent:** As a result of the Community Plan Amendment required for the Project, SB 18 was triggered, and the City Planning Department sent notices to local Tribes on March 12, 2024, for the opportunity to consult with the City for the Project. One response from the Campo Band was received as part of the SB 18 outreach effort. The City Planning Department met with Daniel Tsosie, a Tribal representative from the Campo Band, on April 10, 2024. No issues related to cultural resources or Tribal Cultural Resources were raised. The only inquiry addressed the timeline of release of the Draft SEIR. Consultation per SB 18 is ongoing. The Project is consistent with this policy.

Notes: CAP = Climate Action Plan; EV = electric vehicle; MTS = San Diego Metropolitan Transit District; SB = Senate Bill ; SDMC = San Diego Municipal Code; SEIR = Subsequent Environmental Impact Report; TPA = transit priority area

Implementation of the Project would be inconsistent with Historic Preservation Goal A and Policy HP-A.5 of the 2008 General Plan and Policy HP-2.1 of the Historic Preservation Element of the 2018 Community Plan because the Project proposes the demolition of a designated historical resource (San Diego International Sports Arena). In addition, the Project would conflict with the Noise Element Policy NE-G.2, Goal I, and Policy NE-I.1 of the 2008 General Plan due to outdoor event noise. These policy inconsistencies would result in a potentially significant land use impact related to historical resources and noise **(Impact 5.1-1**). Impacts would be **Potentially Significant.**

Impact 5.1-1: Implementation of the Project would conflict with Historic Preservation Element Goal A and Policy HP-A.5 in the 2008 General Plan and Policy HP-2.1 in the 2018 Community Plan due to the demolition of the San Diego International Sports Arena, a designated historical resource. In addition, the Project would conflict with the Noise Element Policy NE-G.2, Goal I, and Policy NE-I.1 of the 2008 General Plan due to outdoor event noise.

City of San Diego Municipal Code

Zoning

The SDMC implements the 2018 Community Plan policies through zoning, development regulations, and other controls pertaining to land use density and intensity, building massing, landscape, streetscape, and other development characteristics. Chapters 11 through 14 of the SDMC contain the City's planning, zoning, subdivision, and building regulations that dictate how land is to be developed and used within the City. In 2022, the SDMC was amended to allow buildings to be built above 30 feet in height in the Midway-Pacific Highway Community planning area. Additionally, the City has adopted CAP Consistency Regulations (SDMC Chapter 14, Article 3, Division 14) to ensure that all new development is consistent with the 2022 CAP. The CAP Consistency Regulations apply to specified ministerial and discretionary projects to ensure that projects comply with the goals and objectives of the 2022 CAP and contain measures that are required to be implemented on a project-by-project basis to confirm that the specified emissions targets identified in the 2022 CAP are achieved.

The base zone on the Project site is CC-3-6 (Community Commercial). The Project proposes rezoning the Project site to a mixed-use residential base zone (RMX-2; Figure 5.1-1, Proposed Zoning Plan). The purpose of the residential mixed-use base zone is to provide a mix of uses with a focus on residential uses. Section 8 of the Specific Plan provides supplemental development regulations that work with the underlying base zone and development regulations in the SDMC to ensure the implementation of the Specific Plan's vision. The supplemental development regulations ensure the attainment of the purpose of the Specific Plan, which is to systematically implement the 2008 General Plan and the 2018 Community Plan and provide greater planning and design guidance for the area covered by the Specific Plan. Where the Project deviates from the SDMC, the supplemental development regulations and rezone shall prevail as the governing documents for the Project and Specific Plan.

Therefore, with the approved rezone, the Project would not conflict with the SDMC. Therefore, this impact would be **Less than Significant**.

Historic Resources Regulations

The City's Historical Resources Regulations, part of the SDMC (Sections 143.0201–143.0280), provide a balance between sound historic preservation principles and the rights of private property owners. The regulations have been developed to implement applicable local, state, and federal policies and

mandates, including the 2008 General Plan; CEQA; and the National Historic Preservation Act. SDMC Section 143.0212 requires review of all building, demolition, or entitlement applications impacting buildings 45 years or older to determine if historical resources exist on a parcel proposed for development prior to issuance of a permit. A site-specific survey shall be required when it is determined that a historical resource may exist on a parcel proposed for development and the development would result in substantial alteration as defined by SDMC Section 143.0250(a)(3). If a site-specific survey is required, it shall be conducted consistent with the Historical Resources Guidelines of the LDM (SDMC Section 143.0212[d]). These guidelines set up a development review process to review projects in the City. The process is composed of two aspects: the implementation of the regulations and the determination of impacts and mitigation under CEQA.

Adherence to the Historical Resources Regulations and Historical Resources Guidelines would ensure that appropriate measures are applied to protect historical resources consistent with City requirements. In accordance with the City's Historical Resources Regulations, a Historical Resources Technical Report for the San Diego International Sports Arena (Appendix E3) was prepared to evaluate the eligibility of historical significance for the San Diego International Sports Arena. A Historical Resources Technical Report was also prepared for the 3220, 3240, 3250, and 3350 Sports Arena Boulevard Buildings (Appendix E2). Refer to Section 5.3, Historical and Tribal Cultural Resources, for a discussion of the Project's impact on historical resources.

The Project would result in the demolition of the San Diego International Sports Arena, a designated historical resource. However, the Project would be consistent with the Historical Resources Regulations in the SDMC because a deviation is allowed pursuant to Sections 143.0251 and 126.0502(d) with a Site Development Permit. Therefore, impacts would be **Less than Significant.** See **Impact 5.1-1** above and **Impact 5.3-1** in Section 5.3, Historical and Tribal Cultural Resources.

2021 San Diego Association of Governments San Diego Forward: The Regional Plan

The 2021 Regional Plan was adopted by the SANDAG Board of Directors on December 10, 2021. The 2021 Regional Plan provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources.

A key implementation action of the Regional Plan has been the development of a Smart Growth Concept Map illustrating the location of existing, planned, and potential Smart Growth areas. The SANDAG Smart Growth Concept Map, which was most recently updated in 2021, identifies a potential Existing/Planned Town Center (SD MD-1) on the Project site and surrounding areas. Town Centers are areas identified as suburban downtowns within the region that may include low- and mid-rise residential, office, and commercial buildings with some employment uses. These areas draw in people from the immediate area and are served by corridor/regional transit lines and local services or shuttle

services. The Project would identify a mix of land uses, including entertainment, retail, residential, recreational, and public park uses, to activate the Project site consistent with the Regional Plan.

The Project would provide opportunity for multimodal travel, including bus, pedestrian and bicyclist connectivity, which would increase connections to the surrounding communities. In addition, the Old Town Transit Center located approximately 0.7 to 1 mile east of the Project site would provide regional-serving high-quality light-rail transit to the Project site. As discussed in Section 5.2, Transportation and Circulation, the Project would also include Project street frontage and off-site intersection improvements to enhance transportation operations in the Project and Community Plan area. The Project would provide enhancements to the two existing local bus stops along the Project frontage on Sports Arena Boulevard and provide a new bus stop at Frontier Drive. Refer to Chapter 3.0, Project Description, and Section 5.2 for further discussion of transportation amenities the Project would provide. Because the Project would implement improvements to the transportation network including construction of new streets, modified streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways, the Project would not conflict with the Regional Plan. Therefore, this impact would be **Less than Significant.**

2022 City of San Diego Climate Action Plan

The City adopted an updated qualified CAP in August 2022 that builds upon the 2015 CAP and establishes a community-wide goal of net-zero emissions by 2035. It is anticipated that the City would achieve a reduction of 8,774,000 MT CO_2e by 2035 with implementation of the 2022 CAP. However, additional reductions would be required to achieve net-zero emissions. The 2022 CAP relies on significant City and regional actions, continued implementation of federal and state mandates, and local strategies with associated action steps for target attainment (City of San Diego 2022a). The overall strategies to achieve the 2022 CAP target include decarbonization of the built environment, access to clean and renewable energy, reduction of vehicle miles traveled through land use and transportation options, CH_4 capture and waste diversion, resilient infrastructure, habitat restoration, and pursuit of emerging climate actions.

Refer to Section 5.10, Greenhouse Gas Emissions, for a detailed discussion of current legislation and regulations regarding climate change, the CAP, an evaluation of the Specific Plan's conformance evaluation with the CAP, and an evaluation of the Project's consistency with the CAP Consistency Regulations (refer to Table 5.10-2, General Plan and Climate Action Plan Consistency, and Table 5.10-3, Climate Resilient SD Plan Consistency). As discussed in Section 5.10, the Project would be consistent with the 2022 CAP and CAP Consistency Regulations. Therefore, this impact would be **Less than Significant**.

5.1.4.2 Issue 2: Conversion of Open Space or Farmland

Would the Project lead to development or conversion of General Plan or Community Plan designated open space or prime farmland to a more intensive land use, resulting in a physical division of the community?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway Community planning area includes existing commercial, industrial, residential, institutional, and military land uses. No Open Space or Prime Farmland is in the Midway-Pacific Highway Community planning area or on the Project site; therefore, the Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would not convert Open Space or Prime Farmland and would not result in the physical division of an established community. No significant impacts were identified, and no mitigation measures were required.

Project-Specific Impact Analysis

The Project site is classified by the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program map as Urban and Built-Up Land (DOC 2024). As such, the Project site is not designated as Open Space or Prime Farmland. Therefore, **No Impacts** would occur.

5.1.4.3 Issue 3: Conflicts with the MSCP Subarea Plan

Would the Project conflict with the provisions of the City's MSCP Subarea Plan (SAP) or other approved local, regional, or state habitat conservation plan?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway Community planning area does not include land identified as MHPA. The San Diego River flood control channel, outside the Midway-Pacific Highway Community planning area, directly north, is an important open space resource and is within the MHPA. The City's MHPA Land Use Adjacency Guidelines manage land uses adjacent to the flood control channel to ensure minimal impacts to the MHPA (City of San Diego 1997). The Midway-Pacific Highway CPU PEIR concluded that development adjacent to MHPA lands could have indirect effects on the MHPA. Therefore, future projects adjacent to the MHPA would be subject to the City's MHPA Land Use Adjacency Guidelines and be required to minimize indirect effects by incorporating features into the Project and/or permit conditions that demonstrate compliance with the MHPA Land Use Adjacency Guidelines. Therefore, impacts were determined to be **Less than Significant**.

Project-Specific Impact Analysis

As discussed in Section 5.13, Biological Resources, the Project site is not within or adjacent to the MHPA identified in the MSCP SAP. However, the San Diego River and Mission Valley Preserve, which are within the MHPA, are approximately 0.04 mile and 0.4 mile north of the Project site, respectively. The Project is required to comply with applicable General Management Directives outlined in Section 1.5.2 of the MSCP SAP, which is the adopted Habitat Conservation Plan for the Project site. Refer to Section 5.13 for further discussion. Therefore, impacts associated with a conflict with the MSCP SAP would be **Less Than Significant**.

5.1.4.4 Issue 4: Conflicts with an Adopted ALUCP

Would the Project result in land uses which are not compatible with an adopted Airport Land Use Compatibility Plan (ALUCP)?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway Community planning area is within the adopted ALUCP for the SDIA. Part of the Midway-Pacific Highway Community planning area is within the SDIA AIA, part of Review Area 1, and the entire Midway-Pacific Highway Community planning area is within Review Area 2. A portion of the Midway-Pacific Highway Community planning area is within the SDIA ALUCP noise contours; within the Safety Compatibility Zones, which set density and intensity requirements; partially within the Federal Aviation Regulations, Part 77, Notification Surfaces and the Threshold Siting Surface, which sets notification requirements for objects over 200 feet; and entirely within the Overflight Notification Area.

Although the Midway-Pacific Highway Community planning area is within the SDIA AIA the Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would not result in significant impacts associated with the four compatibility concern areas.

The 2018 Community Plan was submitted to the Airport Land Use Commission (ALUC) for a consistency determination with the SDIA ALUCP and was deemed conditionally consistent because future projects would be required to submit Project-level consistency determinations prior to their approval. Future projects that involve a land use plan amendment or rezone would be required to receive an ALUC consistency determination stating that the Project is consistent with the SDIA ALUCP. As a result, the Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would not result in land uses that are incompatible with an adopted ALUCP. Impacts were determined to be **Less than Significant.**

Project-Specific Impact Analysis

The Project site is within the AIA for the SDIA and NASNI Airport ALUCPs. The basic function of ALUCPs is to promote compatibility between airports and the land uses that surround them to the extent that these areas are not already devoted to incompatible uses. In San Diego County, the ALUCPs are administered by the San Diego County Regional Airport Authority, as provided in Section 21670.3 of the California Public Utilities Code.

San Diego International Airport ALUCP

The Project site is located within the designated AIA of the SDIA, which requires specific protection measures for noise, overflight, safety, and/or airspace protection (SDCRAA 2014). Specifically, the Project site is bisected by the boundaries of AIA Review Areas 1 and 2. The southern half of the Project site is within Review Area 1, while the northern half of the Project site is within Review Area

2. Review Area 1 is defined by the combination of the 60- to 65-decibel CNEL contour, the outer boundary of all safety zones, and the airspace threshold siting surfaces. Residential use is conditionally compatible within this noise contour. For indoor uses, buildings must be capable of attenuating exterior noise to 45 dB CNEL. Review Area 2 is defined by the combination of the airspace protection and overflight boundaries beyond Review Area 1, where only airspace protection and overflight policies and standards apply.

The Project site is also located within the Federal Aviation Regulations Part 77 Noticing Area Overlay Zone requiring notification for structures within 20,000 feet of a public use or military airport that exceeds a 100:1 surface ratio from any point on the runway of an airport with at least one runway more than 3,200 feet long. The Project proposes mid-rise mixed-use buildings up to 105 feet in height and a new entertainment center with a maximum height of 165 feet. In addition, up to 10 percent of the total Specific Plan Area (Project site) (approximately 214,446 gross square feet) of building floorplate (excluding the entertainment center site and floorplate) may be constructed to a maximum height of 250 feet in any location on the Project site. Future proposed buildings with a maximum height of 200–250 feet may surpass the obstruction standards of Part 77 for objects in navigable airspace, as determined by the FAA. Prior to obtaining building permits for structures, the Project applicant would be required to notify the FAA and obtain an FAA determination of no hazard to air navigation in accordance with the SDIA AIA. Thus, implementation of the Project would be consistent with the adopted ALUCP. Impacts related to conflicts with an adopted ALUCP would be **Less than Significant**.

Naval Air Station North Island Airport ALUCP

The Project site is also within the NASNI AIA. Specifically, the Project site is within the NASNI Airspace Protection Boundary. The Project site is outside the noise contour, Accident Potential Zone Clear Zone, and Overflight Notification Area Boundary policy maps. Projects within the Airspace Protection Boundary must determine if they are required to file a Notice of Proposed Construction or Alteration (FAA Form 7460-1) (SDCRAA 2020).

The Project would not conflict with the NASNI AIA. Therefore, impacts would be **Less than Significant.**

5.1.5 Significance of Impacts

5.1.5.1 Issue 1: Conflicts with Applicable Plans

Implementation of the Project would conflict with Historic Preservation Goal A and Policy HP-A.5 of the 2008 General Plan and Policy HP-2.1 of the Historic Preservation Element of the 2018 Community Plan due to demolition of the San Diego International Sports Arena, a designated historical resource. Additionally, the Project would conflict with the Noise Element Policy NE-G.2, Goal I, and Policy NE-I.1 of the 2008 General Plan due to outdoor large event noise at the Project site that would exceed noise ordinance standards. Therefore, impacts would be **Potentially Significant**.

5.1.5.2 Issue 2: Conversion of Open Space or Farmland

Implementation of the Project would not lead to the development or conversion of 2008 General Plan or 2018 Community Plan designated Open Space or Prime Farmland to a more intensive land use, resulting in a physical division of the community. **No Impact** would occur.

5.1.5.3 Issue 3: Conflicts with the MSCP Subarea Plan

Implementation of the Project would not conflict with the provisions of the City's MSCP SAP or other approved local, regional, or state Habitat Conservation Plan. Impacts would be **Less than Significant**.

5.1.5.4 Issue 4: Conflicts with an Adopted ALUCP

The Project site is located within the AIA of both the NASNI and the SDIA. Implementation of the Project would not result in land uses that are not compatible with an adopted ALUCP. Therefore, the Project is required to obtain an FAA Part 77 Notice of Determination letter of no hazard to air navigation in accordance with the SDIA AIA and the NASNI Airport Airspace Protection Boundary. Compliance with the requirement to obtain a FAA determination of no hazard to air navigation in accordance with the SDIA AIA and the NASNI Airspace Protection Boundary would ensure compatibility with both ALUCPs. Therefore, impacts related to conflicts with an adopted ALUCP would be **Less than Significant.**

5.1.6 Mitigation

5.1.6.1 Issue 1: Conflicts with Applicable Plans

Midway-Pacific Highway CPU PEIR, Section 5.3.6, identified Mitigation Measure **HIST 5.3-1** to be implemented for all future discretionary development projects with the potential to impact historical resources. The Historical Resources Technical Report prepared for the San Diego International Sports Arena (Appendix E3) is consistent with the Midway-Pacific Highway CPU PEIR Mitigation Measure **HIST 5.3-1**. Project-specific Mitigation Measures **HIST 5.3-1**, **HIST 5.3-2, HIST 5.3-3, and HIST 5.3-4** provided in Section 5.3 would be implemented to reduce impacts to the San Diego International Sports Arena, a designated historical resource. Impacts would be reduced, although not to below a level of significance **(Impact 5.1-1**; **Impact 5.3-1**.

Additionally, Mitigation Measure **NOISE 5.5-1,** provided in Section 5.5, would be implemented to reduce noise from special events in Project outdoor public space areas. However, the details of future events are unknown, and it cannot be demonstrated that noise levels would be reduced to below SDMC Noise Abatement and Control Ordinance Standards (**Impact 5.1-1**).

5.1.6.2 Issue 2: Conversion of Open Space or Farmland

No significant impacts were identified; therefore, no mitigation is required.

5.1.6.3 Issue 3: Conflicts with the MSCP Subarea Plan

No significant impacts were identified; therefore, no mitigation is required.

5.1.6.4 Issue 4: Conflicts with an Adopted ALUCP

No significant impacts were identified; therefore, no mitigation is required.

5.1.7 Significance of Impacts after Mitigation

5.1.7.1 Issue 1: Conflicts with Applicable Plans

Implementation of the Project would be inconsistent with Historic Preservation Goal A and Policy HP-A.5 of the 2008 General Plan and Policy HP-2.1 of the Historic Preservation Element of the 2018 Community Plan. Demolition of the San Diego International Sports Arena would result in a substantial adverse change to a designated historical resource. The proposed documentation, interpretive exhibits, and salvage plan (Mitigation Measures **HIST 5.3-1, HIST 5.3-2, HIST 5.3-3, and HIST 5.3-4**) would not adequately replace the demolished structure and would not reasonably mitigate the impacts of its demolition to a less than significant level (**Impact 5.1-1**; **Impact 5.3-1**). Therefore, impacts would remain **Significant and Unavoidable.**

Additionally, the Project would conflict with the Noise Element Policy NE-G.2, Goal I, and Policy NE-I.1 of the 2008 General Plan due to outdoor large event noise at the Project site that would exceed noise ordinance standards. Mitigation Measure **NOISE-5.5-1** would reduce noise from special events in Project outdoor public space areas. However, because the specifics of future events and required equipment cannot be determined at this time, it cannot be demonstrated that Mitigation Measure **NOISE-5.5-1** would fully reduce event noise to below a significant level **(Impact 5.1-1)**. Therefore, impacts would remain **Significant and Unavoidable**.

5.1.7.2 Issue 2: Conversion of Open Space or Farmland

No Impact.

5.1.7.3 Issue 3: Conflicts with the MSCP Subarea Plan

No Impact.

5.1.7.4 Issue 4: Conflicts with an Adopted ALUCP

Less than Significant.

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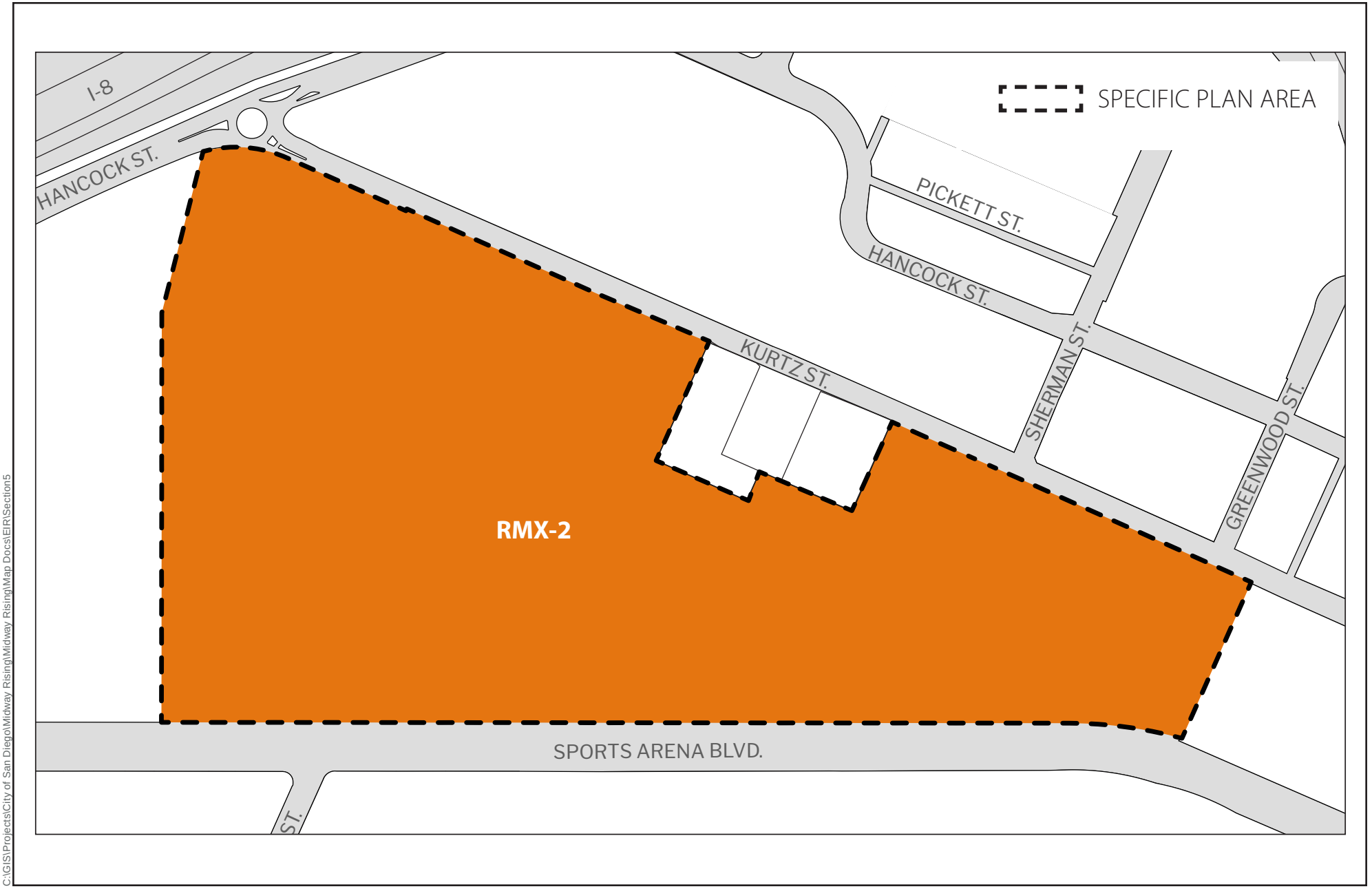

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Figure 5.1-1

Proposed Zoning Plan

Midway Rising

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5.2 Transportation and Circulation

This Subsequent Environmental Impact Report (SEIR) section describes the existing transportation and circulation conditions for the Midway Rising Project (Project) and evaluates the potential for implementation of the Project to cause significant transportation and circulation impacts.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- Midway Rising Local Mobility Analysis (LMA) prepared by Kimley-Horn & Associates, Inc. (Kimley-Horn) (2024), included as Appendix D1 of this SEIR
- Midway Rising Vehicle Miles Traveled (VMT) Memorandum prepared by Kimley-Horn & Associates, Inc. (2024), included as Appendix D2 of this SEIR
- Midway Rising Community Plan Amendment Report prepared by Kimley-Horn & Associates, Inc. (2024), included as Appendix D3 of this SEIR
- Midway Rising Transportation Demand Management Plan prepared by Kimley-Horn & Associates, Inc. (2024), included as Appendix D4 of this SEIR
- Midway Rising: Privately-Owned Parcels and Effects on the Local Mobility Analysis Memorandum prepared by Kimley-Horn & Associates, Inc. (2024), included as Appendix D5 of this SEIR
- Midway Rising: Privately-Owned Parcels and Effects on the Vehicle Miles Traveled Analysis Memorandum prepared by Kimley-Horn & Associates, Inc. (2024), included as Appendix D6 of this SEIR
- Midway Rising: Site Plan Modification Effects on the Community Plan Amendment Memorandum prepared by Kimley-Horn & Associates, Inc. (2024), included as Appendix D7 of this SEIR
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018)

As described in greater detail in Chapter 4.0, History of Project Changes, the Project footprint was decreased from 52.1 to 49.23 acres to remove the privately owned parcels (sometimes referred to as the outparcels) from the Midway Rising Specific Plan (Specific Plan) (included as Appendix C to this SEIR). As a result, the total number of residential units was decreased from 4,627 to 4,254 and the total commercial ~~retail~~ square footage was decreased from 140,000 to 130,000 square feet. The transportation analysis presented is based on buildout of the Project footprint including development of the privately owned parcels, which represents a conservative analysis because it evaluates a larger Project than what is currently proposed. Refer to Appendices D5, D6, and D7 for a detailed description of how the transportation and circulation analysis below presents a conservative analysis of Project impacts.

5.2.1 Existing Conditions

The Project site is currently developed with a variety of commercial and entertainment uses and is accessible via 20 driveways, including three signalized driveways along Sports Arena Boulevard at Kemper Street, West Drive, and East Drive that provide access to the Project site. Unsignalized driveways also provide site access from Kurtz Street and Sports Arena Boulevard to various portions of the site.

5.2.1.1 Roadway Network

The roadways fronting the Project site include Sports Arena Boulevard to the south and Kurtz Street to the north. Surrounding Project area roadways include Sports Arena Boulevard, Kurtz Street, Hancock Street, Kemper Street, Camino Del Rio West, Rosecrans Street, West Point Loma Boulevard, and Midway Drive. These existing roadways are described below and further detailed in Table 1-3, Existing and Planned Vehicular System, in Appendix D1.

Sports Arena Boulevard is a five-lane major arterial with two to three travel lanes in the west and eastbound directions with lengths of 4 to 6 feet painted and raised medians between the Interstate (I-) 8 westbound off-ramp and Rosecrans Street. It is a two-lane collector between Rosecrans Street and Barnett Avenue. The roadway has approximately 6-foot-wide non-contiguous sidewalk on both sides of the street west of Rosecrans Street. Class II and Class II buffered bike lanes exist from the I-8 westbound off-ramp to Rosecrans Street. The posted speed limit is 35 miles per hour (mph) between the I-8 westbound off-ramp and Rosecrans Street and 25 mph from Rosecrans Street to Barnett Avenue.

Kurtz Street is a one-way (southeast bound) two-lane collector from Hancock Street to Camino Del Rio West with parallel on-street parking on both sides of the roadway. The roadway has approximately 5-foot-wide non-contiguous sidewalk on both sides of the street and no bicycle facilities. The posted speed limit is 30 mph.

Hancock Street is a two-lane collector with a center left-turn lane from Sports Arena Boulevard to Kurtz Street with approximately 5- to 6-foot-wide non-contiguous sidewalk on both sides of the street and a one-way (northwest bound) two-lane collector from Kurtz Street to Camino Del Rio West with approximately 4- to 10-foot-wide non-contiguous sidewalk on both sides of the street. There is parallel on--street parking and sidewalk on both sides of the roadway. There are no bicycle facilities. The posted speed limit is 25 to 30 mph between Sports Arena Boulevard and Kurtz Street and 25 mph between Kurtz Street and Camino Del Rio West.

Kemper Street is a two-lane collector with a center left-turn lane and approximately 4- to 10-foot-wide non-contiguous sidewalk on both sides of the street. There is parallel on-street parking and sidewalk on the northwestern side of the roadway from Kenyon Street to Midway Drive and on both sides of the roadway from Midway Drive to Sports Arena Boulevard. Kemper Street is classified as a Class III bike route from Sports Arena Boulevard to Leland Street. The posted speed limit is 25 mph.

Camino Del Rio West is a six-lane prime arterial from the I-5/I-8 ramp to Sports Arena Boulevard with three to four southbound travel lanes and three northbound travel lanes. There is no on-street parking, but the roadway has approximately 4.5- to 6-foot-wide non-contiguous sidewalk on both sides. There are no bicycle facilities. The posted speed limit is 35 mph.

Rosecrans Street is a four-lane collector with a center left-turn lane from Pacific Highway to Sports Arena Boulevard and a six-lane major arterial from Sports Arena Boulevard to Lytton Street. There is no on-street parking from Lytton Street to Sports Arena Boulevard. Parallel on-street parking is provided on both sides of the roadway from Sports Arena Boulevard to Pacific Highway. There is approximately 5- to 15-foot-wide non-contiguous sidewalk from Lytton Street to Sports Arena Boulevard and from Sports Arena Boulevard to Pacific Highway there is approximately 5- to 9-foot-wide non-contiguous sidewalk on the northwestern side of the roadway. There are Class II bike lanes from Sports Arena Boulevard to Midway Drive. From Midway Drive to Lytton Street, there is a Class II bike lane in the northbound direction and a Class III bike route in the southbound direction. The posted speed limit is 30 mph between Pacific Highway and Sports Arena Boulevard and 40 mph between Sports Arena Boulevard and Lytton Street.

West Point Loma Boulevard is a four-lane major arterial with a raised median west of Sports Arena Boulevard and has one to two east and westbound travel lanes with sidewalk on both sides. The roadway has Class II buffered bicycle facilities. The posted speed limit is 40 mph.

Midway Drive is a four-lane collector with a center left-turn lane from Barnett Avenue to Rosecrans Street. There are sidewalks on both sides of the street and no bicycle facilities. The posted speed limit is 35 mph.

5.2.1.2 Bicycle Facilities

Bicycle facilities are classified into four general categories:

- **Class I multi-use paths** provide a completely separated right-of-way for the exclusive use for bicyclists, pedestrians, and those using non-motorized modes of travel. These facilities typically consist of off-street bike paths or trails and provide critical connections where roadways are absent or are not conducive to bike travel.
- **Class II bike lanes** refer to bicycle facilities defined by pavement striping and signage to allocate a portion of roadway for bike travel. Bike lanes are one-way facilities on either side of a street. A painted buffer can separate bikes from vehicles or parking lanes, and green paint can identify conflict zones.
- **Class III bike routes** are facilities where bikes share a travel lane with vehicles. These facilities are identified with signage and may include other features such as “sharrow” pavement markings to delineate that the road is a shared-use facility.
- **Class IV cycle tracks** combine the experience of a separated path with the on-street infrastructure of a conventional bike lane. They are typically located within the curb-to-

curb area but also may be separated from vehicle lanes by vertical separation, physical barriers, flexible posts, on-street parking curbs, or other objects.

As discussed in Section 5.2.1.1, Roadway Network, existing Class II bike lanes are located on Sports Arena Boulevard from the I-8 westbound off-ramp to Rosecrans Street. Class III bicycle facilities are located along Kemper Street between Sports Arena Boulevard and Leland Street. In addition, Class II (buffered)/Class III southbound bicycle facilities are located along Rosecrans Street between Sports Arena Boulevard and Lytton Street. There are also two Class I multi-use paths north of the Project site: one along the northern side of Sea World Drive connecting to Ingraham Street and another on the northern side of I-8 connecting to West Mission Bay Drive. There are Class II bike lanes along Rosecrans Street from Sports Arena Boulevard to Midway Drive. From Midway Drive to Lytton Street, there is a Class II bike lane in the northbound direction and Class III bike route in the southbound direction. In addition, West Point Loma Boulevard has Class II buffered bicycle facilities.

5.2.1.3 Pedestrian Network

As discussed in Section 5.2.1.1, sidewalks are provided on both sides of Sports Arena Boulevard west of Rosecrans Street, Kurtz Street, Hancock Street, and Midway Drive. However, they are non-contiguous and are missing in some areas. Sidewalks are present on the northwestern side of Kemper Street from Kenyon Street to Midway Drive and on both sides of the roadway from Midway Drive to Sports Arena Boulevard. In addition, there are sidewalks along Rosecrans Street from Lytton Street to Sports Arena Boulevard and sidewalks from Sports Arena Boulevard to Pacific Highway only on the northwestern side of the roadway. Sidewalks are also provided along Camino Del Rio West from the I-8 WB/I-5 SB off-ramps to Sports Arena Boulevard. Striped pedestrian crosswalks are provided at intersections along Sports Arena Boulevard, including the intersections with West Point Loma Boulevard, Hancock Street, Kemper Street, West Drive, East Drive, and Camino Del Rio West/Rosecrans Street. Striped pedestrian crosswalks are also located at the intersection of Kurtz Street and Camino Del Rio West. Non-striped pedestrian crossings denoted by Americans with Disabilities Act (ADA) curb ramps are available throughout the project area at most intersections.

5.2.1.4 Transit

The San Diego Metropolitan Transit System (MTS) provides trolley and bus services in the area. Two bus stops located along the Project frontage on Sports Arena Boulevard serve MTS Routes 8 and 9. Additionally, the Project site is located within 0.5 mile of bus stops serving Routes 28 and 35 along Sports Arena Boulevard, Rosecrans Street, East Drive, and West Point Loma Boulevard and within 0.7 to 1 mile of the Old Town Transit Center, which serves the Green and Blue Line trolleys and various local bus routes. The primary bus routes are described below:

- **Route 8** runs between the Old Town Transit Center and the Balboa Transit Center via Mission Beach. Weekday service begins at 5:25 a.m. and ends at 12:25 a.m. with headways of 34 minutes during peak hours and heads of 36 minutes during off-peak

hours. Weekend service begins at 5:42 a.m. on Saturdays and ends at 12:25 a.m. Sunday service begins at 5:59 a.m. and ends at 10:25 p.m.

- **Route 9** runs between the Old Town Transit Center and Pacific Beach via Sea World and Ingraham Drive. Weekday service begins at 6:13 a.m. and ends at 9:03 a.m. with headways of 27 minutes during peak hours and heads of 31 minutes during off-peak hours. Weekend service runs between the Old Town Transit Center and Sea World only and begins at 6:27 a.m. on Saturdays and end at 9:30 p.m. Sunday service begin at 7:20 a.m. and ends at 8:33 p.m.
- **Route 28** runs between Shelter Island and the Old Town Transit Center via Rosecrans Street. Weekday service begins at 5:41 a.m. and ends at 10:48 p.m. with headways of 20 minutes during peak hours and heads of 20 minutes during off-peak hours. Weekend service begins at 6:11 a.m. on Saturdays and ends at 10:48 p.m. Sunday service begins at 6:42 a.m. and ends at 7:42 p.m.
- **Route 35** runs between the Old Town Transit Center and Ocean Beach via Midway Drive. Weekday service begins at 5:41 a.m. and ends at 11:23 p.m. with headways of 23 minutes during peak hours and heads of 25 minutes during off-peak hours. Weekend service begins at 6:11 a.m. on Saturdays and ends at 11:23 p.m. Sunday service begins at 6:41 a.m. and ends at 9:16 p.m.

5.2.2 Regulatory Setting

This section describes the federal, state, regional, and local regulatory framework adopted to address transportation and circulation.

5.2.2.1 Federal

No federal regulations related to transportation and circulation are applicable to the Project.

5.2.2.2 State

California Department of Transportation

As the owner and operator of the State Highway System, the California Department of Transportation (Caltrans) implements established state planning priorities in functional plans, programs, and activities. Caltrans has the responsibility to coordinate and consult with local jurisdictions when proposed local land use planning and development may impact state highway facilities.

Senate Bill 375 (Sustainable Communities Strategy)

Senate Bill (SB) 375 provided an updated planning process to coordinate land use planning and regional transportation plans and funding priorities to help California meet the greenhouse gas (GHG) reduction goals established in Assembly Bill 32. SB 375 requires that regional transportation plans developed by Metropolitan Planning Organization (MPOs) (e.g., San Diego Association of Governments [SANDAG])

incorporate a Sustainable Communities Strategy in their regional transportation plans that will achieve regional GHG emissions reduction targets set by the California Air Resources Board. The development of the Sustainable Communities Strategy requires scenario planning that considers a range of alternative land use patterns for the region and transportation investments that achieve the regional target reduction in GHGs. SB 375 also includes provisions for streamlined California Environmental Quality Act (CEQA) review for some infill projects, such as transit-oriented developments.

Senate Bill 743 (Transit-Oriented Development and Vehicle Miles Traveled)

SB 743 made significant changes to how transportation impacts are evaluated under CEQA. SB 743 directed the Governor's Office of Planning and Research to develop a new metric and approach that replaced level of service (LOS) analysis and suggested VMT as a metric. SB 743 has since been codified into CEQA at California Public Resources Code Section 21099, and in Appendix G to the CEQA Guidelines.

5.2.2.3 Regional and Local

2021 SANDAG San Diego Forward: The Regional Plan

San Diego Forward: The Regional Plan (2021 Regional Plan) was adopted by the SANDAG Board of Directors on December 10, 2021. SANDAG is the transportation and land use planning agency for San Diego County's 19 local governments. The 2021 Regional Plan provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources. The 2021 Regional Plan is the result of years of planning, data analysis, and community engagement to reimagine the San Diego region with a transformative transportation system, a sustainable pattern of growth and development, and innovative demand and management strategies (SANDAG 2021a).

2021 SANDAG Regional Transportation Improvement Plan

SANDAG is the MPO and regional transportation planning agency for the San Diego region. State and federal law requires MPOs to develop and adopt a regional transportation improvement program. This program is effective for 5 fiscal years and encompasses major transportation projects throughout the San Diego region. The most recent version of the Regional Transportation Improvement Plan was adopted by the SANDAG Board of Directors on December 10, 2021 (SANDAG 2021b).

2010 SANDAG Riding to 2050: San Diego Regional Bike Plan

The Riding to 2050: San Diego Regional Bike Plan (Regional Bike Plan) was adopted by SANDAG in April 2010 to provide a regional strategy to make riding a bike a useful form of transportation for everyday travel. The plan will help San Diego meet its goals to reduce GHG emissions and improve mobility. The plan proposes a vision for a diverse regional bike system of interconnected corridors, support facilities, and programs to make biking a convenient form of transportation for everyday travel. The plan is intended to guide the development of the regional bike network through the year

2050. It supports implementation of both the SANDAG Regional Comprehensive Plan and the SANDAG 2050 Regional Transportation (SANDAG 2010).

The plan outlines a range of recommendations to facilitate accomplishing the regional goals of increasing the number of people who bike and frequency of bicycle trips for all purposes, including encouraging the development of Complete Streets, improving safety for bicyclists, and increasing public awareness and support for bicycling in the San Diego region (SANDAG 2010).

2008 City of San Diego General Plan

The Mobility Element of the 2008 City of San Diego General Plan, as amended (2008 General Plan), provides policies to advance a strategy for congestion relief and increased transportation choices in a manner that strengthens the City of Villages strategy and helps achieve a clean and sustainable environment (City of San Diego 2008). The Mobility Element includes the following policies to attain a balanced, multimodal transportation network where each mode, or type, of transportation contributes to an efficient network of services meeting varied user needs. In addition to addressing walking, streets, and transit, the Mobility Element also includes policies related to regional collaboration, bicycling, parking, goods movement, transportation demand management, and other components of the transportation system:

- **Policy ME-A.1:** Design and operate sidewalks, streets, and intersections to emphasize pedestrian safety and comfort through a variety of street design and traffic management solutions, including but not limited to those described in the Pedestrian Improvements Toolbox, Table ME-1 of the Mobility Element.
- **Policy ME-A.4:** Make sidewalks and street crossings accessible to pedestrians of all abilities.
    a. Meet or exceed all federal and state requirements.
    b. Provide special attention to the needs of children, the elderly, and people with disabilities.
    c. Maintain pedestrian facilities to be free of damage or trip hazards.
- **Policy ME-A.6:**
    a. Ensure that pedestrian facilities such as sidewalks, trails, bridges, pedestrian-oriented and street lighting, ramps, stairways and other facilities are implemented as needed to support pedestrian circulation. Additional examples of pedestrian facilities are provided in the Pedestrian Improvements Toolbox, Table ME-1.
        1. Close gaps in the sidewalk network.
        2. Provide convenient pedestrian connections between land uses.
        3. Design grading plans to provide convenient and accessible pedestrian connections from new development to adjacent uses and streets.
    b. Link sidewalks, pedestrian paths and multipurpose trails into a continuous region-wide network where possible.

c. Provide and maintain trash and recycling receptacles, and restrooms available to the public where needed.
d. Address pedestrian needs as an integral component of community and public facilities financing plan updates and amendments, other planning studies and programs, and the development project review process.
e. Routinely accommodate pedestrian facilities and amenities into private and public plans and projects.

- **Policy ME-A.7:** Improve walkability through the pedestrian-oriented design of public and private projects in areas where higher levels of pedestrian activity are present or desired.
  a. Enhance streets and other public rights-of-way with amenities such as street trees, benches, plazas, public art or other measures.
  b. Design site plans and structures with pedestrian-oriented features (see also Urban Design, Policies UD-A.6, UD-B.4, and UD-C.6).
  c. Encourage the use of non-contiguous sidewalk design where appropriate to help separate pedestrians from auto traffic. In some areas, contiguous sidewalks with trees planted in grates adjacent to the street may be a preferable design.
  d. Enhance alleys as secure pathways to provide additional pedestrian connections.
  e. Implement traffic-calming measures to improve walkability in accordance with Policy ME-C.5.
  f. When existing sidewalks are repaired or replaced, take care to retain sidewalk stamps and imprints that are indicators of the age of a particular neighborhood, or that contribute to the historic character of a neighborhood.
- **Policy ME-B.9.a:** Identify recommended transit routes and stops/stations as a part of the preparation of community plans and community plan amendments, and through the development review process.
- **Policy ME-B.9.e:** Design for walkability in accordance with the Urban Design Element, as pedestrian supportive design also helps create a transit supportive environment.
- **Policy ME-C.1.b:** Implement street improvements and multi-modal transportation improvements as needed with new development and as areas redevelop over time.
- **Policy ME-C.3.c:** Provide direct and multiple street and sidewalk connections within development projects, to neighboring projects, and to the community at large.
- **Policy ME-C.5**: Install traffic calming measures as appropriate in accordance with site specific recommendations which may include, but are not limited to, those identified on Table ME-2, to increase the safety and enhance the livability of communities.
  a. Use traffic calming techniques in appropriate locations to reduce vehicle speeds or discourage shortcutting traffic.
  b. Choose traffic calming devices to best fit the situations for which they are intended.

c. Place traffic-calming devices so that the full benefit of calming will be realized with little or no negative effect upon the overall safety or quality of the roadway.
d. Design traffic calming devices appropriately, including consideration for: accessibility; drainage; underground utilities; adequate visibility; the needs of emergency, sanitation, and transit vehicles; and landscape.
e. Weigh any potential undesired effects of traffic calming devices (such as increased travel times, emergency response times, noise, and traffic diversion) against their prescribed benefits.

- **Policy ME-C.8:** Implement Traffic Impact Study Guidelines that address site and community specific issues.

a. Give consideration to the role of alternative modes of transportation and transportation demand management (TDM) plans in addressing development project traffic impacts.
b. Consider the results of site-specific studies or reports that justify vehicle trip reductions (see also ME-E.7).
c. Implement best practices for multi-modal quality/level of service analysis guidelines to evaluate potential transportation impacts and determine appropriate mitigation measures from a multi-modal perspective.

- **Policy ME-C.9:** Implement best practices for multi-modal quality/level of service analysis guidelines to evaluate potential transportation improvements from a multimodal perspective in order to determine optimal improvements that balance the needs of all users of the right of way.
- **Policy ME-E.1:** Support and implement TDM strategies including, but not limited to: alternative modes of transportation, alternative work schedules, and telework.
- **Policy ME-E.6:** Require new development to have site designs and on-site amenities that support alternative modes of transportation. Emphasize pedestrian and bicycle-friendly design, accessibility to transit, and provision of amenities that are supportive and conducive to implementing TDM strategies such as car sharing vehicles and parking spaces, bike lockers, preferred rideshare parking, showers and lockers, on-site food service, and child care, where appropriate.
- **Policy ME-F.2.b:** Implement bicycle facilities based on a priority program that considers existing deficiencies, safety, commuting needs, connectivity of routes, and community input.
- **Policy ME-F.2.c:** Recognize that bicyclists use all City roadways.

4. Design future roadways to accommodate bicycle travel; and
5. Upgrade existing roadways to enhance bicycle travel, where feasible

- **Policy ME-F.4:** Provide safe, convenient, and adequate short- and long-term bicycle parking facilities and other bicycle amenities for employment, retail, multifamily housing, schools and colleges, and transit facility uses.

a. Continue to require bicycle parking in commercial and multiple unit residential zones.
b. Provide bicycle facilities and amenities to help reduce the number of vehicle trips.

- **Policy ME-G.5:** Implement parking strategies that are designed to help reduce the number and length of automobile trips. Reduced automobile trips would lessen traffic and air quality impacts, including GHG emissions (see also Conservation Element, Section A). Potential strategies include, but are not limited to those described on Table ME-3.

2013 City of San Diego Bicycle Master Plan

The 2013 update to the City's 2002 Bicycle Master Plan presents a renewed vision closely aligned with the 2008 General Plan and includes a bicycle network with related bicycle projects, policies, and programs. The proposed bikeway network was developed to complement and connect with the proposed network in the 2002 Bicycle Master Plan, 2006 San Diego Downtown Community Plan, and the 2010 Regional Bicycle Plan. There are approximately 511 miles of existing bikeway facilities with the majority composed of bike lanes. The recommended bicycle network includes recommendations for an additional 595 miles of bicycle facilities for a future network totaling almost 1,090 miles (City of San Diego 2013).

The types of projects recommended in the 2013 Bicycle Master Plan include bikeways (Class I – bike path, Class II – bike lane, Class III – bike route, Class IV – cycle tracks, and bicycle boulevards); bike parking, such as bike racks and on-street bike corrals; end-of-trip facilities that may be identified as part of individual development projects; maintenance activities, such as road and sign repair; bicycle signal detection installation, signage, and striping for warnings and wayfinding; and multimodal connection improvements, such as providing secure bicycle parking at transit stops (City of San Diego 2013).

2022 City of San Diego Transportation Study Manual

In December 2020, the San Diego City Council approved its Transportation Study Manual (TSM) to implement the required shift from the use of LOS to VMT as the metric to evaluate transportation impacts under CEQA as a result of SB 743 and to better address all transportation modes. The TSM has been subsequently updated, and the current version is dated September 2022. The purpose of the TSM is to provide guidance on how to prepare transportation studies in the City and to ensure consistency among consultants, predictability in preparation, consistency among reviewers, and conformance with all applicable City and state regulations, including CEQA. The TSM provides guidance for (City of San Diego 2022a):

- The City's CEQA significance thresholds, screening criteria, and methodology for conducting the transportation VMT analysis.
- Preparation of LMA to identify any off-site infrastructure improvements in the project vicinity that may be triggered with the development, analyze site access and circulation, and evaluate the local multimodal network available to serve a project.

2020 City of San Diego Complete Communities: Housing Solutions and Mobility Choices

The City's Complete Communities: Housing Solutions and Mobility Choices (Complete Communities Program) was adopted by the San Diego City Council on November 9, 2020. The Complete Communities Program focuses on four key areas: housing, mobility, parks, and infrastructure. It includes planning strategies that work together to create incentives to build residences near transit, provide more mobility choices, and enhance opportunities for places to walk, bike, relax, and play. The Complete Communities Program also focuses on locating new development combined with the mobility network to be around transit hubs and existing development to support GHG emissions reductions (City of San Diego 2020).

The purpose of the VMT reduction measures required under Complete Communities: Mobility Choices is to implement SB 743 by ensuring that new development mitigates transportation VMT impacts to the extent feasible while incentivizing development in the City's urban areas. The Mobility Choices Program aims to provide more mobility options for San Diegans to commute and recreate by streamlining development, such as pedestrian and bicycle facilities, in areas of the City. The Mobility Choices Program supports implementation of an enhanced active transportation network in VMT-efficient areas and implementation of VMT reduction measures to encourage and support the use of the active transportation network. It also identifies several VMT reduction measures required for new development in VMT-efficient areas to offset new VMT impacts (City of San Diego 2020).

2018 City of San Diego Midway-Pacific Highway Community Plan Mobility Element

The 2018 Community Plan Mobility Element provides a vision, goals, and policy guidance to improve multimodal mobility and meet future mobility needs in Midway-Pacific Highway Community planning area. The Mobility Element addresses walkability, bicycling, transit, streets and freeways systems, intelligent transportation systems, Transportation Demand Management, parking management, and goods movement and freight circulation (City of San Diego 2018). The following are relevant policies from the Mobility Element:

- **Policy ME-2.2:** Support and promote walkability and connectivity through the construction of sidewalk and intersection improvements throughout the community. Pedestrian improvement locations should include, but are not limited to, the locations listed in Box 3-3.
- **Policy ME-3.4:** Implement separated bicycle facilities as part of the multi-use urban path system, as shown on Figure 3-2, along the following existing roadways:
  - Rosecrans Street (Lytton Street to Pacific Highway)
  - Sports Arena Boulevard (I-8 to Dutch Flats Parkway)
  - Midway Drive (Sports Arena Boulevard to Barnett Avenue)

  - Lytton Street / Barnett Avenue (Rosecrans Street to Pacific Highway)
  - Pacific Highway (Taylor Street to Laurel Street)

- **Policy ME-3.5:** Encourage separated or buffered bicycle facilities along new streets where feasible.
- **Policy ME-3.7:** Enhance safety, comfort, and accessibility for all levels of bicycle riders with improvements such as wayfinding and markings, actuated signal timing, bicycle parking, buffered bicycle lanes, and protected bicycle facilities.
- **Policy ME-5.2:** Reconfigure existing right-of-way as appropriate to provide bicycle, pedestrian, and transit facilities while maintaining vehicular access.

5.2.3 Significance Determination Thresholds

Since certification of the Midway-Pacific Highway CPU PEIR in May 2018, SB 743's VMT thresholds became effective on July 1, 2020. California Public Resources Code Section 20199 identifies VMT as the appropriate metric for evaluating transportation impacts for CEQA purposes statewide. Since the adoption the 2018 Community Plan, the City has updated its CEQA Significance Determination Thresholds (City of San Diego 2022b) to reflect the implementation of its new transportation threshold consistent with SB 743. Given this statewide change, the thresholds used in SEIR Issue 2 to evaluate potential transportation and circulation impacts are based on the City's 2022 CEQA Significance Determination Thresholds, and not on the prior LOS metric used in the Midway-Pacific Highway Community Plan PEIR. For Issue 1 and Issue 3, the LMA prepared for the Project, which includes an LOS analysis, was used to address conflicts with adopted plans addressing the circulation system and safety of the circulation system for vehicles, pedestrians, and bicycles. Because the Midway-Pacific Highway CPU PEIR addressed transportation impacts at a plan level, Issue 3 and Issue 4 were not specifically addressed in the Midway-Pacific Highway CPU PEIR. Therefore, a summary of impacts for the Midway-Pacific Highway CPU PEIR is not provided for Issue 3 and Issue 4.

A significant impact on transportation and circulation could therefore occur if implementation of the Project would:

- **Issue 1:** Conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities; or
- **Issue 2:** Result in vehicle miles traveled (VMT) exceeding thresholds identified in the City of San Diego Transportation Study Manual; or
- **Issue 3**: Increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
- **Issue 4**: Result in inadequate emergency access.

5.2.4 Impact Analysis

5.2.4.1 Issue 1: Conflict with Program, Plan, Ordinance, or Policy

Would the Project conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis[1]

The Midway-Pacific Highway CPU PEIR analyzed impacts related to an increase in projected traffic under future scenario (Horizon Year 2035) with and without 2018 Community Plan implementation for study area segments, intersections, freeways, and freeway ramps. The Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would result in significant impacts to roadway segments, intersections, freeway segments, and ramp meters. Identified significant cumulative impacts to roadway segments included the following:

- **Midway-Pacific Highway CPU PEIR Impact 5.2-1:** Three consecutive segments of Kettner Boulevard from Washington Street to Laurel Street.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-2:** Greenwood Street from Sports Arena Boulevard to Kurtz Street.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-3:** Camino Del Rio West from Rosecrans Street to I-5/I-8 ramps.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-4:** Dutch Flats Parkway from Barnett Avenue to Midway Drive.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-5:** Sassafras Street from Pacific Highway to Kettner Boulevard.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-6:** Two consecutive segments of Old Town Avenue from Hancock Street to San Diego Avenue.

Identified significant cumulative impacts to intersections included the following:

- **Midway-Pacific Highway CPU PEIR Impact 5.2-7:** Lytton Street and Rosecrans Street in the AM and PM peak hours.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-8:** West Mission Bay Drive and I-8 westbound off-ramp in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-9:** Midway Drive and Sports Arena Boulevard/West Point Loma Boulevard in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-10:** Midway Drive and Rosecrans Street in the PM peak hour.

[1] The Midway-Pacific Highway CPU PEIR determined that the implementation of the 2018 Community Plan would result in an increase in projected traffic that is substantial in relation to the existing traffic load and capacity of the street system including roadway segments, intersections, freeway segments, interchanges, or freeway ramps.

- **Midway-Pacific Highway CPU PEIR Impact 5.2-11:** Hancock Street and Washington Street in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-12:** Kettner Boulevard and West Laurel Street in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-13:** Pacific Highway and Sassafras Street in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-14:** Pacific Highway and West Laurel Street in the AM and PM peak hours.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-15:** Nimitz Boulevard/Lowell Street and Rosecrans Street in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-16:** Moore Street and Old Town Avenue in the PM peak hour.

Identified significant cumulative impacts to freeway segments included the following:

- **Midway-Pacific Highway CPU PEIR Impact 5.2-17:** I-5 northbound (AM and PM peak hours) and southbound (PM peak hour) from Clairemont Drive to Sea World Drive.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-18:** I-5 northbound from Sea World Drive to I-8 in the AM and PM peak hours.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-19:** I-5 northbound from Old Town Avenue to Washington Street in the AM and PM peak hours.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-20:** I-8 eastbound from Morena Boulevard to Hotel Circle Drive in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-21:** I-5 southbound from I-8 to Old Town Avenue in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-22:** I-5 southbound from Washington Street to Pacific Highway in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-23:** I-5 southbound from Laurel Street to Hawthorn Street in the PM peak hour.

Finally, a cumulative impact related to freeway ramp meters was identified on the I-5 southbound/Sea World Drive ramp in the PM peak hour (Midway-Pacific Highway CPU PEIR **Impact 5.2-24**).

Mitigation Measures **TRANS 5.2-1** through **TRANS 5.2-16** were identified to reduce significant impacts to intersections and roadway segments; however, only Mitigation Measure **TRANS 5.2-7b** is included in the 2018 Community Plan's Impact Fee Study (City of San Diego 2018). Other identified mitigation measures that would reduce vehicular LOS impacts were determined to be infeasible for several reasons, such as consistency with the overall mobility vision, consistency with City goals and policies for walkable neighborhoods and multimodal facilities, lack of available right-of-way to accommodate additional lanes, maintenance of existing features, allowance for other proposed improvements, removal of on-street parking, and maintenance of geometric continuity along

roadway segments. Additionally, Mitigation Measures **TRANS 5.2-17** through **TRANS 5.2-24** would be implemented by Caltrans to reduce 2018 Community Plan impacts to freeway segments and ramp meters; however, impacts to Caltrans facilities would remain significant and unavoidable because the City could not ensure that the mitigation necessary to avoid or reduce impacts to a level below significance would be implemented before the impact occurred. Therefore, impacts related to the increase in projected traffic were determined to be **Significant and Unavoidable**.

In addition, the Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would be consistent with adopted policies, plans, or programs supporting alternative transportation, specifically SANDAG's 2015 Regional Plan. The 2015 Regional Plan was the precursor to the current 2021 Regional Plan. The 2018 Community Plan would support implementation of the transit improvements identified in the 2015 Regional Plan by providing policies that support prioritizing the transit system and improving efficiency of transit services. Additionally, the Project would provide planned alternative transportation facilities and policies that support improvements to pedestrian, bicycle, and transit facilities. Thus, the 2018 Community Plan was determined to have a **Less than Significant Impact** related to conflicts with adopted policies, plans, or programs supporting alternative transportation, and no mitigation measures were required.

Project-Specific Impact Analysis

According to the City's CEQA Significance Determination Thresholds (City of San Diego 2022b), transportation impacts may be significant if a project would conflict with adopted policies, plans, or programs supporting transportation systems, including transit, roadways, bicycle, and pedestrian facilities. Below is an analysis of the Project's consistency with the following local planning programs addressing access and transportation: 2008 General Plan Mobility Element, 2018 Community Plan Mobility Element, and Complete Communities: Mobility Choices.

2008 City of San Diego General Plan

The Project would be consistent with the 2008 General Plan Mobility Element because it strives to improve mobility through a multimodal network that would include new streets, modified streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways. As shown on Figure 3-18, Pedestrian Circulation Concept, future residential, retail, and entertainment uses would be connected to the proposed internal pedestrian circulation network. Multi-use paths would also be provided within the right-of-way on Sports Arena Boulevard, Kurtz Street, Kemper Street, and Frontier Drive. The proposed Class I multi-use path on Kurtz Street would continue to Rosecrans Street and then along Rosecrans Street from Kurtz Street to Pacific Highway, providing connectivity to the Old Town Transit Station.

The Project would provide bicycle access through its construction of Class I, II, and IV bicycle facilities (Figure 3-19, Bicycle Circulation Concept) and the network of promenades, paseos greens, and paseo

greenways where bicyclists would be permitted to ride (as described in Section 3.3.1.4, Parks and Public Spaces). Specifically, the Project would include the following improvements:[2]

- Construction of a Class I multi-use path along the Project frontage (south side) on Kurtz Street.
- Construction of a Class I multi-use path along the south side of Kurtz Street (east of the Project site) and along the southeast side of Rosecrans Street to provide a connection to the Old Town Transit Center via walking and biking.
- Construction of a Class I multi-use path (Bay-to-Bay Urban Path) along the east side of proposed Frontier Drive.
- Construction of a Class I multi-use path (Bay-to-Bay Urban Path) along the project frontage (north side) on Sports Arena Boulevard and a Class IV one-way cycle-track in the westbound direction along the project frontage.
- Construction of Class IV one-way cycle tracks on both sides of the planned Kemper Street extension within the site.
- Construction of a roundabout at the intersection of Hancock Street and Kurtz Street.

As a requirement of the San Diego Municipal Code (SDMC), bicycle parking including bicycle storage, short-term spaces (racks), and long-term spaces (lockers) will be provided throughout the site to serve proposed residential, retail, and event uses, including in public spaces and promenades for public use.

MTS Bus Routes 8 and 9 currently serve the Project site along Sports Arena Boulevard with two stops (ID: 13344 and 13345) providing transit users direct access to the Project site. The Project would relocate and provide enhancements to these two existing local bus stops along the Project frontage on Sports Arena Boulevard, which include installing transit shelters and benches. The Project would also enhance Stop ID 13345 to a Rapid bus stop for the planned extension of Rapid Bus Route 10 that would connect the Project site to the Old Town Transit Center, Mission Bay, and the community of Clairemont. A third new bus stop would be constructed on the west side of the Sports Arena Boulevard/Kemper Street intersection on Sports Arena Boulevard (Figure 3-20, Transit Diagram Bus Stops). In addition, the Project would install exclusive bus/right-turn only lanes in each direction on Sports Arena Boulevard between West Point Loma Boulevard and Camino Del Rio West and on Rosecrans Street between Sports Arena Boulevard and Pacific Highway. The Project would provide a shuttle service to and from the site for the following scenarios:

- For events with greater than 7,500 spectators, an event shuttle service would run between the Old Town Transit Center and the entertainment land use. The event shuttle would run along Rosecrans Street, Sports Arena Boulevard, Frontier Drive, and Kurtz Street.
- For events with greater than 10,000 spectators, two event shuttle services would run between the Old Town Transit Center, and between the off-site business park lot just

[2] These improvements have been updated since the Notice of Preparation to reflect removal of the privately owned parcels, consistent with the project description in the Specific Plan and SEIR Chapter 3.0, Project Description.

west of the Project site, and the entertainment land use. The event shuttle would run along Sports Arena Boulevard, Frontier Drive, Kurtz Street, and Hancock Street.

- For events with greater than 12,000 spectators, three event shuttle services would run between the Old Town Transit Center, off-site parking lots, and the entertainment land use. The event shuttle would run along West Mission Bay Drive, Sports Arena Boulevard, Frontier Drive, Kurtz Street, and Hancock Street.

In addition, based on the recommendations contained in the LMA (Appendices D1 and D5), the Project would make the following intersection modifications to improve traffic operations (refer to Appendix U in Appendix D1 for additional details):

- **Sherman Street/Hancock Street.** Implement temporary traffic control during the PM pre-event peak period on event days only to modify intersection geometry. Temporary traffic control would include a traffic control flagger at the intersection (or appropriate traffic control setup) to allow two westbound lanes to turn left from Hancock Street onto southbound Sherman Street and convert Sherman Street (temporarily) to a one-way two-lane southbound street. Vehicles intending to travel northbound on Sherman Street from Kurtz Street would be redirected to Greenwood Street. At Sherman Street and Kurtz Street, two southbound lanes would be directed to turn right or go straight into the driveway for entertainment center parking.
- **Camino Del Rio West/Hancock Street.** Optimize the signal timing at the existing traffic signal to increase the overall cycle length to 120 seconds during the AM peak, 145 seconds during the PM peak, and 100 seconds during the Pre-Event PM peak.
- **Rosecrans Street/Sports Arena Boulevard and Camino Del Rio West.** Reconfigure the intersection so the southbound channelized right-turn lane and the northbound channelized right-turn lane and ancillary intersection would be converted to an exclusive right-turn lane. The northbound channelized right-turn movement would be removed and the intersection would be modified to allow through vehicles traveling southeast on Sports Arena Boulevard to continue through the intersection toward Pacific Highway, as the through movement is currently not allowed. The eastbound approach would be modified to include one left-turn lane, one shared through/left-turn lane, one slight right-turn lane, and one right-turn lane. These modifications would require a traffic signal modification.
- **Rosecrans Street and Midway Drive.** Optimize the signal timing to increase the overall cycle length to 135 seconds during the AM peak, 150 seconds during the PM peak, and 100 seconds during the pre-event PM peak. For the AM peak, increase in cycle length, optimized splits, and lagging left-turn phases help accommodate the increase in volumes for the northbound and southbound through movements. For the commuter PM and pre-event PM peak, the decrease in cycle length decreases unnecessary time for the left-turn movements and increases overall operations. For the weekend peak, the increase in

overall cycle length decreases unnecessary time for the left-turn movements and increases time for through movements.

- **Midway Drive/West Point Loma Boulevard and Sports Arena Boulevard.** Reconfigure the intersection so channelized right-turn lanes would be removed at the intersection of Sports Arena Boulevard and Midway Drive and West Point Loma Boulevard, consistent with recommendations in the 2018 Community Plan. The southbound approach would be reconfigured to separate the existing southbound shared through/left-turn lane to include two left-turn lanes, one through lane, and one shared through/right-turn lane. The northbound approach would also be reconfigured to separate the existing shared through/left-turn lane to include two left turn lanes, one through lane, and one shared through/right-turn lane. An eastbound through lane would be added by widening the approach by 6 feet. The westbound approach would be reconfigured where the roadway would be reduced to convert the westbound channelized right-turn lane to an exclusive right-turn lane. The northbound and southbound signal timing would be modified to protected left-turn phasing and the westbound right-turn movement would provide an overlap phase. These improvements would also require a traffic signal modification.
- **West Drive/Frontier Drive and Sports Arena Boulevard.** Optimize the signal timing at the existing traffic signal to increase the overall cycle length to 100 seconds during the AM peak and 150 seconds during the PM and pre-event PM peaks.
- **Rosecrans Street/Lytton Street.** Restripe the eastbound approach of Lytton Street to include a second eastbound left-turn lane.
- **Barnett Avenue/Midway Drive.** Optimize the signal timing to increase the overall cycle length to 110 seconds during the AM peak, 150 seconds during the PM peak, 100 seconds during the pre-event PM peak, and 90 seconds during the weekend peak hours.
- **Sports Arena Boulevard and Hancock Street/Commercial Driveway 1.** Restripe the eastbound approach to extend the left-turn storage from 160 feet to 350 feet to improve queuing lengths for all peak hours.

The Project would make the following roadway modifications to improve traffic operations (refer to Appendices D1 and D5 for additional details):

- **Hancock Street between Sports Arena Boulevard and Channel Way.** Increase the capacity of this segment from a two-lane collector to a four-lane collector through restriping and converting angled parking to parallel parking (loss of approximately 20 parking spaces), consistent with the ultimate classification of the 2018 Community Plan.
- **Hancock Street between Channel Way and Kurtz Street.** Increase the capacity of this segment from a two-lane collector to a four-lane collector through restriping and converting angled parking to parallel parking (loss of approximately 16 parking spaces), consistent with the ultimate classification of the 2018 Community Plan.

Installation of the identified improvements as project design features would ensure that the Project would not conflict with the goals and objectives of the 2008 General Plan Mobility Element related to roadway network operations, safety, accessibility, and multimodal connectivity (City of San Diego 2015).

2018 Midway-Pacific Highway Community Plan

The 2018 Community Plan Mobility Element provides a vision, goals, and policy guidance to improve multimodal mobility and meet future mobility needs for the Midway-Pacific Highway Community. The Project consists of a multimodal network that would include new streets, modified streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways. The Project transportation improvements would result in a modification to the planned roadway network identified in the 2018 Community Plan. A Community Plan Amendment was required to address the modifications, which include the following:

- **Kurtz Street (between Hancock Street and Sherman Street):** Convert from a two-lane one-way (southeast bound) collector to a two-lane collector with one lane in each direction.
- **Rosecrans Street (between Midway Drive and Pacific Highway):** Dedicate one lane in each direction for Business Access and Transit (BAT) lane. The proposed BAT lane would be accessible for passenger vehicles making a right turn at an intersection or driveway.
- **Sports Arena Boulevard (between Midway Drive/West Point Loma Boulevard and Rosecrans Street):** Dedicate one lane in each direction for BAT lane. The proposed BAT lane would be accessible for passenger vehicles making a right turn at an intersection or driveway.
- **Greenwood Street (between Kurtz Street and Sports Arena Boulevard):** The project does not propose to construct this segment as planned in the Community Plan. Note that bicycles and pedestrians would still be able to travel between Kurtz Street and Sports Arena Boulevard as an "extension" of Sherman Street.

The Project proposes modifications to the following intersections as identified and analyzed in the Community Plan Amendment Report and Community Plan Amendment Memorandum (Appendices D3 and D7):

- **Midway Drive and Sports Arena Boulevard/West Point Loma Boulevard**: Remove the small, channelized portions to accommodate an additional left-turn lane on the southeast bound and northwest bound approaches of Sports Arena Boulevard and Midway Drive, as well as removal of 174 feet of the existing median on West Point Loma Boulevard to accommodate an additional through lane on the eastbound approach.
- **Kemper Street/Sports Arena Boulevard**: Construct a through lane and exclusive right-turn lane, whereas the Community Plan planned an exclusive left turn and right turn lane on the southbound approach of Kemper Street at Sports Arena Boulevard.
- **Hancock Street/Kurtz Street**: Construct a roundabout instead of a traffic signal as planned in the Community Plan.

- **Kurtz Street/Camino Del Rio West**: Eliminate an eastbound exclusive right turn lane at the eastbound approach on Kurtz Street as planned in the Community Plan to accommodate a multi-use path along Kurtz Street that the Project would construct.
- **Camino Del Rio West/Rosecrans Street and Sports Arena Boulevard**: In addition to improvements proposed in the Community Plan, the Project proposes the following modifications to the southeast bound approach as compared to the Community Plan design concept:
  - Convert through lane to shared through-left turn lane
  - Replace second through lane to a bus-only through movement pocket
  - Separate shared through-right lane to an exclusive through lane and right turn lane by reconfiguring turn lane

A Community Plan Amendment Report and Community Plan Amendment Memorandum (Appendices D3 and D7) were prepared to evaluate the Project's proposed changes to the 2018 Community Plan with respect to the roadway network. Consistent with the 2018 Community Plan, the Project would promote and enhance multimodal travel by constructing improvements that would leverage the Project's proximity to the Old Town Transit Center, located between 0.7 and 1 mile walking distance from the Project site. The Project would also provide shuttle services and multimodal paths and connections to the transit center as envisioned in the 2018 Community Plan to enable and achieve vehicle trip reductions through multimodal services. Installation of the identified improvements as project design features would improve operational flow and expand mobility options and accessibility throughout the Project site and connection to the adjacent community. Therefore, the Project would not conflict with the goals and objectives of the 2018 Community Plan Mobility Element related to roadway network operations, safety, accessibility, and multimodal connectivity (City of San Diego 2018).

In addition, refer to Table 5.1-2, Project's Consistency with the Goals and Policies of the 2018 Community Plan, for details on the Project's consistency with the 2018 Community Plan Mobility Element goals and policies. The Project would provide opportunities for multimodal travel, including pedestrian and bicyclist connectivity, which would increase connections to surrounding communities. The Project would construct street frontage and off-site improvements at multiple intersections within the Project vicinity to improve transportation operations and multimodal connectivity. The Project would also provide an internal street system that would improve connectivity across the Project site. Therefore, implementation of the identified transportation improvements as project design features would ensure that the Project would not conflict with the goals and policies of the 2018 Community Plan Mobility Element (City of San Diego 2018).

Complete Communities: Mobility Choices

The Project is within a Parking Standards Transit Priority Area as defined in the SDMC. Pursuant to SDMC Section 143.1102(g), Mobility Choices Regulations do not apply to multi-family residential development in a Transit Priority Area that provides transportation amenities required by SDMC

Section 142.0528. SDMC Section 142.0528(c) requires a multiple dwelling residential development within a Parking Standards Transit Priority Area to provide transportation amenities per Appendix Q of the Land Development Manual. Transportation amenities are intended to encourage alternative modes of transportation and facilitate non-vehicular access to everyday activities. For the residential land use portion, the Project is required to provide at least two points of transportation amenities. As shown in Table 5.2-1, Residential Land Use – Proposed Transportation Amenities, the Project would implement six strategies to provide 17 points of transportation amenities, which exceeds the required points. These amenities would be implemented as conditions of Project approval.

Table 5.2-1. Residential Land Use – Proposed Transportation Amenities

Amenity	Amenity Description	Project Specific	Points
Transit and Active Transportation Infrastructure as outlined in Community Plan Mobility Elements	Design and construct one or more of the following transit improvements on a street adjacent to the development: (a) the addition of pedestrian scale lighting (Section 142.0740), (b) sidewalk widening to 6 feet along property frontage and sidewalk widening to 10 feet near corners of intersection to allow for ADA required widths (this improvement shall be in addition to any improvements or measures otherwise required under other regulations or standards), (c) installation of transit shelters and/or benches. Transit shelters and benches shall be designed to MTS and ADA standards and require an approved agreement with MTS.	The Project would install a minimum of 6 feet wide sidewalks along the project frontage of Sports Arena Boulevard and Kurtz Street with at least 10 feet of space at the corners of intersections. The Project would also install transit shelters and benches for three bus stops along Sports Arena Boulevard per the MTS Design Guide. Transit shelters would be designed to MTS and ADA standards. An approved agreement with MTS would be recorded.	5
Transit and Rideshare Information	Install and maintain an on-site kiosk or information center with multimodal wayfinding information and transit information. The kiosk information center shall be located in a prominent location that can easily be seen by residents entering and exiting the development. The kiosk or information center shall be shown on the Project plans.	The Project would install an on-site multimodal wayfinding kiosk in a location that meets the requirements of this amenity.	1

Table 5.2-1. Residential Land Use – Proposed Transportation Amenities

Amenity	Amenity Description	Project Specific	Points
On-Site Bicycle Repair Station	Install and properly maintain an on-site public bike repair station. The bike repair station must be located in a well-lit area, near the street frontage and must include, at a minimum, a bike pump, English and metric Allen wrenches, pedal wrench, headset wrench, tire levers, and screwdrivers. The bike repair station shall be shown on the Project plans.	The Project would install two on-site public bicycle repair stations that meet the requirements of this amenity.	4
Delivery Support	Provide a secure area for receipt of deliveries that offers at least one of the following: (1) closed lockers, (2) temporary storage for packages, laundry, and other deliveries, or (3) temporary refrigeration for groceries. The secure area shall be shown on the Project plans.	The Project would construct a secure area for receipt of deliveries that would meet the requirements of this amenity.	1
Outdoor Fitness Circuit	Construct and maintain an outdoor fitness circuit within the development premises. The outdoor fitness circuit shall be available to the public at least 12 hours a day, 7 days a week, and shall provide a minimum of four workout stations. The outdoor fitness circuit shall be shown on the Project plans.	The Project would install an on-site outdoor fitness circuit that would meet the requirements of this amenity.	2
Co-Working Space	Provide and maintain a co-working space within the Project premises available for resident use. The co-working space shall be at least 500 square feet and shall provide private or semiprivate office workspaces. The co-working space shall be shown on the Project plans.	The Project proposes two co-working spaces that would meet the requirements of this amenity.	4
Minimum Required Transportation Amenities Points			**2**
		Total Proposed Transportation Amenities Points	**17**

Source: Appendix D4.

Notes: ADA = Americans with Disabilities Act; MTS = San Diego Metropolitan Transit System

Mobility Choices Regulations apply to all development projects as described in SDMC Section 143.1102, including any commercial or office development with greater than 5,000 square feet gross floor area. Thus, as the Project proposes more than 5,000 square feet of commercial land use, it is subject to the Mobility Choices Regulations.

As shown in Table 5.2-2, Commercial Land Use – Vehicle Miles Traveled Reduction Measures, the commercial land use, including both retail and restaurant, would provide eight VMT reduction measures for a total of 16.5 points, which exceeds the required 16 points. These measures would be implemented as conditions of Project approval.

Table 5.2-2. Commercial Land Use – Vehicle Miles Traveled Reduction Measures

Measure	Project-Specific Notes	Mobility Choices Points
Pedestrian 1. Pedestrian scale lighting adjacent to public pedestrian walkways along the entire development frontage.	Pedestrian scale lighting would be provided along the Project frontage roadways of Sports Arena Boulevard and Kurtz Street.	0.5
Pedestrian 2. Installing pop-outs at adjacent intersections or curb extensions at adjacent mid-block crosswalks. Installation shall comply with the Street Design Manual Traffic Calming Chapter. Coordination with City Fire-Rescue Department staff and/or San Diego Metropolitan Transit System/North County Transit District may be required.	These improvements would be implemented at three locations: • Sports Arena Boulevard and Frontier Drive (half intersection) • Sports Arena Boulevard and Kemper Street (half intersection) • Frontier Drive mid-block crossing (south) (full intersection)	5
Pedestrian 9. Widening sidewalk within the existing public right-of-way to Street Design Manual standards. The reduction of parkway/landscape buffer to less than the width required by the Street Design Manual standards to widen sidewalk width is not permitted. Requires replacement of existing sidewalk.	Multi-use path would be installed along Kurtz Street and Rosecrans Street (approximately 2,200 feet).	1.25
Bicycle 12. Providing on-site bicycle repair station.	This amenity would be located near Class I path along Sherman Street alignment through Project site.	1.5
Bicycle 13. Installing new bicycle infrastructure (Class I, II, IV) that is part of the City's planned bikeway network that closes or incrementally closes an existing gap between two existing bikeways.	Class I multi-use paths are proposed for the northern side of Sports Arena Boulevard, eastern side of Frontier Drive, southern side of Kurtz Street, and eastern side of Rosecrans Street that would connect to Class II bike lanes on Pacific Highway and Sports Arena Boulevard (approximately 3,960 feet).	2.25

Table 5.2-2. Commercial Land Use – Vehicle Miles Traveled Reduction Measures

Measure	Project-Specific Notes	Mobility Choices Points
Transit 19. Providing high-cost amenities/upgraded features to an existing transit stop (above existing condition), i.e., addition of shelter, real time bus information monitors.	The Project would provide a real-time digital display for bus stop (ID 13345) on Sports Arena Boulevard.	2.5
Transit 20. Providing low-cost amenities/upgraded features to an existing transit stop (above existing condition), i.e., addition of bench, public art, static schedule and route display, trash receptacle.	The Project would provide a system map for local bus stop (ID 13344) on Sports Arena Boulevard.	1
Other 25. Installing a traffic calming measure, such as speed feedback signs, median slow points (chokers), and speed table/raised crosswalk. Installation shall comply with the Street Design Manual Traffic Calming Chapter. Coordination with City Fire-Rescue Department staff and/or MTS/NCTD may be required.	The Project would install a raised crossing/intersection on Frontier Drive.	2.5
Minimum Required VMT Reduction Measures Points (Commercial)		**16**
	Total VMT Reduction Measures Points	**16. 5**

Source: Appendix D4.

Notes: VMT = vehicle miles traveled

Finally, as shown in Table 5.2-3, Entertainment Land Use – Proposed Vehicle Miles Traveled Reduction Measures, the entertainment land use would provide three mobility choice strategies for a total of 7.5 points, which exceeds the required 5 points. These measures would be implemented as conditions of Project approval. Therefore, the Project would not conflict with City's Mobility Choices Regulations.

Table 5.2-3. Entertainment Land Use – Proposed Vehicle Miles Traveled Reduction Measures

Measure	Project-Specific Notes	Mobility Choices Points
Pedestrian 2. Installing pop-outs at adjacent intersections or curb extensions at adjacent mid-block crosswalks. Installation shall comply with the Street Design Manual Traffic Calming Chapter. Coordination with City Fire-Rescue Department staff and/or San Diego Metropolitan Transit System/North County Transit District may be required.	These improvements would be installed at two locations: • Kemper Street mid-block crossing (north) (full intersection) • Kemper Street mid-block crossing (south) (full intersection)	5
Bicycle 12. Providing on-site bicycle repair station.	This amenity would be located internal to the site between Kemper Street extension and Frontier Drive.	1.5
Transit 20. Providing low-cost amenities/upgraded features to an existing transit stop (above existing condition), i.e., addition of bench, public art, static schedule and route display, trash receptacle.	The Project would provide a system map for local bus stop (new stop on west side of Kemper Street intersection) on Sports Arena Boulevard.	1
Minimum Required VMT Reduction Measure Points (Entertainment)		**5**
	Total VMT Reduction Measure Points	**7.5**

Source: Appendix D4.

The Project would implement improvements to the transportation network consisting of construction of new streets, modified streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways. Therefore, the Project would not conflict with the 2008 General Plan Mobility Element, 2018 Community Plan Mobility Element, and Complete Communities: Mobility Choices Regulations. Impacts would be **Less than Significant**.

5.2.4.2 Issue 2: Vehicle Miles Traveled

Would the Project result in vehicle miles traveled (VMT) exceeding thresholds identified in the City of San Diego Transportation Study Manual?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

As noted previously, since the adoption of the 2018 Community Plan, the City has updated its CEQA Significance Determination Thresholds (City of San Diego 2022b) to reflect the implementation of its new transportation metric and significance thresholds. The new threshold identifies VMT, instead of LOS, as the metric to evaluate transportation impacts. The VMT threshold was not analyzed in the Midway-Pacific Highway CPU PEIR.

Impact Thresholds

The methodology and significance criteria for evaluating transportation VMT impacts is described in the City's TSM (current version dated September 2022). Because the Project would be a mixed-use development, each land use proposed by the Project was analyzed separately for VMT. The following are the significance thresholds and specific VMT metrics used for different types of land uses:

- **Residential:** 15 percent below regional mean VMT per resident
- **Commercial (Retail/Restaurant):** Zero net increase in VMT
- **Entertainment (Regional Recreational):** Zero net increase in VMT

According to the TSM, the requirement to prepare a detailed transportation VMT analysis applies to all land development projects except for those projects that meet at least one of the screening criteria summarized below (refer to Appendix D2 for a complete description):

1. **Residential or Commercial Project Located in a VMT-Efficient Area.** The project is a residential or commercial employment project located in a VMT-efficient area (15 percent or more below the base year average VMT per capita or VMT per employee) based on the applicable location-based screening map produced by SANDAG.
2. **Industrial Project Located in a VMT-Efficient Area.** The project is an industrial employment or agricultural employment project located in VMT-efficient area (in an area with average or below-average base year Employee VMT per employee) based on the applicable location-based screening map produced by SANDAG.
3. **Small Project**. The project is a small project defined as generating less than 300 daily unadjusted driveway trips using the City of San Diego trip generation rates/procedures.
4. **Locally Serving Retail/Recreational Project.** The project is a locally serving retail/recreational project defined as having 100,000 square feet gross floor area or less and demonstrates through a market area study that the market capture area for the project is approximately 3 miles (or less) and serves a population of roughly 25,000 people or less.
5. **Locally Serving Public Facility.** The project is a locally serving public facility defined as a public facility that serves the surrounding community or a public facility that is passive use.
6. **Affordable Housing.** The project has access to transit (located within a reasonable walking distance of 0.5 mile from the project site) and is wholly or has a portion that meets one of the following criteria: is affordable to persons with a household income equal to or less than 50 percent of the area median income (as defined by California Health and Safety Code Section 50093), housing for senior citizens (as defined in SDMC Section 143.0720[e]), housing for transitional foster youth, disabled veterans, or homeless persons (as identified in SDMC Section 143.0720[f]).

7. **Mixed-Use Project Screening Considerations.** The project's individual land uses should be compared to the screening criteria above. It is possible for some of the mixed-use project's land uses to be screened out and some to require further analysis.
8. **Redevelopment Project Screening Considerations.** The project is a redevelopment project that demonstrates that the proposed project's total project VMT is less than the existing land use's total VMT.

Project-Specific Impact Analysis

The Project proposes to construct a mixed-use development that would include residential, commercial, and entertainment land uses. A Project-specific VMT analysis was prepared and is included as Appendices D2 and D6.

The residential component of the Project is in a VMT-efficient area and is, therefore, screened out based on the City's Criterion 1 (Appendix D2). However, because the Project is expected to generate greater than 2,400 daily unadjusted driveway trips, the SANDAG Regional Travel Demand Model was used to analyze the VMT per resident.

The VMT analysis assumed 140,000 square feet of commercial land use would be developed.[3] Of this total square footage, the analysis assumes that approximately 100,000 square feet of the community retail and high-turnover sit-down restaurant land uses are locally serving and, therefore, were screened out from analysis. However, the quality restaurant land use (40,000 square feet) is not assumed to be locally serving and is not screened out from analysis.

The entertainment land use was also not screened out from analysis. Appendix D2 provides a list of the applicable screening criteria for each Project land use.

The following scenarios were included as part of the VMT analysis:

- 2016 Base Year (Existing Conditions)
- Opening Year (2030) Base (No Project)
- Opening Year (2030) Plus Project Phase 1
- Opening Year (2035) Base (No Project)
- Opening Year (2035) Plus Project Phase 2 Buildout
- Horizon Year (2050) Base (No Project)
- Horizon Year (2050) Plus Project Buildout

For the Opening Year (2030), Opening Year (2035), and Horizon Year (2050) scenarios, SANDAG ABM2+ Series 14.3.0 2025 Base, 2035 Base, and 2050 Base (i.e., SANDAG "Vision") scenario models were used. To evaluate the Project's VMT, land use inputs were updated from baseline to Plus

[3] As described in greater detail in Chapter 4.0, History of Project Changes, the Project footprint was decreased from 52.1 to 49.23 acres to remove the privately owned parcels (sometimes referred to as the outparcels) from the Specific Plan. As a result, the total retail square footage was decreased from 140,000 to 130,000 square feet.

Project scenarios. To represent the Project, adjustments were made to the number of households, household income, population, and number of employees that were estimated for the Project. Please refer to Appendices D2 and D6 for a discussion on the methodology and assumptions.

Residential Land Use

Table 5.2-4, Project Vehicle Miles Traveled Results – Residential Land Use, summarizes the VMT per resident for the Project for each scenario. As shown in the table, VMT per resident for all Project scenarios would be below the City's significance threshold for residential land uses. Therefore, the residential portion of the Project would result in a **Less than Significant** transportation VMT impact.

Table 5.2-4. Project Vehicle Miles Traveled Results – Residential Land Use

Category	2016 Base Year	Opening Year (2030) Base	Opening Year (2030) Plus Project Phase 1	Opening Year (2035) Base	Opening Year (2035) Plus Project Phase 2 Buildout	Horizon Year (2050) Base	Horizon Year (2050) Plus Project Buildout
Project VMT Per Resident	—	11.3	11.5	10.8	8.6	9.6	10.6
VMT per Resident Thresholds (85 percent of Regional Average)	16.1						

Source: Appendix D2.

Notes: VMT = vehicle miles traveled

Commercial Land Use

The 40,000 square feet of commercial land uses that were not screened out from the VMT analysis (quality restaurant) are considered regionally serving. Separate model runs for the Opening Year (2035) and Horizon Year (2050) scenarios were conducted with and without the 40,000 square feet of regionally serving commercial land uses. The net change in VMT was determined by comparing the Project's VMT to the San Diego region and the City.

The net change in VMT for the regionally serving commercial land use is expected to be directly proportional to the amount of regionally serving retail included on site since this use pulls from regional trips rather than local trips. The Opening Year (2035) Plus Project Phase 2 Buildout scenario was analyzed because the 40,000 square feet of regionally serving commercial land use is anticipated to be built in Phase 2, whereas in the Opening Year (2030) Plus Project Phase 1 scenario, approximately 100,000 square feet of commercial land use will be built. Therefore, only the 2035 net change was analyzed, as

the 2030 net change would be proportionally lower. Table 5.2-5, Project Vehicle Miles Traveled Results – Commercial Land Use, summarizes the net change in VMT for each scenario.

Table 5.2-5. Project Vehicle Miles Traveled Results – Commercial Land Use

Category	Opening Year (2035) Plus Project Phase 2 Buildout	Horizon Year (2050) Plus Project Buildout
Total VMT – With 140,000 SF Commercial[1]		
Regional Total VMT	90,829,639	94,084,949
Citywide Total VMT	41,736,405	42,208,331
Total VMT – With 100,000 SF Commercial		
Regional Total VMT	90,797,016	94,099,578
Citywide Total VMT	41,701,051	42,201,878
Net Change in VMT (difference between 140,000 SF and 100,000 SF)		
Regional Net Change in VMT	32,623	−14,628
Citywide Net Change in VMT	35,355	6,453

Source: Appendix D2.

Notes: SF = square feet; VMT = vehicle miles traveled

[1] As described in greater detail in Chapter 4.0, History of Project Changes, the Project footprint was decreased from 52.1 to 49.23 acres to remove the privately owned parcels (sometimes referred to as the outparcels) from the Specific Plan. As a result, the total retail square footage was decreased from 140,000 to 130,000 square feet.

The difference in the effect of the 40,000 square feet of regionally serving commercial land use between the Opening Year (2035) Plus Project Phase 2 Buildout and the Horizon Year (2050) Plus Project Buildout scenarios are a result of interactions between the household densities, roadway networks, and transit network inputs that vary between the 2035 and 2050 base models. The net change in VMT shown in Table 5.2-5 only reflects the additional trips that would be generated by the quality restaurant land use (i.e., 40,000 square feet of regionally serving commercial land use).

The model does not account for quality restaurant trips that were already planned by the visitors regardless of the new restaurant. Therefore, a 10 percent reduction in VMT was applied to account for trips that were already planned for a quality restaurant, and with the Project, the quality restaurant land uses would be located closer to home. In addition, while the model is sensitive to internal capture trips between typical mixed-use land uses such as residential and commercial, the model is not sensitive to the directly linked trips between the commercial and entertainment land uses (thereby double counting the VMT between commercial and entertainment land uses). Therefore, a 13 percent adjustment in VMT was applied to address the internal capture trips between entertainment and regionally serving quality restaurant uses. The 13 percent is based on the assumption that 98 out of 365 days would have a higher number of attendees and have 50 percent of commercial trips linked to entertainment trips. This adjustment assumes that 50 percent of trips going to the regionally serving quality restaurant uses on site are also attendees of the event on these 98 high-attendance event days.

The adjusted net change in VMT for the Opening Year (2035) Plus Project scenario is summarized in Table 5.2-6, Adjusted Project Vehicle Miles Traveled Results – Commercial Land Use.

Table 5.2-6. Adjusted Project Vehicle Miles Traveled Results – Commercial Land Use

Category	Opening Year (2035) Plus Project Phase 2 Buildout	Horizon Year (2050) Plus Project Buildout
Net Change in VMT		
Regional Net Change in VMT	32,623	−14,628
Citywide Net Change in VMT	35,355	6,453
Adjusted Net Change in VMT		
Percentage of Linked Trips to Sports Arena	−13 percent	−13 percent
Percentage of Trips Already Planned	−10 percent	−10 percent
Regional Net Change in VMT	24,981	−14,628[1]
Citywide Net Change in VMT	27,073	4,941

Source: Appendix D2.

Notes: SF = square feet; VMT = vehicle miles traveled

[1] Regional net change in VMT is negative in 2050 so adjustments were not applied

Based on Table 5.2-6, the regionally serving commercial land use (i.e., quality restaurant) would result in a net increase in VMT and would result in a **Potentially Significant** transportation VMT impact.

Impact 5.2-1: Implementation of the Project would result in VMT exceeding significance thresholds for regionally serving commercial land use.

Entertainment Land Use

The entertainment land use was separately evaluated quantitatively for a net change in VMT using an off-model analysis. VMT estimated for the entertainment land use using off-model analysis was considered a net increase in regional VMT, in addition to the total net change observed from the travel demand model. The change in VMT for the entertainment land use was estimated using two distinct factors: (1) existing travel behavior at the existing San Diego International Sports Arena (currently named Pechanga Arena) based on the data platform Streetlight and (2) estimated number of attendees under the "Plus Project" scenarios.

The total existing annual vehicle trips were calculated for the on-site San Diego International Sports Arena and the SOMA San Diego music venue. The total existing annual vehicle trips for the existing San Diego International Sports Arena were calculated using the number of attendees for each type of event throughout the year, average vehicle occupancy factor, and estimated mode share for the San Diego International Sports Arena trips, consisting of transit trips, transportation network company (TNC) trips, and non-motorized trips. The SOMA San Diego music venue is an existing music venue holding up to 2,300 people with surface parking available. It is located on Sports Arena Boulevard adjacent to the San Diego International Sports Arena and within the Project site. The total

existing annual vehicle trips for the existing SOMA San Diego music venue were calculated using the number of SOMA San Diego music venue events recorded for 2023, venue capacity, vehicle occupancy factor, and estimated mode share. The current location of the SOMA San Diego music venue would be demolished prior to Project development.

The total future annual vehicle trips for the entertainment land use were calculated using the number of attendees for each type of event throughout the year, average vehicle occupancy factor, and estimated mode share. The average vehicle occupancy factor for the future entertainment land use was kept the same as existing conditions. However, the mode share for future trips to the entertainment land use was assumed based on future transit availability, number of available parking spaces compared to the increased future attendees, and increased transportation company trips in the future. Additional details can be found in Appendices D2 and D6.

The change in annual VMT between existing and future entertainment land use operations was calculated to estimate the net increase in annual VMT. The net increase in annual VMT was then divided by the total number of annual events expected in the future to yield a daily increase in VMT due to the proposed entertainment land use. Table 5.2-7, Project Vehicle Miles Traveled Results – Entertainment Land Use, summarizes the net increase in daily VMT calculated using the off-model quantitative VMT analysis.

Table 5.2-7. Project Vehicle Miles Traveled Results – Entertainment Land Use

Category	Existing	Future
Annual VMT	8,880,880	9,720,025
Total Annual Events	130	166
Annual VMT Net Increase	839,145	
Average Daily VMT Net Increase	2,299	

Source: Appendix D2.
Note: VMT = vehicle miles traveled
VMT/event assumed to be equal to VMT/day.

As shown in Table 5.2-7, the entertainment land use would result in a net increase in VMT and would result in a **Potentially Significant** transportation VMT impact.

Impact 5.2-2: Implementation of the Project would result in VMT exceeding significance thresholds for the entertainment land use.

5.2.4.3 Issue 3: Design Hazards

Would the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

Not applicable.

Project-Specific Impact Analysis

The Project proposes to redevelop the Project site with a mix of uses including entertainment, retail, restaurants, residential, public, and park uses. Automobile and parking access to the Project site would include 11 ingress and egress points through public streets and internal private drives (Figure 3-13, Parking Structure and Access Diagram). The private drives would vary in width and configuration; however, they would include a minimum 5-foot-wide sidewalk on each side with a minimum 5-foot-wide planting area adjacent to the sidewalk, provide two-way circulation, and be designed in accordance with City's Street Design Manual (City of San Diego 2017). In some instances, on-street parking and loading areas would be provided on both sides of the private drives. As shown on the Project's proposed Vesting Tentative Map (PDC 2025~~2024~~), vehicular access to the Project site would be provided by the following four intersections and seven driveways:

- Sports Arena Boulevard/Kemper Street (signalized)
- Sports Arena Boulevard/Frontier Drive (signalized)
- Kurtz Street/Kemper Street (side street stop controlled)
- Kurtz Street/Frontier Drive (side street stop controlled)
- Two driveways along Sports Arena Boulevard/Driveway B2 (stop controlled)
- Five driveways along Kurtz Street (stop controlled)

Internal circulation would be facilitated via the proposed new roadways, Kemper Street and Frontier Drive, which would run parallel to each other through the Project site and connect Sports Arena Boulevard and Kurtz Street. Kemper Street would provide access to residential land uses and parking garages, while Frontier Drive would provide access to commercial, residential, and entertainment land uses and parking garages.

Parking would be primarily provided via structures in each building; however, on-street parking would also be provided on Kemper Street and Frontier Drive. In addition, new driveways would provide direct access to on-site parking garages from Sports Arena Boulevard and Kurtz Street. Pedestrian and bicycle access would also be provided along Kemper Street and Frontier Drive, as well as throughout many of the green spaces across the site. In addition, as described in Section 5.2.4.1, Issue 1: Conflict with Program, Plan, Ordinance, or Policy, the Project would include on- and off-site improvements to facilitate the movement of motorists, bicyclists, and pedestrians on the site and to provide connections to the surrounding areas.

In addition, as part of the LMA, a Systemic Safety Review was conducted as required by the City's TSM to determine if the study intersections meet the criteria to be identified as a safety hotspot for vehicles, pedestrians, and/or bicycles (Appendix D1). Based on the Systemic Safety Review, the Project would implement Lead Pedestrian Interval signal modifications in Opening Year (2030) at the following intersections:

- Midway Drive and East Drive/Commercial Drive
- Rosecrans Street and Kurtz Street

A Lead Pedestrian Interval allows a pedestrian to establish a presence in the crosswalk before vehicles are given a green indication. The Project would also institute a safety messaging campaign to address the bicycle hotspots in the study area by posting flyers in the informational area of each residential building and attaching the flyers to digital ticket sales. The flyers would include statistics on bicycle-involved collisions and safe behaviors for bicyclists and drivers to minimize collisions and severity. Education would focus on how bicyclists should behave at side-street stop-controlled intersections and general behaviors for drivers when bicyclists are present. These improvements are included as a condition of Project approval.

As described previously, the Project would implement mobility, access, and safety improvements according to City and industry standards. It would not result in a hazardous roadway design or unsafe roadway configuration, place incompatible uses on existing roadways, or create or place curves, slopes, or walls that impede adequate sight distance on a roadway. Since the Project would be required to comply with City standards for public street improvements, it would not significantly increase hazards due to design features or incompatible uses. Impacts would be **Less than Significant**.

5.2.4.4 Issue 4: Inadequate Emergency Access

Would the Project result in inadequate emergency access?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

Not applicable.

Project-Specific Impact Analysis

The Project proposes to redevelop the Project site with a mix of uses including entertainment, retail, restaurants, residential, public, and park uses. The City of San Diego Fire-Rescue Department provides emergency services to the Project site. San Diego Fire Station 20, located at 3305 Kemper Street, approximately 0.2 mile south of the Project site, is the closest fire station that serves the Project site. Apparatus at this station includes Engine 20, Truck 20, and Paramedic Unit 20.

The Specific Plan identifies a multimodal transportation network that would include new public streets, modified public streets, sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways. Access for emergency vehicles would be provided at the main Project entries along Sports Arena Boulevard and Kurtz Street. Access would also be improved by the construction of Frontier Drive and extension of Kemper Street.

Internal private drives would meet City Fire Marshal standards. A 20-foot-wide fire access lane would be provided through a portion of The Green to access residential buildings, The Square, the entertainment center, and adjacent buildings. A 26-foot-wide portion of The Plaza would provide vehicular fire access. A 20-foot-wide fire lane would be provided through the paseo greens. Finally, 26-foot-wide fire lanes would be delineated by a 6-inch flush curb throughout the paseo greenways.

The Greenwood Street extension, which was originally proposed in the 2018 Community Plan to connect Sports Arena Boulevard and Kurtz Street, was intended to enhance local mobility and provide emergency access within the village area. However, as part of the Project's Community Plan Amendment, the planned Greenwood Street extension would be eliminated since the Vesting Tentative Map and Site Plan, along with proposed improvements for bicycle and pedestrian access, have rendered the extension redundant. Instead, an emergency access path would be established directly behind the new entertainment center, serving the same purpose as the former Greenwood Street extension by facilitating emergency access throughout the Project site.

Additional emergency response requirements, such as fire hydrants, fire hydrant markers (i.e., blue reflectors installed in the roadway), adequate vertical clearances, adequate turning radii, and fire ladder clearances, would be provided in accordance with SDMC Chapter 5. Refer to Section 5.6.4.3, Issue 3: Emergency Plan Consistency, for additional discussion related to emergency and evacuation plans. The Project would not result in inadequate emergency access, and impacts would be **Less than Significant**.

5.2.5 Significance of Impacts

5.2.5.1 Issue 1: Conflict with Program, Plan, Ordinance, or Policy

The Project would be consistent with the Mobility Element of the 2008 General Plan, 2018 Community Plan, and the Complete Communities: Mobility Choices Regulations. Project design would include improvements to enhance existing transit, bicycle, and pedestrian transportation modes on the site, facilitate access to and use of public transit, and result in a modification to the planned circulation routes identified in the 2018 Community Plan. A Community Plan Amendment is required to address the modifications. As a result, the Project would not conflict with any adopted program, plan, ordinance, or policy addressing the transportation system. Impacts would be **Less than Significant**.

5.2.5.2 Issue 2: Vehicle Miles Traveled

The residential land use component of the Project was determined to be below the City's VMT per resident thresholds of 85 percent of the regional average resulting in a less than significant impact. The commercial land use component, specifically the 40,000 square feet of regionally serving quality restaurant uses, would cause a net increase in VMT compared to the existing commercial land use on site (**Impact 5.2-1**). In addition, the entertainment land use component would cause a net increase in VMT compared to the existing entertainment land use due to the anticipated increase in number of events per year and attendees per event (**Impact 5.2-2**). Therefore, implementation of the Project would result in VMT exceeding thresholds identified in the City's TSM for regionally serving commercial and entertainment land uses and would result in a **Potentially Significant** transportation VMT impact.

5.2.5.3 Issue 3: Design Hazards

The Project would not include any design features or incompatible uses that would substantially increase traffic hazards to motor vehicles, bicyclists, or pedestrians. Impacts would be **Less than Significant**.

5.2.5.4 Issue 4: Inadequate Emergency Access

The Project would provide adequate emergency access onto the Project site. Therefore, the Project would not result in inadequate emergency access, and impacts would be **Less than Significant**.

5.2.6 Mitigation

5.2.6.1 Issue 1: Conflict with Program, Plan, Ordinance, or Policy

No significant impacts were identified; therefore, no mitigation is required.

5.2.6.2 Issue 2: Vehicle Miles Traveled

To reduce **Impact 5.2-1** and **Impact 5.2-2** to below a level of significance, the following mitigation measures shall be implemented as part of the Project:

MM TRANS 5.2-1: **Commercial Shuttle**. Prior to issuance of certificate of occupancy for the first eating or drinking land use, the Owner/Permittee shall implement a daily shuttle between Frontier Drive and the Old Town Transit Center for the life of the commercial land uses, ~~first 10 years of the Project Opening Phase 1, which is anticipated to occur in 2030,~~ satisfactory to the City Engineer. The shuttle shall operate between 12:00 p.m. and 10:00 p.m. using one vehicle at 20- or 30-minute headways.

MM TRANS 5.2-2: **Employee Transit Subsidy**. Prior to issuance of the first certificate of occupancy for the entertainment center, the Owner/Permittee shall implement an employee transit subsidy for the entertainment center employees to offset the net increase in vehicle miles traveled for the Project, satisfactory to the City Engineer. The employee transit subsidy shall be offered to all employees at 50 percent off the San Diego Metropolitan Transit System's current monthly pass rate for the life of the entertainment center~~first 10 years of the Project Opening Phase 1, which is anticipated to occur in 2030~~.

5.2.6.3 Issue 3: Design Hazards

No significant impacts were identified; therefore, no mitigation is required.

5.2.6.4 Issue 4: Inadequate Emergency Access

No significant impacts were identified; therefore, no mitigation is required.

5.2.7 Significance of Impacts after Mitigation

5.2.7.1 Issue 1: Conflict with Program, Plan, Ordinance, or Policy

Less than Significant.

5.2.7.2 Issue 2: Vehicle Miles Traveled

The Project's residential land uses were determined to be below the City's VMT per Resident Thresholds of 85 percent of the regional average resulting in a **Less than Significant** impact.

The Project's commercial land uses, specifically the 40,000 square feet of regionally serving quality restaurant, would cause a net increase in VMT compared to the existing commercial land use on the site, resulting in a potentially significant impact. Mitigation Measure **TRANS 5.2-1** would implement a daily commercial shuttle between Frontier Drive and the Old Town Transit Center for the life of the commercial land uses, satisfactory to the City Engineer ~~first 10 years of the Project Opening Phase 1, which is anticipated to occur in 2030~~. The shuttle would operate between 12:00 p.m. and 10:00 p.m. using one vehicle at 20- or 30-minute headways. This shuttle, in combination with the 10-minute combined bus headways for the existing local bus routes, would incentivize visitors to use transit to access the Project site. However, the commercial shuttle would only mitigate the VMT impact for the regionally serving commercial land use to the extent feasible, and the impact would be partially mitigated and remain **Significant and Unavoidable**.

The Project's entertainment land uses would cause a net increase in VMT compared to the existing entertainment land use due to the anticipated increase in number of events per year and attendees per event. Based on the model, the VMT per employee would not cause the VMT impact; rather, the VMT impact would be caused by attendees, as discussed in the off-model calculations. Nevertheless, Mitigation Measure **TRANS 5.2-2** would be required to offset the net increase in VMT for the Project. The employee transit subsidy would be offered to all employees at (50 percent off the current monthly pass rate) for the life of the entertainment center ~~first 10 years of the Project Opening Phase 1, which is anticipated to occur in 2030~~. Table 5.2-8, Project Vehicle Miles Traveled Mitigation – Entertainment Land Use, summarizes the VMT reduction anticipated for the overall entertainment land use VMT by implementing an employee transit subsidy. ~~As shown,~~ The VMT impact for the entertainment land use ~~from Project implementation~~ would be reduced to a level of **Less than Significant with Implementation of Mitigation Measure TRANS 5.2-2**.

Table 5.2-8. Project Vehicle Miles Traveled Mitigation – Entertainment Land Use

Category	Average Daily VMT
Average Daily VMT Net Increase	2,299
Transit Subsidy VMT Reduction	−6,124
Total Average Daily VMT Change after Mitigation	**−3,825**

Source: Appendix D3.

Notes: VMT = vehicle miles traveled

5.2.7.3 Issue 3: Design Hazards

Less than Significant.

5.2.7.4 Issue 4: Inadequate Emergency Access

Less than Significant.

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5.3 Historical and Tribal Cultural Resources

This Subsequent Environmental Impact Report (SEIR) section describes the existing historical and Tribal Cultural Resources (TCRs) on the Midway Rising Project (Project) site and evaluates the potential for implementation of the Project to impact historical resources and TCRs.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- Cultural Resources Technical Report prepared by Harris & Associates (~~2024~~updated 2025), included as Appendix E1 of this SEIR
- Historical Resources Technical Report (HRTR) for the 3220, 3240, 3250, and 3350 Sports Arena Boulevard Buildings prepared by Scott A. Moomjian (2024), included as Appendix E2 of this SEIR
- HRTR for the San Diego International Sports Arena prepared by ASM Affiliates (2024), included as Appendix E3 of this SEIR
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018)

5.3.1 Existing Conditions

Historical resources are physical features, both natural and constructed, that reflect past human existence and are of historical, archaeological, scientific, educational, cultural, architectural, aesthetic, or traditional significance. These resources may include such physical objects and features as archaeological sites and artifacts, buildings, groups of buildings, structures, districts, street furniture, signs, cultural properties, and landscapes. Historical resources in the San Diego region span a time frame of at least the last 10,000 years and include both the prehistoric and historic periods. For purposes of this SEIR, historical resources consist of archaeological sites and built environment resources determined as significant under California Environmental Quality Act (CEQA). Archaeological resources include prehistoric and historic locations or sites where human actions have resulted in detectable changes to the area. This can include changes in the soil and the presence of physical cultural remains. Archaeological resources can have a surface component, a subsurface component, or both.

The prehistoric and ethnohistoric context of the Project site is incorporated by reference from Section 5.3 of the Midway-Pacific Highway CPU PEIR (Appendix B).

5.3.1.1 Historical Period

The Historical period can be divided into three phases (Spanish, Mexican, and American). Each phase is identified with a change in political power. Common goals in each phase included land gain, assimilation of the native population, and the attainment of wealth. However, these periods were

dissimilar in the rationale behind these goals. The rationale included defense (Spain), independence and secularization (Mexico), and expansion and economics (United States). Assimilation of Native Californians was a desire of each government that came to power; however, the greatest misfortune of this period was the large decline in Native American populations (Appendix E1).

5.3.1.2 Spanish Period

Although the first Spanish contact occurred in 1542, it was not until 1769 that the first permanent settlement was established. The Spanish period was a time of European expansionism and is typically identified with the mission system. In addition, presidios (military defense) and pueblos (city government) played an important role in the structuring of the community. The mission system was the institution designated for the assimilation and exploitation of native people. Jackson and Castillo identified this exploitation as an extension of the "sixteenth-century policy of *congregación/reducción*." In contrast, Jeanette Costo noted that the transference of the Spanish Inquisition (originally established in 1478) to the New World was the mechanism for this exploitation because the Inquisition contained economic and religious incentives (Appendix E1). The Spanish stronghold in California declined with Spain's loss of the Napoleonic Wars (1803–1815), which eliminated funding to the mission system (Appendix E1).

5.3.1.3 Mexican Period

Mexican independence from Spain occurred in 1821, and in 1833, Mexico secularized the missions. After secularization, large tracts of land were granted to private citizens. "The secularization of the missions during the Mexican period is usually regarded as a watershed in California history because it resulted in the replacement of one Hispanic institution by another – the rancho for the mission" (Appendix E1). Like the mission, the rancho became the institution of native exploitation. This period experienced an increase in cattle ranching and the hide and tallow trade. The passage of the Treaty of Guadalupe Hidalgo that ended the Mexican–American War in 1848 was the final event of the Mexican period in California (Appendix E1).

5.3.1.4 American Period

The concept of a two-ocean economy and the California Gold Rush were the impetus that brought about the annexation of California (1850) to the United States. A large number of immigrants entered California with the discovery of gold (1848) and the availability of free land with the passage of the Homestead Act (1863). This population increase caused the displacement of Native Californians and brought about a deterioration in their rituals and traditions. During this period, ranchos experienced a decline primarily in response to their inability to validate land ownership as a result of the California Land Claims Act of 1851. "With the discovery of gold, the building of the transcontinental railroad, and the development of crops and cities, people in massive numbers from all parts of the world began to inhabit the region" (Appendix E1).

5.3.1.5 Midway-Pacific Highway Neighborhood History

Prior to World War II, the commercial and residential development of the area was random and sparse. A few homesteaders constructed small houses, but the soil was too sandy or salty for agriculture. Commercial businesses were largely related to the San Diego International Airport, aircraft plants, and military bases. The 1941 City of San Diego (City) directory lists one house and one business on Midway Drive south of Rosecrans Street. The few other businesses in the area were mostly gas stations and drive-in restaurants like Topsy's and the Bali.

After World War II, small warehouses and industrial buildings began to fill in the undeveloped areas along the Pacific Highway corridor. The Consolidated Aircraft Plant continued to be a strong visual element and economic force in the area. The Midway area gave way to commercial strip and shopping center development that mainly catered to nearby residential and visitor populations. Streets were widened, removed, and renamed to facilitate the movement of automobiles. Interstates 5 and 8 were constructed, which formed rigid barriers between the neighborhoods on the north and east.

The Loma Theater opened in 1944, just before the end of war. However, it is more closely associated with the area's post-war history. The theater was designed by the renowned theater architect S. Charles Lee. The Sound of Music opened in the theater in 1965 and played for an astounding 133 weeks. The theater closed in 1988 and is now a bookstore.

The character of the area that exists today took shape during the 1960s. Modern commercial buildings were constructed on vacant lots or replaced older commercial and residential buildings. The building at 3564 Kettner Boulevard is one of several automobile showrooms constructed during this decade. Automobile-related businesses, such as service stations and garages, were also attracted to the Midway area. This can be attributed to the car culture that blossomed after World War II and the development of Interstates 5 and 8. Multi-family residential complexes also began appearing in the Midway area during the 1960s. The Loma Portal Apartment complex at 3131 Cauby Street represents this type.

5.3.1.6 Project Site History

The Project site and surrounding area were historically tidal marshland associated with the outflow of the San Diego River into San Diego Bay and False Bay (now known as Mission Bay). In the 1920s, the site was primarily used for agricultural purposes. During World War II, the site became part of the Frontier Housing Project, which was a large wartime housing project with a total of 3,500 temporary homes for defense workers. Approximately 150 structures (between 600 and 1,200 units) appear to have been on the Project site. The development also included a large L-shaped structure that was the former Frontier School. The greatest change to the area in the 1960s was the construction of the San Diego International Sports Arena (currently named Pechanga Arena). In 1966, the site was leveled to construct the San Diego International Sports Arena. It was constructed by Trepte Construction Company and designed by Victor Meyer, an architect who was vice president of development and

design at the company (Mark Faders, another architect with the Trepte Construction Company applied for the building permit) (Appendix E3). As early as the 1950s, the City sought to attract professional sports franchises. Robert Breitbard acquired the San Diego Gulls, then a member of the Western Hockey League, and laid plans for the team to play at the indoor arena. The arena opened in November 1966 and was designed for seating 13,500 for hockey events and 16,000 for other sporting and public events. Within a year, a professional basketball team, the San Diego Rockets, was added. The San Diego Gulls continued to play in the arena until 1995 when the team moved from the City. They returned to the City in 2015, and the San Diego International Sports Arena continues to be their home base. Various restaurants were established in the area to feed sports fans before or after games. A portion of the former Frontier School may have overlapped with the current San Diego International Sports Arena structure (Appendix H1), but all of the buildings from the housing project have been demolished; none remain on site today. A portion of the former West Point Loma Dump, in operation between 1899 and 1908, crosses the southwestern portion of the Project site (Appendix E1).

The Midway-Pacific Highway CPU PEIR identified 43 potential individual historical resources that may be eligible for local listing under the City's designation criteria (Appendix B). Of the 43 potential individual historical resources, the San Diego International Sports Arena is the only one located on the Project site. A Project-specific records search was conducted using the California Historical Resources Information System (CHRIS) at San Diego State University (SDSU). The records search provided a listing of all known resources, historic addresses, and reports on the Project site and within a 1-mile buffer around the site. The 1-mile buffer includes the Project's off-site improvements areas. In total, 327 studies have been conducted within a 1-mile radius of the Project site, and 14 of the studies intersect the Project site. Additionally, 256 historic addresses were documented within a 1-mile radius of the Project site, and one address (P-37-035181, 3500 Sports Arena Boulevard, San Diego International Sports Arena) intersects with the Project site. No historic addresses intersect the off-site improvements.

In total, 205 resources have been previously recorded within a 1-mile radius of the Project site, and two recorded resources (CA-SDI-10530/P-37-010530 and P-37-035181) intersect the Project site. One resource (P-37-035181), the San Diego International Sports Arena, is on the Project site. Portions of the other resource (CA-SDI-10530/P-37-010530), the former West Point Loma Dump, is present in the southwestern corner of the Project site and in the off-site improvements areas of Sports Arena Boulevard. Resources in the records search area include prehistoric (artifact and shell scatters, burials, hearths, and isolates), historic (trash scatters, dumps/privies, foundations, cemeteries, structures, monuments, and cisterns), and multi-component sites.

The complete listing of reports, resources, and historic addresses for the search area is provided in Appendix E1.

West Point Loma Dump

CA-SDI-10530/P-37-010530 has been identified as the West Point Loma Dump or Pueblo Lands Dump (City Dump). It was originally recorded in 1986 by Sue Wade. According to Wade, the "city dump was

located on the south bank of the San Diego River at the present-day intersection of I-8, West Point Loma Boulevard and Sports Arena Boulevard." The earliest documented use of the southwestern portion of the Project site is the City Dump, which was in operation between 1899 and 1908, and possibly longer. The City Dump was established by City Ordinance 645 that was passed on July 12, 1899. The City Dump was established at its location for two reasons: (1) the ordinance specifically required that the dump be no less than 3 miles from the center of the City in 1899, and (2) the proposed dump site was on a remote piece of unused marshy slough. The City contracted with Jessie Howells to lease his land for the dump. Howells remained in service to the City until the dump closed in 1908 when the Home Avenue Dump was established. Following the abandonment of the City Dump, the area remained undeveloped and minimally used until the outbreak of World War II (Appendix E1).

San Diego International Sports Arena

P-37-035181, identified as 3500 Sports Arena Boulevard (San Diego International Sports Arena), intersects with the Project site. Archival research was conducted on the site-specific history of the San Diego International Sports Arena. Plans for the original building and alterations were obtained through from the City's Development Services Department. The building and alteration plans and aerial photographs were reviewed, other sources were checked to develop the appropriate site-specific history and architect biographies of the Project site, and a historical resources field survey was conducted.

The entertainment center on the Project site was completed in 1966 as the "San Diego International Sports Arena." The San Diego International Sports Arena has had several different names over the years. The mission of the arena was to boost the local economy and increase entertainment opportunities. Construction of the arena was completed within 1 year and included enough seating for 13,600 people during hockey events and 16,000 people for other events and a large surrounding parking lot. The arena hosted hockey games for the San Diego Gulls and basketball games for the San Diego Rockets. In addition to sporting events, the arena hosted concerts of numerous successful and internationally known performing artists. The arena still serves as an event center for sports and other entertainment.

The San Diego International Sports Arena is a large oval-shaped stadium with a circular interior plan. Its placement on an elevated concrete pedestal in the center of the parcel (surrounded by open space/parking) emphasizes its monumental scale. The exterior consists of smooth concrete walls with evenly spaced rectangular concrete pillars along the top half of the building. The original lighting plan was designed with up-lighting at the base of the regularly spaced pillars to emphasize its verticality and to create a more dramatic effect in the evenings. The bottom portion of the exterior walls consists of smooth concrete. The roof is flat with no eaves or parapet.

The box office and a primary entrance are on the north facade. The box office is defined by a small projection that is clad in tile and has a large electric marquee above its awning. Within this projection, there are 10 ticket booths that have fixed windows in each booth. The north entrance sits just east of the box office. The west, south, and east facades are similar to the design of the north

entrance with low sloping staircases leading to a covered entryway with a concrete overhang with mock concrete rafters and the H-topped concrete pillars on each side. Each entrance is composed of fixed glass windows above a series of glass doors, all of which are original.

Few changes have been made to the exterior of the building aside from the installation of antennas, a temporary storage container, the construction of a smoking area, and a portable building used as an office in the parking lot off the northeastern facade. Modifications in 2017 included the construction of a new door north of the west entrance to the stadium that provided access to a chain-link fence area. The portable building is slightly elevated with a small staircase leading to glass paneled doors. Two horizontal sliding vinyl windows are on the bungalow.

Other On-Site Buildings

The Project site is developed with a variety of commercial and entertainment uses. The following four buildings were determined to be 45 or more years old: 3220, 3240, 3250, and 3350 Sports Arena Boulevard (Figure 5.3-1, Locations of Buildings Surveyed for Historical Eligibility). 3220, 3240, 3250, and 3350 Sports Arena Boulevard are one- and two-story, one-part commercial block architectural style and/or modern contemporary architectural style commercial buildings constructed between 1967 and 1978.

5.3.1.7 Tribal Cultural Resources

A TCR is defined as a site, feature, place, cultural landscape, sacred place, or object that is of cultural value to a Native American Tribe and is either on or eligible for listing on the national, state, or local historic register or which the lead agency, at its discretion, chooses to identify as a TCR.

Evidence for continuous human occupation in the San Diego region spans the last 10,000 years. This research employs a common set of generalized terms used to describe chronological trends in assemblage composition from an archaeological context: Paleoindian (pre-5500 BC), Archaic (8000 BC–AD 500), Late Prehistoric (AD 500–1769), and Ethnohistoric (post-AD 1769). It is important to note that Native American aboriginal lifeways did not cease at European contact. Protohistoric refers to the chronological trend of continued Native American aboriginal lifeways at the cusp of the recorded historic period in the Americas.

The Native American Heritage Commission (NAHC) was contacted for a Sacred Lands File search, and Tribal outreach was conducted. The NAHC response was positive for sacred lands and recommended that the Viejas Band of Kumeyaay Indians (Viejas Band) be contacted. All Tribal bands, including the Viejas Band, on the list provided by the NAHC were contacted by email and regular mail for any information they may have regarding sacred lands that may be present on the Project site.

On February 15, 2024, the City sent notification letters to three Native American Tribes (Iipay Nation of Santa Ysabel [Iipay Nation], Jamul Indian Village [Jamul Band], and San Pasqual Band of Diegueño

Mission Indians [San Pasqual Band]) to request government-to-government consultation as required under Assembly Bill (AB) 52. The Tribes have 30 days from the receipt of the notification letter to request consultation under AB 52; that period ended on March 16, 2024. Consistent with the requirements of AB 52 and CEQA, since no response letters have been received from any of the three Native American Tribes, consultation is complete.

5.3.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address historical resources and TCRs.

5.3.2.1 Federal

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act is a federal law passed in 1990 that provides a process for museums and federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants and culturally affiliated Native American Tribes.

National Historic Preservation Act and National Register of Historic Places

The National Historic Preservation Act of 1966 established the National Register of Historic Places (NRHP) as the official federal list of cultural resources that have been nominated by state offices for their historical significance. Listing in the NRHP provides recognition that a property is significant to the nation, state, or local community and assumes that federal agencies consider historic value in federal and federally assisted project planning. Properties listed in the NRHP, or determined eligible for listing, must meet certain criteria for historical significance and possess integrity of form, location, and setting. Structures and features must be at least 50 years old to be considered for listing in the NRHP, barring exceptional circumstances. Criteria for listing in the NRHP, which are set forth in Title 36, Part 63, of the Code of Federal Regulations, are significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and that are:

A. Associated with events that have made a significant contribution to the broad patterns of our history; or
B. Associated with the lives of persons significant in our past; or
C. Embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; represent a significant and distinguishable entity whose components may lack individual distinction; or
D. Have yielded, or may be likely to yield, information important in prehistory or history.

To be eligible for listing in the NRHP a property must retain sufficient integrity to convey its significance. The evaluation of integrity must be grounded in an understanding of a property's physical features and how they relate to the concept of integrity. Determining which of these aspects are most important to a property requires knowing why, where, and when a property is significant. To retain historic integrity, a property must possess several, and usually most, aspects of integrity:

- **Location** is the place where the historic property was constructed or the place where the historic event occurred.
- **Design** is the combination of elements that create the form, plan, space, structure, and style of a property.
- **Setting** is the physical environment of a historic property and refers to the character of the site and the relationship to surrounding features and open space. Setting often refers to the basic physical conditions under which a property was built and the functions it was intended to serve. These features can be either natural or human-made, including vegetation, paths, fences, and relationships between other features or open space.
- **Materials** are the physical elements that were combined or deposited during a particular period or time, and in a particular pattern or configuration to form a historic property.
- **Workmanship** is the physical evidence of crafts of a particular culture or people during any given period of history or prehistory and can be applied to the property as a whole, or to individual components.
- **Feeling** is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, when taken together, convey the property's historic character.
- **Association** is the direct link between the important historic event or person and a historic property.

5.3.2.2 State

California Environmental Quality Act and California Register of Historical Resources

CEQA requires that private and public activities not specifically exempted from CEQA be evaluated against the potential for environmental damage, including effects on historical resources. Historical resources are recognized as part of the environment under CEQA. The act defines historical resources as "any object, building, structure, site, area, or place that is historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (California Public Resources Code Section 5021.1[b]).

Lead agencies are responsible for evaluating historical resources against the California Register of Historical Resources (CRHR) criteria prior to making a finding regarding a project's impacts to historical resources. Mitigation of adverse impacts is required if the project would cause substantial adverse change, such as demolition, destruction, relocation, or alteration such that the significance of a

historical resource would be impaired. While demolition and destruction are obvious significant impacts, it is more difficult to assess when a change, alteration, or relocation crosses the threshold of substantial adverse change. CEQA Guidelines Section 15064.5, states that a project that demolishes or alters those physical characteristics of a historical resource that convey its historical significance (i.e., its character-defining features) is considered to materially impair the resource's significance. For the purposes of CEQA, the CRHR is used to consider historical resources relative to significance.

Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the CRHR (California Public Resources Code Section 5024.1; 14 CCR Section 4852), which consists of the following:

- **Criteria 1:** It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- **Criteria 2:** It is associated with the lives of persons important to local, California, or national history;
- **Criteria 3:** It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; or
- **Criteria 4:** It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Native American Burials (California Public Resources Code Section 5097 et seq.)

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 et seq. requires that, if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner has examined the remains (California Health and Safety Code Section 7050.5[b]). California Public Resources Code Section 5097.98 also outlines the process to follow in the event that remains are discovered. If the county coroner determines or has reason to believe the remains are those of a Native American, the county coroner must contact the California NAHC within 24 hours (California Health and Safety Code Section 7050.5[c]). The NAHC will notify a most likely descendant. With the landowner's permission, the most likely descendant may inspect the site of discovery. The inspection must be completed within 24 hours of the NAHC notifying the most likely descendant, who may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act, enacted in 2001, required state agencies and museums that receive state funding and that have possession or control over

collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The act also provides a process for the identification and repatriation of these items to the appropriate Tribes.

Senate Bill 18

Several state laws address Native American involvement in the planning and development review process. The most notable is Senate Bill (SB) 18, which includes detailed requirements for local agencies to consult with identified California Native American Tribes early in the planning and/or development review process. SB 18 is required due to the Project's proposed General Plan and Community Plan Amendments. Per SB 18, the City sent 90-day notices to local Tribes on March 12, 2024, for the opportunity to consult with the City on the Project. Only one Tribe (Campo Band of Diegueño Mission Indians [Campo Band]) responded by inquiring when the Draft SEIR would be released. ~~To date, SB 18 consultation is ongoing.~~ Additionally, 45-day notices were sent on March 26, 2025, to local Tribes. One Tribe (Viejas Band of Kumeyaay Indians [Viejas Band]) responded that they determined that the Project site has cultural significance or ties to the Viejas Band. The Viejas Band also requested a Kumeyaay cultural monitor on site for ground-disturbing activities and to inform the Tribe of inadvertent discoveries of cultural artifacts, cremation sites, or human remains. A final notice will be sent to the Tribes 10-days before the City Council hearing, in accordance with SB 18.

Assembly Bill 52

On September 25, 2014, Governor Jerry Brown signed AB 52, which created the new category of "Tribal Cultural Resources" that must be considered under CEQA. AB 52 requires lead agencies to provide notice to Tribes that are traditionally and culturally affiliated with the geographic area of a project if they have requested notice of projects proposed within that area. If a Tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the Tribe. AB 52 also provides a list of recommended mitigation measures to be included in the environmental document. As discussed in Section 5.3.1.7, Tribal Cultural Resources, the City sent notification letters to three Native American Tribes pursuant to AB 52 on February 15, 2024. Consistent with the requirements of AB 52 and CEQA, since no response letters have been received from any of the three Native American Tribes, consultation is complete.

California Health and Safety Code Section 7050.5

California Health and Safety Code Section 7050.5 states that, in the event of the discovery of human remains outside a dedicated cemetery, ground disturbance must cease, and the county coroner must be notified. If the remains are found to be Native American, then the county coroner must contact the NAHC within 24 hours.

5.3.2.3 Local

City of San Diego Historical Resources Regulations

The City's Historical Resources Regulations, part of the San Diego Municipal Code (SDMC) (Sections 143.0201–143.0280), provide a balance between sound historic preservation principles and the rights of private property owners. The regulations have been developed to implement applicable local, state, and federal policies and mandates, including the City of San Diego 2008 General Plan, as amended (2008 General Plan); CEQA; and the National Historic Preservation Act. Historical resources as defined in the City's Historical Resources Regulations include historic buildings, historic structures, historic objects, important archaeological sites, historic districts, historic landscapes, and traditional cultural properties. These resources are usually over 45 years old and may have been altered or still be in use. The development review process is composed of two aspects: the implementation of the Historical Resources Regulations and the determination of impacts and mitigation under CEQA.

Compliance with the regulations begins with the determination for the need for a site-specific survey for a proposed development. SDMC Section 143.0212(b) of the regulations requires that historical resource sensitivity maps be used to identify properties in the City that have a probability of containing historic or prehistoric archaeological sites. A historic property (built environment) survey may be required if the property is over 45 years old and appears to have integrity of setting, design, materials, workmanship, feeling, and association. SDMC Section 143.0212(d) states that, if a property-specific survey is required, it shall be conducted according to the Historical Resources Guidelines criteria. Using the survey results and other available applicable information, the City shall determine if a potential historical resource exists, if it is eligible for designation as a designated historical resource, and where it is located.

City of San Diego Historical Resources Register

As stated in the City's Historical Resources Guidelines, any improvement, building, structure, sign, interior element and fixture, feature, site, place, district, area, or object may be designated historic by the City's Historical Resources Board if it meets any of the following criteria (City of San Diego 2022):

A. Exemplifies or reflects special elements of the City's, a community's, or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping, or architectural development;
B. Is identified with persons or events significant in local, state, or national history;
C. Embodies distinctive characteristics of a style, type, period, or method of construction or is a valuable example of the use of indigenous materials or craftsmanship;
D. Is representative of the notable work of a master builder, designer, architect, engineer, landscape architect, interior designer, artist, or craftsman;
E. Is listed or has been determined eligible by the National Park Service for listing in the National Register of Historic Places or is listed or has been determined eligible by the State Historic Preservation Office for listing in the State Register of Historical Resources; or

F. Is a finite group of resources related to one another in a clearly distinguishable way or is a geographically definable area or neighborhood containing improvements which have a special character, historical interest, or aesthetic value or which represent one or more architectural periods or styles in the history and development of the City.

Historical resources eligible for designation must meet one or more of the designation criteria and retain enough of their historic character or appearance (otherwise known as integrity) to be recognizable as historical resources and to convey the reasons for their historical significance.

1992 City of San Diego Comprehensive Historic Preservation Plan

The City's Comprehensive Historic Preservation Plan was prepared by the City's Historical Resources Board and the City Planning Department to direct and focus the City's efforts to deal with increasingly complex historic preservation issues. The plan includes four elements: Inventory Element, Incentives Element, Education Element, and Draft Historic Resource Board Ordinance. The first three elements were adopted by the San Diego City Council in February 1992, and the final element was incorporated into Chapter 14, Article 3, Division 2, of the SDMC (City of San Diego 1992).

SDMC Section 143.0212 directs City staff to determine if a potentially significant historical resource exists on site before a construction permit is issued for any parcel in the City that contains a structure 45 years old or older. Interior development and any modifications or repairs limited to an electrical or plumbing/mechanical permit shall be exempt where the development would include no change to the exterior of an existing structure.

City of San Diego Historical Resource Board

The Historical Resources Board was established by the San Diego City Council as an advisory board to identify, designate, and preserve the historical resources of the City; review and make a recommendation to the appropriate decision-making authority on applications for permits and other matters relating to the demolition, destruction, substantial alteration, removal, or relocation of designated historical resources; establish criteria and provide for a Historical Resources Inventory of properties within the boundaries of the City; and recommend to the San Diego City Council and Planning Commission procedures to facilitate the use of the Historical Resources Inventory results in the City's planning process in accordance with SDMC Section 111.0206.

2008 City of San Diego General Plan

The Historic Preservation Element of the 2008 General Plan includes the following cultural resources goals (City of San Diego 2008):

A. Identification and Preservation of Historical Resources

- Identification of the historical resources of the City.
- Preservation of the City's important historical resources.

- Integration of historic preservation planning in the larger planning process.

Policies of this goal include the following:

- **HP-A.1:** Strengthen historic preservation planning.
- **HP-A.2:** Fully integrate the consideration of historical and cultural resources in the larger land use planning process.
- **HP-A.3:** Foster government-to-government relationships with the Kumeyaay/Diegueño Tribes of San Diego.
- **HP-A.4:** Actively pursue a program to identify, document and evaluate the historical and cultural resources in the City of San Diego.
- **HP-A.5:** Designate and preserve significant historical and cultural resources for current and future generations.

B. Historic Preservation, Education, Benefits, and Incentives

- Public education about the importance of historical resources.
- Provision of incentives supporting historic preservation.
- Cultural heritage tourism promoted to the tourist industry.

Policies of this goal include the following:

- **HP-B.1:** Foster greater public participation and education in historical and cultural resources.
- **HP-B.2:** Promote the maintenance, restoration, and rehabilitation of historical resources through a variety of financial and development incentives. Continue to use existing programs and develop new approaches as needed. Encourage continued private ownership and utilization of historic structures through a variety of incentives.
- **HP-B.3:** Develop a historic preservation sponsorship program.
- **HP-B.4:** Increase opportunities for cultural heritage tourism.

Recent amendments to the 2008 General Plan were adopted in July 2024 as a part of a refresh to the 2008 General Plan (Blueprint SD). The most recent 2024 amendments were adopted after the issuance of the Notice of Preparation for the Project (December 2023) and are noted for information only.

2018 Midway-Pacific Highway Community Plan

The 2018 Midway-Pacific Highway Community Plan Historic Preservation Element contains specific goals and recommendations to address the history and cultural resources unique to Midway-Pacific Highway to encourage appreciation of the community's history and culture. These policies, along with the 2008 General Plan policies, provide a comprehensive historic preservation strategy for the Midway-Pacific Highway Community planning area. The Historic Preservation Element includes the following policies (City of San Diego 2018):

- **HP-2.1:** Preserve designated historical resources and promote the continued use and new, adaptive reuse of these resources consistent with the U.S. Secretary of the Interior's Standards.

- **HP-2.2:** Evaluate properties which may be eligible for designation as historic resources.
- **HP-2.3:** Encourage the preservation of other notable buildings, structures, objects and community features that provide continuity with the past.
- **HP-2.4:** Provide support and guidance to community members and groups who wish to prepare and submit individual resource nominations and historic district nominations to the City, consistent with adopted Guidelines.
- **HP-2.5:** Work with members of the community to identify and evaluate additional properties that possess historic significance for social or cultural reasons (such as an association with an important person or event) for potential historic designation.
- **HP-2.6:** Evaluate the possibility of a multi-community or Citywide historic context statement and Multiple Property Listing related to the aerospace industry in San Diego.
- **HP-2.7:** Conduct project-specific Native American consultation early in the development review process to ensure culturally appropriate and adequate treatment and mitigation for significant archaeological sites or sites with cultural and religious significance to the Native American community in accordance with all applicable local, state and federal regulations and guidelines.
- **HP-2.8:** Consider eligible for listing on the City's Historical Resources Register any significant archaeological or Native American cultural sites that may be identified as part of future development within Midway-Pacific and refer site to the Historical Resources Board for designation, as appropriate.

5.3.3 Significance Determination Thresholds

The thresholds used to evaluate potential historical resources and TCRs impacts are generally based on the City's CEQA Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU PEIR. A significant impact on historical resources and TCRs could occur if implementation of the Project would result in:

- **Issue 1:** An alteration, including the adverse physical or aesthetic effects and/or the destruction of a historic building (including an architecturally significant building), structure, object or site;
- **Issue 2:** A substantial adverse change in the significance of a prehistoric archaeological resource, a religious or sacred use site, or the disturbance of any human remains, including those interred outside of formal cemeteries; or
- **Issue 3:** A substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:
  - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or

- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

5.3.4 Impact Analysis

5.3.4.1 Issue 1: Historic Structures, Objects, or Sites

Would the Project result in an alteration, including the adverse physical or aesthetic effects and/or the destruction of a historic building (including an architecturally significant building), structure, object or site?

Based on the City's Significance Determination Thresholds (City of San Diego 2016), historical resources impacts may be significant if the Project would affect any of the following:

- A resource listed in, eligible, or potentially eligible for listing in the NRHP.
- A resource listed eligible, or determined to be eligible, by the State Historical Resources Commission, for listing in the CRHR (California Public Resources Code Section 5024.1).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the California Public Resources Code, or identified as significant in an historical resource resources survey meeting the requirements of Section 5024.1(g) of the California Public Resources Code.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the CRHR (California Public Resources Code Section 5024.1).
- An archaeological site consisting of at least three associated artifacts/ecofacts (within a 40-square-meter area) or a single feature.
- A "Traditional Cultural Property." A site would be considered to possess ethnic significance if it is associated with a burial or cemetery; religious, social, or transitional activities of a discrete ethnic population; an important person or event as defined by a discrete ethnic population; or the belief system of a discrete ethnic population.

The determination of significance of impacts on historical and unique archaeological resources is based on criteria found in CEQA Guidelines Section 15064.5. Section 15064.5 clarifies the definition of a substantial adverse change in the significance of a historical resource as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR identified potential historical resources and determined that future development could result in an alteration of a historic building, structure, object, or site resulting in a significant impact. Midway-Pacific Highway CPU PEIR Mitigation Measure **HIST 5.3-1** was identified to provide a framework for future development projects to reduce impacts through the evaluation of buildings over 45 years of age; however, impacts were determined to be **Significant and Unavoidable** after implementation of feasible mitigation.

Project-Specific Impact Analysis

A records search conducted using CHRIS provided a listing of all known resources, historic addresses, and reports on the Project site and within a 1-mile radius of the site. In addition, historical topographic maps from 1872 through 2021, the California Office of Historic Preservation Archaeological Resources Directory, and the Built Environment Resources Directory were reviewed. Two previously recorded resources (CA-SDI-10530/P-37-010530 and P-37-035181) were identified that intersect the Project site. One of these (CA-SDI-10530/P-37-010530) intersects the southwestern portion of the Project site and the off-site improvements areas. The other (P-37-035181) is the San Diego International Sports Arena and is on the Project site.

West Point Loma Dump (CA-SDI-10530/P-37-010530)

CA-SDI-10530/P-37-010530 was the City Dump and was originally recorded in 1986 by Sue Wade. According to Wade, the "city dump was located on the south bank of the San Diego River at the present-day intersection of I-8, West Point Loma Boulevard and Sports Arena Boulevard" (Appendix E1). Approximately 9 percent of CA-SDI-10530 is on the Project site and within the proposed off-site improvements areas. No prior evaluation has been conducted for this portion of the archaeological site.

According to the Cultural Resources Technical Report (Appendix E1), CA-SDI-10530 is not significant under CRHR Criterion 1 (events that have made a significant contribution to the broad patterns of California's history and cultural heritage). CA-SDI-10530 was the City Dump for less than 10 years (1899–1908), and no significant events are associated with the City Dump. In addition, CA-SDI-10530 is not significant under CRHR Criterion 2 (associated with persons important in our past). None of the prior or current evaluations for portions of CA-SDI-10530 have identified any historically significant individuals associated with the City Dump.

Furthermore, the Cultural Resources Technical Report (Appendix E1) determined that CA-SDI-10530 is not significant under CRHR Criterion 3 (embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values). None of the prior or current evaluations of portions of CA-SDI-10530 have identified any unique characteristics or association with a creative individual.

Finally, the Cultural Resources Technical Report (Appendix E1) determined that CA-SDI-10530 is not significant under CRHR Criterion 4 (has yielded or may be likely to yield information important in prehistory or history). Approximately 9 percent of CA-SDI-10530 is on the Project site and within the proposed off-site improvements areas. The portion of CA-SDI-10530 on the Project site is primarily developed with an asphalt parking lot and driveway entrance to the San Diego International Sports Arena. Some prior evaluations identified portions of the City Dump as yielding or likely to yield information important to the period in which the City Dump was in operation. However, the portion of CA-SDI-10530 on the Project site was determined not significant because the San Diego International Sports Arena development, including parking areas, required excavation that would have impacted and dispersed the City Dump. As such, what remains of the dump is likely out of context. Five historic bottles that date to the mid-1800s were recovered from the Project site during Phase II Environmental Site Assessment testing (Appendix H2). Although the bottles are of an age that is considered historic, the limited number and type of resources recovered do not add to the body of knowledge already available. Any artifacts recovered from this portion of the historic site would not provide new or additional information not already available through archival research.

Therefore, CA-SDI-10530 is not considered a historical resource for the purposes of CEQA, and impacts would not be considered a substantial adverse change to the historical resource pursuant to CEQA Guidelines Section 21084.1. Impacts to CA-SDI-10530 would be **Less than Significant**.

San Diego International Sports Arena (P-37-035181)

P-37-035181 is the San Diego International Sports Arena on the Project site. According to the HRTR for the San Diego International Sports Arena (Appendix E3), the San Diego International Sports Arena satisfies NRHP Criterion A, CRHR Criterion 1, and San Diego Register Criterion A under the theme of Post-WWII Development and Recreation and Entertainment in San Diego. The San Diego International Sports Arena's construction represents a time of growth throughout San Diego and the movement to expand the City's economic ventures into new industries. It was the most important catalyst in the Midway neighborhood's transformation from World War II housing into a lively entertainment and commercial hub and was one of the first modern stadiums/arenas and major entertainment venues in San Diego. It is the home of the San Diego Gulls hockey team and was the home of the San Diego Rockets basketball team and attracted numerous successful and internationally known performing artists. The San Diego Stadium (formerly known as Jack Murphy Stadium and Qualcomm Stadium) was constructed shortly after the San Diego International Sports Arena was built and was the only other major sports and entertainment venue in the City for the second half of the mid-20th century. Other examples of sports and entertainment venues in San Diego, such as the Coliseum Athletic Club, served a small audience and pre-dated the mid-20th century stadium/arena property type. The San Diego Stadium was demolished in 2021; therefore, the San Diego International Sports Arena is now a unique and rare resource in the representation of the theme of Post-WWII Development, Recreation and Entertainment in San Diego. The period of

significance under these criteria begins in 1966 (the year of the San Diego International Sports Arena's construction) and ends in 1974, or 50 years ago, which is recommended as the closing date by the National Park Service for periods of significance where activities continued to have importance, and a more specific date cannot be defined to end the historic period (Appendix E3).

In addition, the HRTR for the San Diego International Sports Arena (Appendix E3) determined that the San Diego International Sports Arena also meets NRHP Criterion B, CRHR Criterion 2, and San Diego Register Criterion B. Robert Breitbard initiated the construction of the San Diego International Sports Arena and was the head football coach for SDSU and owner of the San Diego Gulls. Breitbard is considered a historically significant individual within the sports industry. While the height of Breitbard's career preceded his association with the San Diego International Sports Arena, the only other property that remains and reflects his career is his residence at 3427 Bancroft Street in San Diego. The house was Breitbard's primary residence during the height of his career when he made significant accomplishments in the sports industry as a coach and is the property that best represents his overall career (as the Qualcomm Stadium has been demolished). However, the San Diego International Sports Arena also represents a strong association with a different aspect of his career—the culmination of his contributions to the sports industry as developer of the San Diego International Sports Arena and owner of the San Diego Gulls. The period of significance under NRHP Criterion B, CRHR Criterion 2, and San Diego Register Criterion B correlates to Breitbard's association with the property that began in 1966 and ended in 1974, when he sold the San Diego Gulls hockey team and retired.

The HRTR for the San Diego International Sports Arena (Appendix E3) also considered if the San Diego International Sports Arena meets NRHP Criterion C, CRHR Criterion 3, and San Diego Register Criterion C for having distinctive characteristics of a type, period, region, or method of construction or representing the work of a master or possessing high artistic values. The building is an example of New Formalism and the mid-20th century stadium/arena property type. Per the NRHP nomination for the Forum in Los Angeles (now called Kia Forum): "New Formalism emerged in the 1950s and is widely seen as a rejection of the strict glass-and-steel vocabulary of the international style and mid-century modernism. The style was popular in large scale commercial and civic designs from the late 1950s through the 1970s and eagerly referenced and abstracted the forms and applied ornamentation of classical architecture. The style is characterized by a strict symmetry and formality, smooth wall surfaces, colonnades of stylized full-height columnar supports, repeating arches or rounded openings, heavy projecting roof slabs, projecting cornices, and on-grade open plazas and integral parking" (Appendix E3). Similar to the Forum, the San Diego International Sports Arena displays many characteristics of this style, including its monumental scale, strict symmetry and formality, flat roof, smooth exterior surfaces, repeating full-height pillars, ornamental concrete, raised platform, and on-grade open plazas and integral parking. The style was most commonly applied to commercial and civic buildings, and the San Diego International Sports Arena is one of the few remaining examples of the style applied to stadiums and/or arenas not only in San Diego but in California and nationally (Appendix E3). Because it possesses distinctive characteristics of New Formalism, the San Diego

International Sports Arena meets NRHP Criterion C, CRHR Criterion 3, and San Diego Register Criterion C as an example of New Formalism and the mid-20th century stadium/arena property type. The period of significance under these criteria is 1966, the year of its construction.

The San Diego International Sports Arena was designed by Victor Meyer, the in-house architect for Trepte Construction Company. The Trepte Construction Company was a prolific builder in San Diego. Meyer was a member of the Southern California Chapter of the American Institute of Architects from 1957 to 1966 (Appendix E3). However, neither the company nor Meyer are among the master architects listed in the San Diego Historic Resources Board Biographies of Established Masters or the San Diego Modernism Historic Context Statement (Appendix E3). As such, the San Diego International Sports Arena does not meet NRHP Criterion C, CRHR Criterion 3, and San Diego Register Criterion D for representing the work of a master.

Finally, the HRTR for the San Diego International Sports Arena (Appendix E3) determined that the San Diego International Sports Arena does not meet NRHP Criterion D or CRHR Criterion 4. It is a property type that does not have the potential to provide information about history or prehistory that is not available through historical research. Additionally, it does not meet San Diego Register Criterion E because it was not previously listed or officially determined eligible by the National Park Service for listing in the NRHP or CRHR. Finally, it was determined that the San Diego International Sports Arena does not meet San Diego Register Criterion F because it is not a finite group of resources related to one another in a clearly distinguishable way and in a geographically definable area that have historical interest.

Because the San Diego International Sports Arena meets NRHP Criteria A, B, and C; CRHR Criteria 1, 2, and 3; and San Diego Register Criteria A, B, and C, an assessment of integrity was warranted. The findings are as follows:

- **Location:** The building has not been moved and retains high integrity of location.
- **Setting:** The setting of the property has been somewhat altered since the end of the period of significance. The surrounding land has been more densely developed, and commercial buildings, new roads, and restaurants have altered the original setting. Therefore, it has moderate integrity of setting.
- **Design:** Based on a comparison of historic photographs and visual observation during the survey, the overall design of the building has not been significantly altered, and it retains high integrity of design.
- **Materials:** The building retains most of its original materials, such as the structural and ornamental concrete walls, terrazzo and concrete flooring, concrete beams, original glass doors and windows, light fixtures, and seats. Therefore, the property retains high integrity of materials.
- **Workmanship:** The building retains many of its original features, such as the ornamental concrete walls and light fixtures, which still convey the craftsmanship that was used in their construction. Therefore, the property retains high integrity of workmanship.

- **Feeling:** The property continues to convey the feeling of a monumental sports arena and, therefore, retains high integrity of feeling.
- **Association:** The property was and continues to be associated with important sports and entertainment events in San Diego. Therefore, it has high integrity of association.

Because the San Diego International Sports Arena meets NRHP Criteria A, B, and C; CRHR Criteria 1, 2, and 3; and San Diego Register Criteria A, B, and C and retains moderate to high integrity in all seven aspects of integrity, the building is eligible for listing in the NRHP/CRHR/San Diego Register. Therefore, the San Diego International Sports Arena is considered a historical resource for the purposes of CEQA. On April 25, 2024, the City's Historical Resources Board designated the San Diego International Sports Arena as a historical resource (Resolution No. R-24042501). The Project would result in the demolition of the San Diego International Sports Arena, which would be a substantial adverse change to the historical resource pursuant to California Public Resources Code Section 21084.1. Consistent with the Midway-Pacific Highway CPU PEIR, impacts would be **Potentially Significant**.

Other On-Site Buildings

The Project proposes to demolish 13 additional on-site structures. Of these structures, the following four were determined to be 45 or more years old: 3220, 3240, 3250, and 3350 Sports Arena Boulevard. In accordance with the City's Historical Resources Regulations and Midway-Pacific Highway CPU PEIR Mitigation Measure **HIST 5.3-1**, site-specific surveys were performed and HRTR (Appendix E2) were prepared for each of the four structures to document, identify, record, and evaluate the buildings (Figure 5.3-1). According to the HRTR prepared for these structures, none of the buildings are historically and/or architecturally significant. In addition, none are associated with any important events or individuals; none embody the distinctive characteristics of a style, type, period, or method of one-part commercial block architectural style and/or modern contemporary construction; none represent the notable works of "master" architects and/or important, creative individuals; and none of the structures possess high artistic values. Consequently, none of the buildings were determined eligible for listing in the NRHP, CRHR, California Historic Resources Inventory, or San Diego Register (Appendix E2). Therefore, the demolition of these buildings would not result in a substantial adverse change to a historical resource pursuant to California Public Resources Code Section 21084.1, and impacts to these buildings would be **Less than Significant**.

Frontier Housing

During World War II, the Project site became part of the Frontier Housing Project, which was a large wartime housing project with a total of 3,500 temporary homes for defense workers. Approximately 150 structures (between 600 and 1,200 units) appear to have been on the site. The development also included a large L-shaped structure that was the former Frontier School. The buildings were only meant to be used for up to 2 years; however, many remained standing for 10 years or more. By the 1960s, all buildings were demolished (Appendix E1). The Frontier Housing Project buildings are

no longer present on the Project site. Geophysical testing conducted during the Phase II Trenching Assessment (Appendix H3), identified metallic piping, possible excavations, areas of relatively high conductivity (high metal content), and possible underground storage tanks thought to be associated with the former Frontier Housing Project. These features are hazardous conditions that would be addressed prior to site development (refer to SEIR Section 5.6, Health and Safety). Because the Frontier Housing Project buildings were demolished over 60 years ago and do not exist on the Project site, the proposed development would not result in a substantial adverse change to a historical resource pursuant to California Public Resources Code Section 21085.1. Impacts on the former Frontier Housing Project would be **Less than Significant**.

In summary, the Project would demolish the San Diego International Sports Arena, resulting in the alteration of a historic building, structure, object, or site (**Impact 5.3-1**). This impact would be **Potentially Significant**.

Impact 5.3-1: Demolition of the San Diego International Sports Arena would potentially result in a significant impact to a historical resource.

5.3.4.2 Issue 2: Prehistoric and Historic Archaeological Resources, Sacred Sites, and Human Remains

Would the Project result in a substantial adverse change in the significance of a prehistoric or historic archaeological resource, a religious or sacred use site, or the disturbance of any human remains, including those interred outside of formal cemeteries?

Based on the City's CEQA Significance Determination Thresholds (City of San Diego 2016), archaeological resource impacts may be significant if the Project would affect any of the following:

- A resource listed in, eligible, or potentially eligible for the National Register of Historic Places.
- A resource listed in, or determined to be eligible by, the State Historical Resources Commission, for listing in the California Register of Historical Resources (California Public Resources Code Section 5024.1).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the California Public Resources Code or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the California Public Resources Code.
- Any object, building, structure, site, area, place, record, or manuscript which a Lead Agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the Lead Agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the Lead Agency to be "historically significant" if the resource meets the

criteria for listing on the California Register of Historical Resources (California Public Resources Code Section 5024.1).

- An archaeological site consisting of at least three associated artifacts/ecofacts (within a 40-square-meter area) or a single feature.
- A "Traditional Cultural Property," defined to include any locale that:
  …has been, and often continues to be of religious, mythological, cultural, economic, and/or social importance to an identified ethnic group. This includes sacred areas where religious ceremonies have been or currently are practiced or which are central to a group's origins as a people. Also included are areas where plants or other materials have been or currently are gathered for food, medicine, or other economic purposes…Traditional cultural properties may also include neighborhoods which have been modified over time by ethnic or folk group use in such a way that the physical and cultural manifestations of the ethnic or folk culture are still distinguishable today. Cultural expressions shared within familial, ethnic, occupational, or religious groups include but are not limited to; technical skill, language, music, oral history, ritual, pageantry, and handicraft traditions which are learned orally, by limitation or in performance, and are generally maintained without benefit of formal instruction or institutional direction. Physical features may include distinctive landscape and settlement patterns, architectural topologies, materials and methods of construction, and ornamental detail A site would be considered to possess ethnic significance if it is associated with a burial or cemetery; religious, social, or traditional activities of a discrete ethnic population; an important person or event as defined by a discrete ethnic population; or the belief system of a discrete ethnic population.

The significance determination of historical and unique archaeological resources-related impacts is based on the criteria in CEQA Guidelines Section 15064.5. Section 15064.5 clarifies the definition of a substantial adverse change in the significance of a historical resource as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." As the CEQA lead agency, the City determined that historical resources include buildings, structures, objects, archaeological sites, districts, or landscapes that are typically over 45 years old regardless of whether they have been altered or continue to be used.

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that future development and related construction activities could result in the alteration or destruction of prehistoric or historical archaeological resources, objects, or sites and could impact religious or sacred uses or disturb human remains, particularly considering the Midway-Pacific Highway Community planning area's proximity to the community of Old Town, resulting in a significant impact. Midway-Pacific Highway

CPU PEIR Mitigation Measure **HIST 5.3-2** was identified to reduce impacts by providing steps to determine the presence of archaeological resources or TCRs and identifying appropriate mitigation for any significant resources that may be impacted by a development activity; however, impacts were determined to be **Significant and Unavoidable** after implementation of feasible mitigation.

Project-Specific Impact Analysis

The Midway-Pacific Highway CPU PEIR identified two sensitivity ratings for the Midway-Pacific Highway Community planning area, as illustrated in Midway-Pacific Highway Community Plan PEIR Figure 5.3-1, Cultural Sensitivity Areas – Prehistoric and Historic Archaeological Resources. The Project site and proposed off-site improvements areas are in an area of low sensitivity rating because the site is developed. A low sensitivity rating indicates few or no previously recorded resources within the area. Resources at this level would not be expected to be complex, with little to no site structure or artifact diversity. The potential for identification of additional resources in these areas would be low. The site has previously been disturbed by past uses and is underlain by undocumented artificial fill, further reducing the possibility for intact archaeological resources. In addition, based on the CHRIS records search, no known prehistoric or historic archaeological resources or religious or sacred use sites have been identified on the Project site or in the off-site improvement areas. Therefore, there is little to no potential for archaeological resources to be unearthed during construction activities.

In addition, no known burial sites or cemeteries exist on or within the vicinity of the Project site, and it is not expected that human remains would be disturbed as a result of the Project. In the unlikely event of the discovery of human remains during Project grading, work shall halt in that area, and the procedures set forth in California Public Resources Code Section 5097.98 and California Health and Safety Code Section 7050.5 shall be undertaken. Therefore, the Project would not result in a substantial adverse change in the significance of a prehistoric or historic archaeological resource, a religious or sacred use site, or the disturbance of any human remains, including those interred outside formal cemeteries. Impacts would be **Less than Significant**.

5.3.4.3 Issue 3: Tribal Cultural Resources

Would the Project result in a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

1. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or*

2. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section*

5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that, while existing regulations, including the SDMC and 2018 Community Plan policies, would provide for the regulation and protection of TCRs and would avoid potential impacts, it is impossible to ensure the successful preservation of all TCRs. Therefore, potential impacts to TCRs were considered significant. Midway-Pacific Highway CPU PEIR Mitigation Measure **HIST 5.3-2** was identified to minimize impacts. However, even with the implementation of the applicable regulations, development policies, and Midway-Pacific Highway CPU PEIR Mitigation Measure **HIST 5.3-2**, the Midway-Pacific Highway CPU PEIR concluded that the feasibility and efficacy of mitigation measures cannot be determined, and impacts to TCRs were determined to be **Significant and Unavoidable**.

Project-Specific Impact Analysis

The Project involves the demolition of 14 structures and development of the site with residential, commercial, and entertainment uses. No historical resources are on site that have cultural value to a California Native American Tribe or contribute to a TCR. In addition, based on the underlying soils, history of the Project site, and disturbed nature of the Project site, there is a low likelihood to discover TCRs.

The NAHC was contacted for a Sacred Lands File search to determine if sacred lands are present on the Project site. The NAHC response was positive for sacred lands. All Tribes on the list provided by the NAHC were contacted by email and regular mail for any information they may have regarding sacred lands that may be present on the Project site.

To date, four Tribes (Barona Group of the Capitan Grande [Barona Band], Jamul Band, San Pasqual Band, and Viejas Band) responded to the Sacred Lands File search request. The Barona Band identified that the Project site is too disturbed and developed to yield any significant cultural resources or information and that they had no knowledge of the site. The Jamul Band and San Pasqual Band requested to consult on the Project. Registered Professional Archaeologist Donna Beddow responded to the Jamul Band on March 4, 2024, and the San Pasqual Band on March 7, 2024, requesting information related to Sacred Sites. No response has been received to date (Appendix E1).

The San Pasqual Band also identified that the Project site is not within the boundaries of their reservation but that it is within the boundaries of the territory the Tribe considers its aboriginal territory. They also requested copies of any cultural reports that have been or will be generated during the environmental review process so that they can contribute most effectively to the consultation process. The San Pasqual Band identified that they could provide cultural resources monitoring for the Project.

The Viejas Band identified that the Project site may contain many Sacred Sites to the Kumeyaay people and requested that Sacred Sites be avoided with adequate buffer zones. In addition, they requested that all National Environmental Policy Act, CEQA, Native American Graves Protection and Repatriation Act, and California Native American Graves Protection and Repatriation Act laws be followed. The Viejas Band also requested that they be contacted on any changes or inadvertent discoveries.

On February 15, 2024, the City sent notification letters to three Native American Tribes (Iipay Nation, Jamul Band, and San Pasqual Band) to request government-to-government consultation as required under AB 52. The Tribes had 30 days from the receipt of the letter to request consultation under AB 52; the period ended March 16, 2024. Consistent with the requirements of AB 52 and CEQA, since no response letters have been received from any of the three Native American Tribes, consultation is complete.

Based on the underlying soils, history of development on the Project site, and disturbed nature of the Project site, there is a low likelihood to discover TCRs during site disturbance and grading. Impacts would be **Less than Significant**.

5.3.5 Significance of Impacts

5.3.5.1 Issue 1: Historic Structures, Objects, or Sites

The Project proposes the demolition of the San Diego International Sports Arena. Demolition of this designated historical resource would cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5 (**Impact 5.3-1**). According to CEQA Guidelines Section 15064.5(2)(C), "the significance of a historic resource is materially impaired when a project demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA." The Project would result in a substantial adverse change to a historical resource pursuant to California Public Resources Code Section 21084.1 and would result in a **Potentially Significant Impact**.

5.3.5.2 Issue 2: Prehistoric and Historic Archaeological Resources, Sacred Sites, and Human Remains

Implementation of the Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. Impacts would be **Less than Significant**.

5.3.5.3 Issue 3: Tribal Cultural Resources

Implementation of the Project would not cause a substantial adverse change in the significance of a TCR. Impacts would be **Less than Significant**.

5.3.6 Mitigation

5.3.6.1 Issue 1: Historic Structures, Objects, or Sites

Midway-Pacific Highway CPU PEIR Section 5.3.6, identified Mitigation Measure **HIST 5.3-1** to be implemented for all future discretionary development projects with the potential to impact historical resources. The HRTR prepared for the San Diego International Sports Arena (Appendix E3) is consistent with Midway-Pacific Highway CPU PEIR Mitigation Measure **HIST 5.3-1**.

Project-specific Mitigation Measures **HIST 5.3-1** and **HIST 5.3-2** would be implemented to document the San Diego International Sports Arena as a representation of a time of growth throughout San Diego and the movement to expand the City's economic ventures into new industries after WWII to reduce impacts related to NRHP Criterion A, CRHR Criterion 1, and San Diego Register Criterion A. Mitigation Measure **HIST 5.3-3** would be implemented to document the San Diego International Sports Arena's association with a historically significant individual within the sports field (Robert Breitbard) to reduce impacts associated with NRHP Criterion B, CRHR Criterion 2, and San Diego Register Criteria B. Mitigation Measures **HIST 5.3-2 and HIST 5.3-4** would be implemented to document the San Diego International Sports Arena's distinctive characteristics of a type, period, region, or method of construction, or representing the work of a master or possessing high artistic values to reduce impacts associated with NRHP Criterion C, CRHR Criterion 3, and San Diego Register Criteria C. However, the proposed salvage plan, interpretive displays, and historic building documentation would not adequately address the demolition of a historical structure and would not reasonably mitigate the impacts to a less than significant level (**Impact 5.3-1**). Therefore, impacts would remain **Significant and Unavoidable**.

MM HIST 5.3-1: San Diego International Sports Arena Salvage Plan.

a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning Department's Heritage Preservation staff shall review and accept a salvage plan prepared by a qualified historic preservation professional. The salvage plan, to be implemented during the demolition of the San Diego International Sports Arena, shall catalog and identify elements proposed for removal from the existing San Diego International Sports Arena and shall include historic period architectural elements, as well as memorabilia, including photographs, posters, and plaques of past athletic and entertainment events, teams, and entertainers, for display in publicly accessible areas throughout the new entertainment center.
b. As a condition of closure of the demolition permit for the San Diego International Sports Arena, the Owner/Permittee shall document that the various displays presenting the salvaged items from the San Diego International Sports Arena have been installed at the entertainment center to the satisfaction of the City of San Diego Heritage Preservation staff.

MM HIST 5.3-2: The Green Interpretive Display.

a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning Department's Heritage Preservation staff shall review and accept plans for an interpretive display to be installed in The Green area (Lot I, as shown on the approved Tentative Map) of the site near the old footprint of the San Diego International Sports Arena to be prepared by a qualified team, including a historian and a graphic designer.
b. Prior to the issuance of the last certificate of occupancy for any building associated with Lots 10, 11, 12, 13, and 14 or Lot I as shown on the approved Tentative Map, whichever occurs latest, the Owner/Permittee shall document that the interpretive display has been installed in The Green area, satisfactory to the City of San Diego City Planning Department's Heritage Preservation staff. The display shall do the following:

    1. Explain the history of the site from the Pre-European era through present day, including demolition of the San Diego International Sports Arena.
    2. Describe the San Diego International Sports Arena building's New Formalist architecture and the role of the San Diego International Sports Arena in the Midway neighborhood development.
    3. Discuss the Frontier Housing Project as the first modern development on the site and the current Project returning the site to affordable housing with a new entertainment center.

MM HIS 5.3-3: Robert Breitbard Interpretive Display.

a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning Department's Heritage Preservation staff shall review and accept plans for an interpretive display that shall be designed by a qualified team, including a historian and a graphic designer, that focuses on the life of Robert Breitbard as it relates to his work in the sports field.
b. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the Owner/Permittee shall document that the interpretative display has been installed in a location accessible to the public at the new entertainment center. The display shall include photographs of Breitbard, the San Diego International Sports Arena, the San Diego Gulls, and the San Diego Rockets and a text description of Breitbard's sports career.

MM HIST 5.3-4: Historic American Buildings Survey Level 2 Documentation.

a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning Department's Heritage Preservation staff shall review and accept the Historic American Buildings Survey documentation package for the San Diego International Sports Arena. The Historic American Buildings Survey documentation shall achieve Level 2 standards in accordance with the Historic American Buildings Survey Guidelines for Preparing Written Historical Descriptive Data. The Historic American Buildings Survey documentation package shall be prepared by a qualified team, including an architectural historian with prior experience preparing Historic American Buildings Survey photographs. The Historic American Buildings Survey documentation package shall include the following:

    1. Measured drawings shall be produced according to Historic American Buildings Survey guidelines depicting existing conditions or other relevant features of historic buildings, sites, structures, objects, or landscapes.
    2. Photographic documentation shall follow the Photographic Specification–Historic American Buildings Survey, including 15–20 archival quality, large-format photographs of the exterior and interior of the building and its architectural elements. Construction techniques and architectural details shall be documented, noting the measurements, hardware, and other features that tie architectural elements to a specific date. The historic photographs and original architectural plans shall be included as figures in the historical report, following current Historic American Buildings Survey guidelines.
    3. A written historical narrative and report shall be completed according to the Historic American Buildings Survey Historical Report Guidelines.

b. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the Owner/Permittee shall provide verification, satisfactory to the City of San Diego City Planning Department's Historic Preservation staff, that two copies of the Historic American Buildings Survey documentation package were produced and submitted as follows:

    1. One copy submitted to the National Parks Service/Library of Congress; and
    2. The second copy provided to an archive or history collection accessible to the general public, such as the San Diego History Center.

Note that implementation of Midway-Pacific Highway CPU PEIR Mitigation Measure **HIST 5.3-2** would not be required for the Project because impacts to prehistoric and historic archaeological resources, Sacred Sites, human remains, and TCRs would not occur.

5.3.6.2 Issue 2: Prehistoric and Historic Archaeological Resources, Sacred Sites, and Human Remains

No significant impacts were identified; therefore, no mitigation is required.

5.3.6.3 Issue 3: Tribal Cultural Resources

No significant impacts were identified; therefore, no mitigation is required.

5.3.7 Significance of Impacts after Mitigation

5.3.7.1 Issue 1: Historic Structures, Objects, or Sites

Demolition of the San Diego International Sports Arena would result in a substantial adverse change in a historical resource. The proposed salvage plan, interpretive displays, and historic building documentation (Mitigation Measures **HIST 5.3-1, HIST 5.3-2, HIST 5.3-3, and HIST 5.3-4**) would not adequately address the demolition of a historic structure and would not reasonably mitigate the impacts to a less than significant level (**Impact 5.3-1**). Therefore, impacts would remain **Significant and Unavoidable**.

5.3.7.2 Issue 2: Prehistoric and Historic Archaeological Resources, Sacred Sites, and Human Remains

Less than Significant.

5.3.7.3 Issue 3: Tribal Cultural Resources

Less than Significant.

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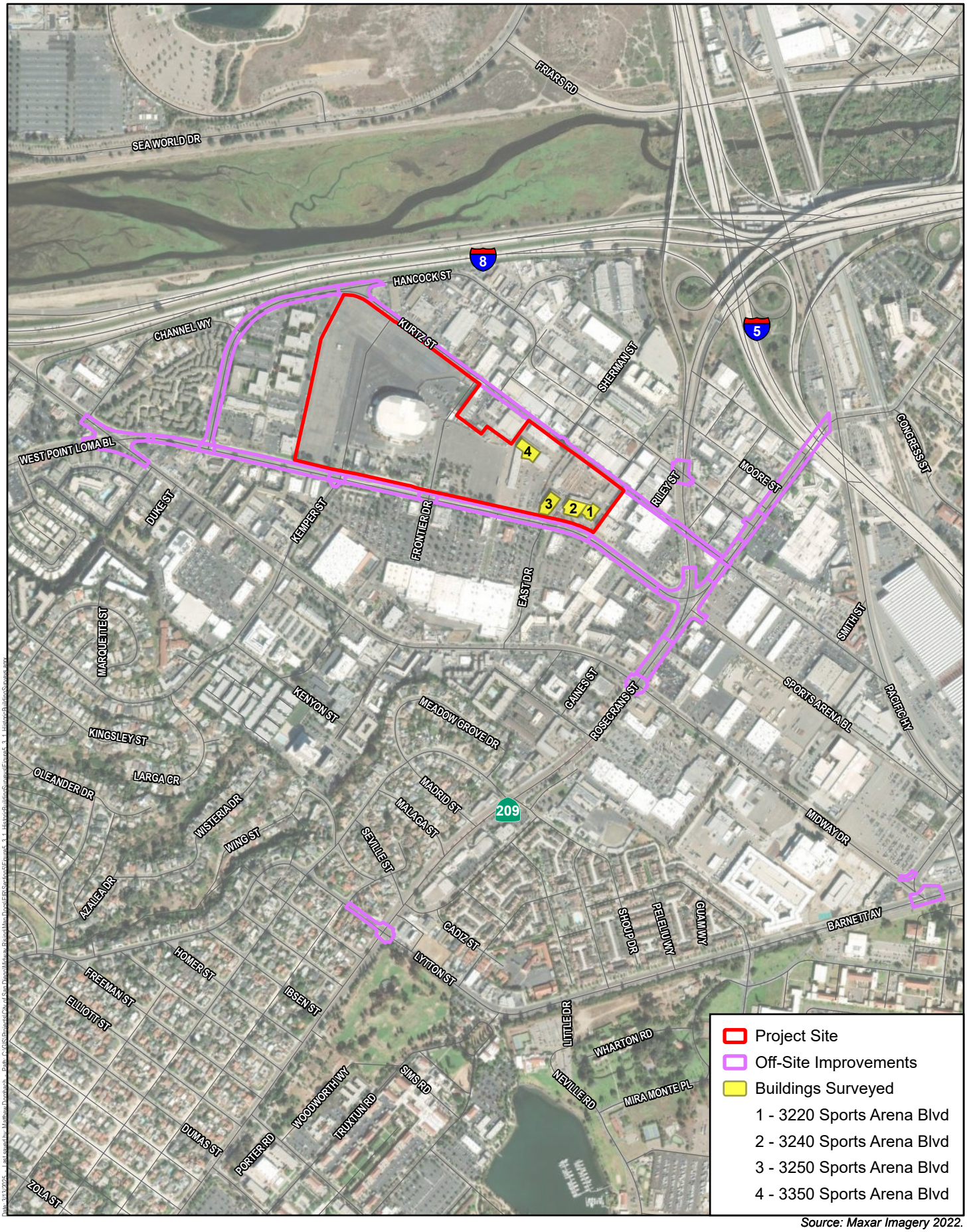

Source: Maxar Imagery 2022.

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Figure 5.3-1

Locations of Buildings Surveyed for Historical Eligibility

Midway Rising

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5.4 Geologic Conditions

This section of this Subsequent Environmental Impact Report (SEIR) describes the existing geological conditions on the Midway Rising Project (Project) site and evaluates the potential for implementation of the Project to impact geological conditions.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- Geotechnical Desktop Study Report for the Midway Rising Sports Arena prepared by Group Delta (2023), included as Appendix F1 of this SEIR
- Preliminary Geotechnical Investigation Report for the Midway Rising Sports Arena Complex (Geotechnical Investigation) prepared by Group Delta (2024), included as Appendix F2 of this SEIR
- Addendum No. 1 to the Preliminary Geotechnical Investigation Report prepared by Group Delta (2024), included as Appendix F3 of this SEIR
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018)

5.4.1 Existing Conditions

5.4.1.1 Soils

The Project site, including the off-site improvements areas, is underlain by geologically young, loose, and soft soils associated with the changing coastline and the growth of the San Diego River delta (Figure 5.4-1, Geologic Map). These soils occur as fill from land reclamation and as alluvial/estuarine sediments deposited from the ancient San Diego River delta. Old paralic deposits comprising sandstone and conglomerate underlie these soils. Subsurface explorations conducted on the site and in nearby areas encountered undocumented fill over paralic estuarine deposits. Some of these explorations encountered old paralic deposits under these soils. The geological conditions of the Project site are described below.

Undocumented Artificial Fill

Undocumented artificial fill material underlies the entire site. The soils were interpreted to range from 7 to 13 feet in thickness. The undocumented artificial fill consists of clayey sand, silty sand and poorly graded sand. Gravel and cobbles and construction debris were frequently observed in the upper portions of the undocumented artificial fill.

Paralic Estuarine Deposits

Paralic estuarine deposits were observed under the undocumented artificial fill to depths ranging from 100 to 105 feet. These deposits were subdivided into two units, upper and lower paralic estuarine deposits.

Upper paralic estuarine deposits were interpreted to range in thickness ranging from about 40 to 55 feet. These deposits were observed to mostly consist of silty sand, sand, and non-plastic sandy silts, to be dark gray to grayish black, and to have mica and seashells.

Lower paralic estuarine deposits were interpreted to range from 40 to 55 feet in thickness under the upper paralic deposits and were observed to consist mostly of silty sand, sand, and sandy silt. These deposits were typically observed to be medium to dark gray and to have some mica.

Old Paralic Deposits

Old paralic deposits were observed under the paralic estuarine deposits to the maximum depth of exploration of −120 feet. The old paralic deposits were observed to consist of poorly graded sand with gravel and poorly graded gravel with sand.

5.4.1.2 Faulting and Seismicity

The San Diego County (County) and Southern California region are seismically active. An active fault is defined by the California Geological Survey as a fault showing evidence for activity within the last 11,700 years. No active or potentially active faults project toward the site. The City of San Diego's (City's) Seismic Safety Study (City of San Diego 2018) maps the trace of the Point Loma Fault approximately 1,800 feet southwest of the southwestern corner of the site. This map also indicates the trace of a short unnamed fault approximately 1,100 feet southwest of the southwestern corner of the site. The City's Seismic Safety Study map indicates these faults are "Potentially Active, Inactive, Presumed Inactive or Activity Unknown." In addition, the Rose Canyon Fault is approximately 4,000 feet east of the Project site. Portions of the Rose Canyon Fault are within the Alquist-Priolo Earthquake Fault Zone but do not include the Project site.

Ground surface rupture occurs when movement along a fault is sufficient to cause a gap or rupture where the upper edge of the fault zone intersects the ground surface. The potential for ground rupture is considered very low due to the absence of active faults on the Project site.

5.4.1.3 Geologic Hazards

Liquefaction

Liquefaction is a phenomenon where the strength and stiffness of a soil is reduced by earthquake or other rapid loading. The relatively rapid loss of the soil's shear strength during strong earthquake shaking results in temporary, fluid-like behavior of the soil. Soil liquefaction causes ground failure that can damage roads, pipelines, underground cables, and buildings with shallow foundations.

The City's San Diego Seismic Safety Study include maps of the City that identify risk zones. The most current San Diego Seismic Safety Study Geologic Hazard and Fault Maps were updated in 2008 and consist of 49 grid map sheets that cover the City. The grids are defined by the California State Plan

coordinates. The Project site is mapped as Geologic Category 31, High Potential, under Liquefaction (Figure 5.4-2, Geologic Hazards). This category defines areas that have shallow groundwater, major drainages, and hydraulic fills, all of which have a high potential for liquefaction during ground-shaking events such as earthquakes.

The secondary effects of liquefaction are sand boils, settlement, lateral spreading, and overall instability and/or permanent horizontal deformations within sloping ground. Of these, settlement should be the most likely to occur given the site surface and subsurface conditions.

Expansive Soils

Expansive soils are clays that are prone to shrinking or swelling with decreases or increases in moisture content. Near surface soil samples exhibited a “very low” to “low” potential for expansion. Construction may encounter expansive soils in fill.

5.4.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address geologic conditions.

5.4.2.1 Federal

No federal regulations related to geologic conditions are applicable to the Project.

5.4.2.2 State

California Seismic Hazards Mapping Act

The California Seismic Hazards Mapping Act (California Public Resource Code, Division 2, Chapter 7.8, Section 2690 et seq.) provides a statewide seismic hazard mapping and technical advisory program to assist local governments in protecting public health and safety relative to seismic hazards. The act provides direction and funding for the State Geologist to compile seismic hazard maps (to designate zones of potential liquefaction and seismically induced landslide potential) and to make those maps available to local governments. The act, along with related standards in the Seismic Hazards Mapping Regulations (California Code of Regulations, Title 14, Division 2, Chapter 8, Article 10, Section 3270 et seq.), also directs local governments to require the completion and review of appropriate geotechnical studies prior to approving development projects. These requirements are implemented on a local level through means such as General Plans.

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo) (California Public Resources Code Section 2621 et seq.) is intended to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The law requires the State Geologist to establish regulatory zones,

known as Earthquake Fault Zones (previously called Special Studies Zones and Fault-Rupture Hazard Zones), around the surface traces of active faults, and to distribute maps of these zones to all affected cities, countries, and state agencies. Alquist-Priolo also requires completion of a geologic investigation prior to project approval to demonstrate that applicable structures will not be constructed across active faults and/or that appropriate setbacks from faults are included in the project design.

California Building Code

The California Building Code (CBC) (California Code of Regulations, Title 24, Part 2) encompasses a number of requirements related to geologic issues. Specifically, these include general provisions; structural design, including soil and seismic loading; structural tests and special inspections, including seismic resistance; soils and foundations; concrete; masonry; wood, including consideration of seismic design categories; construction safeguards; and grading, including excavation, fill, drainage, and erosion control criteria. The CBC includes standards from other applicable sources, including the International Building Code and ASTM International, with appropriate amendments and modifications to reflect site-specific conditions and requirements in California. California Health and Safety Code Section 18902 gives California Code of Regulations, Title 24, the name CBC. The CBC in California Code of Regulations, Title 24, is published by the California Building Standards Commission and applies to all building occupancies (California Health and Safety Code Sections 18908 and 18938) throughout the state. Cities and counties are required by state law to enforce California Code of Regulations, Title 24 (California Health and Safety Code Sections 17958, 17960, 18938[b], and 18948). Cities and counties may adopt ordinances making more restrictive requirements than provided by California Code of Regulations, Title 24, because of local climatic, geological, or topographic conditions. Such adoptions and a finding of need statement must be filed with the California Building Standards Commission (California Health and Safety Code Sections 17958.7 and 18941.5). The 2022 CBC became effective on January 1, 2023, and is the basis for the geotechnical analysis performed for the Project.

State Water Resources Control Board Construction General Permit

Construction activities that disturb more than 1 acre of land must comply with the State Water Resources Control Board Construction General Permit. To be in compliance, the project applicant for a construction permit must file a complete and accurate Notice of Intent with the State Water Resources Control Board. Compliance requires conformance with all applicable best management practices (BMPs) and development and implementation of a Stormwater Pollution Prevention Plan. A Stormwater Pollution Prevention Plan's purpose is to develop a strategy for construction projects to comply with stormwater regulations to minimize sedimentation, erosion, and point source and non-point source pollutants entering waterways. BMPs are designed to aid and guide on-site personnel to secure a site's stormwater discharges during rain events through prevention, action, and restabilization methods and techniques.

5.4.2.3 Local

2018 City of San Diego Seismic Safety Study

As previously discussed, the San Diego Seismic Safety Study includes a series of maps identifying potential geologic hazards throughout the City (City of San Diego 2018). These maps provide a guide to determine relative risks and identify areas prone to hazards, including active fault zones, liquefaction, and landslides/slope stability, that require appropriate levels of geotechnical investigation prior to discretionary approvals. Specific requirements related to the nature and level of required geotechnical investigations are outlined in San Diego Municipal Code (SDMC), Article 5, Division 18, Section 145.1803, and Information Bulletin 515.

2008 City of San Diego General Plan

The Public Facilities, Services, and Safety Element of the 2008 City of San Diego General Plan, as amended (2008 General Plan), identifies a number of applicable policies related to seismic, geologic, and structural considerations. Specifically, Policies PFQ.1 and PF-Q.2 include measures regarding conformance with state laws related to seismic and geologic hazards, conducting/reviewing geotechnical investigations, and maintaining structural integrity with respect to geologic hazards (City of San Diego 2008).

2021 City of San Diego Stormwater Standards Manual

The City updated its Stormwater Standards Manual in May 2021 to comply with the 2015 Municipal Separate Storm Sewer System Permit amendments (City of San Diego 2021). The Stormwater Standards Manual provide direction for associated regulatory compliance, including identification of construction and post-construction stormwater requirements for Standard Projects and Priority Development Projects. Specifically, the standards identify regulatory requirements and provide detailed performance standards and monitoring/maintenance efforts for (1) construction BMPs, (2) overall stormwater management design, (3) site design (low-impact development [LID]) and source control BMPs applicable to all projects, (4) pollutant (or treatment) control and hydromodification management BMPs applicable to Priority Development Projects, (5) operation and maintenance requirements for applicable BMPs, and (6) specific direction and guidance to provide conformance with City and related National Pollutant Discharge Elimination System (NPDES) Stormwater Standards.

The updated Stormwater Standards Manual pollutant control BMPs require Priority Development Projects to implement LID BMPs that are designed to retain (i.e., intercept, store, infiltrate, evaporate, and evapotranspire). If retention BMPs are determined infeasible, then biofiltration BMPs may be allowed. Furthermore, if biofiltration BMPs are determined infeasible, then the Priority Development Projects may be allowed to use flow-through treatment control BMPs, provided that an off-site alternative compliance project is available.

LID BMPs are important for site planning because these features require on-site areas to retain stormwater for infiltration, reuse, or evaporation. Although the footprint of the LID BMPs can often be fit into planned landscaping features, this requires early planning to ensure that the features are in places where they can intercept the drainage and safely store the water without adverse effects to adjacent slopes, structures, roadways, or other features.

City of San Diego Grading Ordinance

The City's Grading Ordinance (SDMC Section 142.0101 et seq.) incorporates a number of requirements related to hydrology and water quality, including BMPs necessary to control stormwater pollution from sources such as erosion/sedimentation and construction materials during project construction and operation. Specifically, these include elements related to slope design, erosion/sediment control, revegetation requirements, and material handling/control.

5.4.3 Significance Determination Thresholds

The thresholds used to evaluate potential geologic conditions impacts are generally based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU PEIR. A significant impact on geologic conditions could occur if implementation of the Project would:

- **Issue 1:** Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault:
  - Strong seismic ground shaking;
  - Seismic-related ground failure, including liquefaction; or
  - Landslides.
- **Issue 2:** Result in substantial soil erosion or the loss of topsoil;
- **Issue 3:** Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; or
- **Issue 4:** Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

5.4.4 Impact Analysis

5.4.4.1 Issue 1: Seismic Hazards

Would the Project 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?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that future development could 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, or seismic-related ground failure, including liquefaction. However, future development would expose people or structures to potential adverse effects related to seismic-related ground failure, such as landslides. The Midway-Pacific Highway CPU PEIR identified the Project site as having the potential for substantial adverse impacts involving strong seismic ground shaking and seismic-related ground failure, including liquefaction. Compliance with the SDMC and the CBC would reduce impacts to a **Less than Significant** level.

Project-Specific Impact Analysis

The Project site is not underlain by an active or potentially active fault. However, the Project site is in Southern California, which is a seismically active region of California. As such, the Project site could be subject to moderate to strong ground shaking. As with all habitable structures in the City, the major seismic concerns for the Project are related to strong seismic ground shaking and associated side effects due to a large earthquake event. The Project would be required to comply with the requirements of Alquist-Priolo and the CBC. The CBC requirements address structural seismic safety and include design criteria for seismic loading and geologic hazards and provisions for buildings to structurally survive an earthquake without collapsing.

Liquefaction is the sudden loss of soil shear strength within saturated, loose to medium dense sands and non-plastic silts. Liquefaction is caused by the buildup of soil pore water pressure from strong ground motion during an earthquake. Seismically induced settlement can occur in response to liquefaction of saturated, loose, granular soils and the reorientation of soil particles during strong shaking of loose, unsaturated sands. The soils on site are susceptible to liquefaction, and the potential for liquefaction is high.

Consistent with the recommendations in the Midway-Pacific Highway CPU PEIR, a site-specific Geotechnical Investigation was prepared for the Project and states that construction would need to adapt to the geological conditions of the site (Appendix F2). The Project would be required to implement recommendations from the Geotechnical Investigation, which include general provisions related to the site and site-specific recommendations related to ground improvement and piled foundations, individually or combined. Adherence to the site-specific recommendations would minimize potential safety risks caused by seismic-related ground failure including liquefaction.

Evidence of ancient landslides or slope instabilities on the Project site was not observed during the investigation. Additionally, the site is relatively flat and does not support steep slopes that may be subject to landslides or mudslides. Thus, no impact to seismic-related ground failure related to landslides and mudslides would occur.

As a condition of approval, the Project would be required to comply with seismic requirements of the CBC and the site-specific recommendations in the Geological Investigation (Appendix F2) to ensure that potential impacts to people or structures would be reduced to an acceptable level of risk. Therefore, the 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. Impacts would be **Less than Significant**.

5.4.4.2 Issue 2: Erosion or Loss of Topsoil

Would the Project result in a substantial increase in wind or water erosion of soils, either on or off the site?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that construction and grading activities could temporarily expose topsoil to potential runoff and increased soil erosion from water and wind. Conformance to SDMC Section 142.0146 and the NPDES Construction General Permit would ensure that grading and construction operations for future projects result in **Less than Significant** impacts.

Project-Specific Impact Analysis

Erosion, including loss of topsoil, could occur as a result of, or be accelerated by, site preparation activities associated with construction. Excavation, demolition, or grading may result in erosion where hardscape previously existed because bare soils would be temporarily exposed and could be eroded by wind or water. Vegetation removal in landscaped areas (pervious surface is less than 1 percent of the site), as well as removal of the buffer provided by vegetation from wind, water, and surface disturbance, could reduce soil cohesion, which could render exposed soils more susceptible to erosive forces.

Total earthwork for the Project would be approximately 517,000 cubic yards of cut and 555,000 cubic yards of fill from mass grading, foundation spoils, hazardous soils, and utility trench spoils. Import and export would be reduced by stockpiling suitable material for on-site reuse. Earth-disturbing activities associated with construction would be temporary, and erosion effects would depend largely on the areas disturbed, quantity of disturbance, and length of time soils are subject to conditions affected by erosive processes. Temporary erosion and sedimentation impacts during construction would be addressed through conformance with applicable elements of the City's Stormwater Standards Manual (City of San Diego 2021) and the NPDES requirements. Specifically, this would include conformance to SDMC Section 142.0101 et seq. and the NPDES Construction General Permit. Pursuant to the discussion of construction-related water quality concerns in Section 5.7, Hydrology/Water Quality, of this SEIR, conformance would include implementing an approved Stormwater Pollution Prevention Plan and related plans and BMPs, including appropriate measures to address erosion and sedimentation. BMPs may include solid waste management, spill prevention and control, concrete waste management, water conservation practices, paving and grinding operations, and the

designation of material storage and stockpile areas. Runoff controls would likely include the use of silt fences, fiber rolls, gravel bag berms, sandbag barriers, storm drain inlet protection, stabilized construction entrances, frequent street sweeping, and/or protection of disturbed areas.

Once construction is complete, the Project site would be fully developed with little potential for wind or water erosion. After development, drainage through the Project site would be adequately controlled. On-site runoff would be collected and conveyed through a series of new underground private storm drains collecting rooftop and surface drainage. Storm drains have been designed to handle stormwater runoff through the Project site (Appendices I1 and I2). Further, the Project's proposed landscaping plan includes a mix of trees, shrubs, and ground cover, which would further minimize soil erosion and topsoil loss after completion of the Project's construction phase.

With adherence to existing regulations and requirements, a **Less than Significant** impact would occur related to wind or water erosion during Project construction and operation.

5.4.4.3 Issue 3: Geologic Instability

Would the Project be located on a geologic unit or soil that is unstable or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the potential for liquefaction and lateral spread is considered high in areas of human-placed artificial fill and underlying young alluvium. Specifically, the Midway-Pacific Highway CPU PEIR identified the Project site as having high potential for liquefaction. However, implementation of site-specific geotechnical recommendations required by the CBC and SDMC would ensure that impacts would be **Less than Significant**.

Project-Specific Impact Analysis

A site-specific Geotechnical Investigation (Appendix F2) was prepared for the Project site. Evidence of ancient landslides or slope instabilities were not observed at the Project site during the Geotechnical Investigation. Additionally, the site is relatively flat and does not support steep slopes that may be subject to landslides. Therefore, the Project is not located on a geologic unit that could potentially result in on- or off-site landslides.

Lateral spreading is the relatively rapid, fluid-like movement that can cause large horizontal deformations within the gently sloping ground near the shoreline with an unprotected face. The Project is on a geological unit known for lateral spreading. However, the potential for lateral spreading is low because an unprotected face does not exist along the San Diego River north of the Project site since a flood control levee maintained by the City is there. The sides of the levee channel are armored with riprap and, therefore, reduce the risk of lateral spreading on the Project site.

According to the San Diego Seismic Safety Study Geologic Hazard and Fault Maps (City of San Diego 2008), the Project site is mapped as Geologic Category 31, High Potential, under Liquefaction (Figure 5.4-2). Liquefaction is the sudden loss of soil shear strength within saturated, loose to medium dense, sands, and non-plastic silts and is caused by the buildup of soil pore water pressure from strong ground motion during an earthquake.

Liquefiable soils, including artificial fill and paralic estuarine deposits that occur below groundwater to a depth of about 60 feet below existing grades, are found on the Project site, and therefore, the potential for liquefaction on the site is high. The secondary effects of liquefaction are sand boils, settlement, lateral spreading, and overall instability and/or permanent horizontal deformations within sloping ground. Liquefaction-induced settlement would most likely occur on the Project site and could cause adverse vertical deformation of the ground surface and soils supporting shallow foundations, and down drag loads on piles. Consistent with the recommendations in the Midway-Pacific Highway CPU PEIR, a site-specific Geotechnical Investigation included in Appendix F2 of this SEIR was prepared for the Project and provides recommendations for ground improvement, earthwork, and structural design, including foundations, civil design, and construction, to reduce the potential for liquefaction. As a condition of approval, compliance with applicable regulatory requirements and the site-specific Geotechnical Investigation recommendations would reduce impacts related to geology instability to a **Less than Significant** level.

5.4.4.4 Issue 4: Expansive Soils

Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that artificial fill and paralic deposits (af, Qop6) are susceptible to consolidation and may be more likely to have expansive clays due to their fine-grained nature. However, implementation of recommendations in site-specific Geological Investigations for future projects would ensure that potential risks to life or property associated with expansive soils would be minimized. Impacts would be **Less than Significant**.

Project-Specific Impact Analysis

Expansive soils contain significant amounts of clay particles that swell considerably when wet and shrink when dried. According to findings in the Geotechnical Investigation (Appendix F2), the majority of the on-site material would have “very low” to “low” expansion potential. However, expansive soils may be encountered in the on-site undocumented artificial fill during Project site disturbance and grading due to the uncontrolled method of fill placement. As a condition of approval, the Project would be required to comply with requirements of the CBC and implement the recommendations in the Geotechnical Investigation (Appendix F2) to ensure that impacts to people

or structures would be reduced to an acceptable level of risk. Therefore, development of the Project site is not anticipated to result in substantial direct or indirect risks to life or property as the result of expansive soils. Impacts would be **Less than Significant**.

5.4.5 Significance of Impacts

5.4.5.1 Issue 1: Seismic Hazards

As a condition of approval, conformance with the site-specific Geotechnical Investigation (Appendix F2) recommendations and appropriate CBC seismic design measures would reduce potential impacts from seismic hazards to a less than significant level. Impacts would be **Less than Significant**.

5.4.5.2 Issue 2: Erosion or Loss of Topsoil

Potential impacts related to wind or water erosion from construction and operation of the Project would be reduced to a less than significant level through mandatory conformance with applicable regulatory requirements, including the City's Stormwater Standards Manual and NPDES requirements. Therefore, impacts would be **Less than Significant**.

5.4.5.3 Issue 3: Geologic Instability

Potential impacts related to the Project's location on a site that contains geologic units or soils that are, or may become, unstable would be reduced to a less than significant level through compliance with applicable regulations and requirements, including those outlined in the site-specific Geotechnical Investigation (Appendix F2), as a condition of approval. Therefore, impacts would be **Less than Significant**.

5.4.5.4 Issue 4: Expansive Soils

Development of the Project is not anticipated to result in substantial direct or indirect risks to life or property from being located on expansive soils. As a condition of approval, the Project would be required to comply with the requirements of the CBC and the site-specific Geotechnical Investigation (Appendix F2) recommendations. Therefore, impacts would be **Less than Significant**.

5.4.6 Mitigation

No significant impacts were identified; therefore, no mitigation is required.

5.4.7 Significance of Impacts after Mitigation

5.4.7.1 Issue 1: Seismic Hazards

Less than Significant.

5.4.7.2 Issue 2: Erosion or Loss of Topsoil

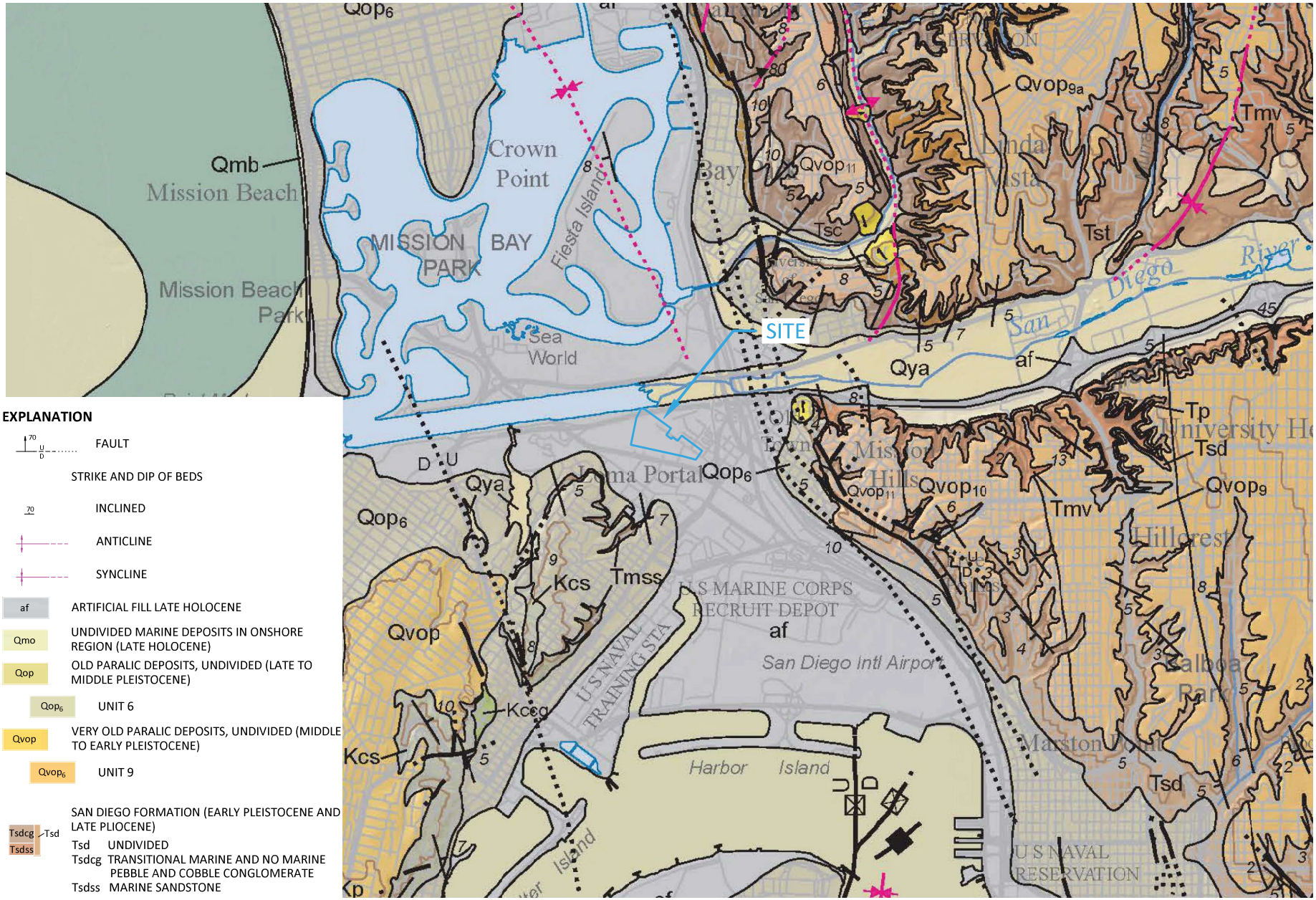
Less than Significant.

5.4.7.3 Issue 3: Geologic Instability

Less than Significant.

5.4.7.4 Issue 4: Expansive Soils

Less than Significant.



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Source: Geologic Map of San Diego 30' x 60' Quadrangle by Michael P. Kennedy & Siangs S. Tan 2008; Group Delta 2024.

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Figure 5.4-1

Geologic Map

Midway Rising

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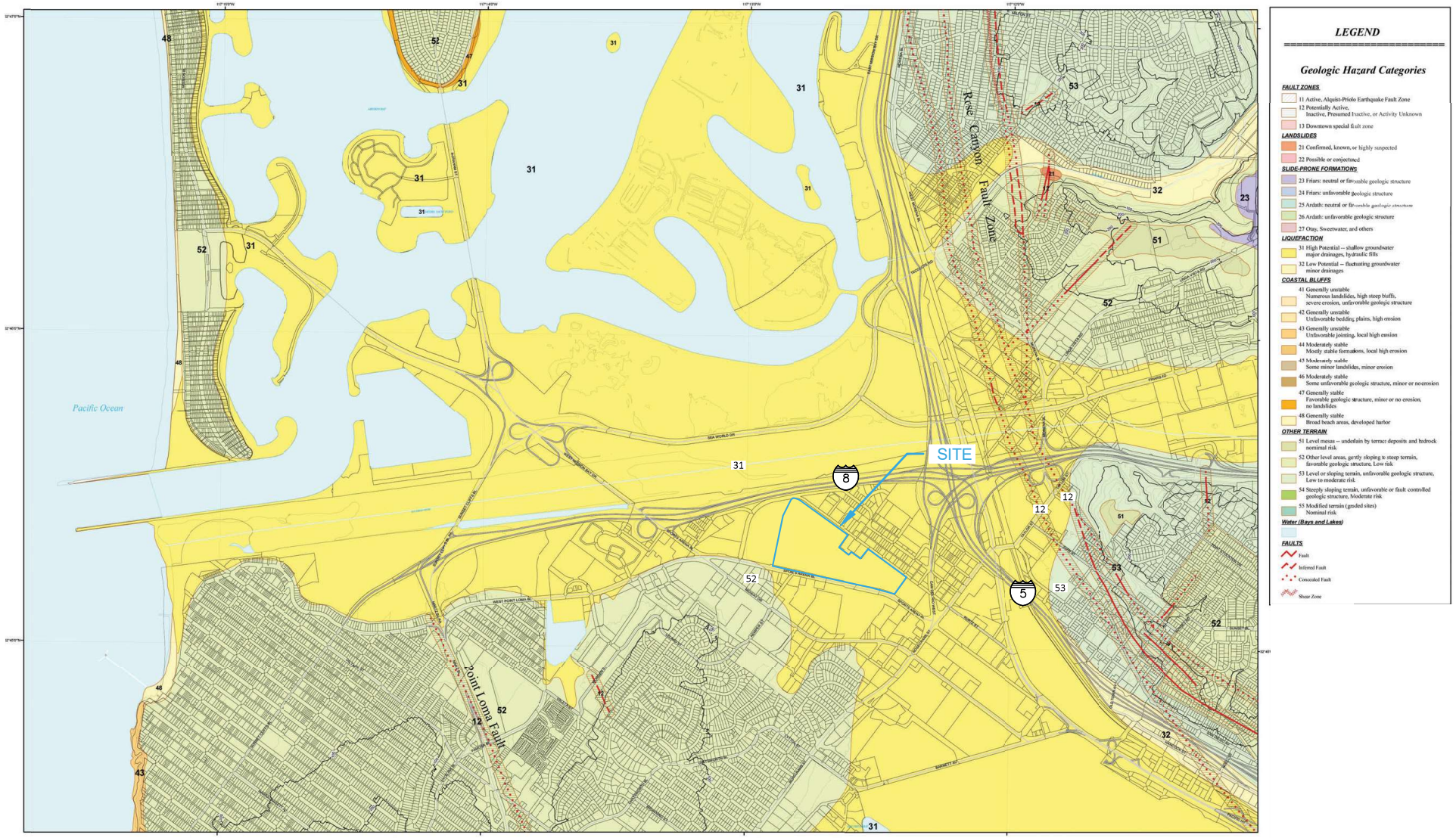

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Source: City of San Diego Seismic Activity Study 2003; Group Delta 2024.

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Figure 5.4-2

Geologic Hazards

Midway Rising

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5.5 Noise

This Subsequent Environmental Impact Report (SEIR) section describes the existing noise conditions on the Midway Rising Project (Project) site and evaluates the potential for the implementation of the Project on impact noise.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- Noise Technical Report prepared by Harris & Associates (~~2024~~updated 2025), included as Appendix G1 of this SEIR
- Noise Supplemental Memorandum, Privately Owned Parcels and Effects on the Noise Analysis prepared by Harris & Associates (2024), included as Appendix G2 of this SEIR
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018a)

As described in greater detail in Chapter 4.0, History of Project Changes, the Project footprint was decreased from 52.1 to 49.23 acres to remove the privately owned parcels (sometimes referred to as the outparcels) from the Midway Rising Specific Plan (Specific Plan). As a result, the total number of residential units was decreased from 4,627 to 4,254, and the total ~~retail~~ commercial square footage was decreased from 140,000 to 130,000 square feet. Noise modeling results presented below are based on buildout of the Project footprint, including development of the privately owned parcels, which represents a conservative analysis because it evaluates a larger Project than what is currently proposed. Refer to Appendices G1 and G2 for a detailed description of how the noise analysis below presents a conservative analysis of Project impacts.

5.5.1 Existing Conditions

5.5.1.1 Noise Basics

Quantification of Noise

The California Department of Transportation (Caltrans) defines noise as sound that is loud, unpleasant, unexpected, or undesired. Further, for this noise analysis, noise only exists if a source, path, and receiver are present. Sound pressure waves must be produced by a source and transmitted through a medium, such as air. The sound must be perceived by, registered by, or affect a receptor, such as an ear or noise monitoring device (Caltrans 2013).

Sound pressure levels are quantified using a logarithmic ratio of actual sound pressures to a reference pressure squared, called “bels.” A bel is typically divided into tenths, or decibels (dB). Sound pressure alone is not a reliable indicator of loudness because frequency (or pitch) also affects how receptors respond to the sound. To account for the pitch of sounds and the corresponding

sensitivity of human hearing to those sounds, the raw sound pressure level is adjusted with a frequency-dependent A-weighting scale that is stated in units of decibels (dBA) (Caltrans 2013). Typical A-weighted noise levels are listed in Table 5.5-1, Typical A-Weighted Noise Levels.

Table 5.5-1. Typical A-Weighted Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	— 110 —	Rock band
Jet flyover at 1,000 feet		
	— 100 —	
Gas lawn mower at 3 feet		
	— 90 —	
Diesel truck at 50 feet at 50 miles per hour		Food blender at 3 feet
	— 80 —	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawn mower, 100 feet	**— 70 —**	Vacuum cleaner at 10 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	**— 60 —**	
		Large business office
Quiet urban daytime	**— 50 —**	Dishwasher in next room
Quiet urban nighttime	**— 40 —**	Theater or large conference room (background)
Quiet suburban nighttime		
	— 30 —	Library
Quiet rural nighttime		Bedroom at night
	— 20 —	
		Broadcast/recording studio
	— 10 —	
Lowest threshold of human hearing	**— 0 —**	Lowest threshold of human hearing

Source: Caltrans 2013.

Notes: dBA = A-weighted decibel

A receptor's response to a given noise may vary depending on the sound level, duration of exposure, character of the noise sources, time of day during which the noise is experienced, and activity affected by the noise. Activities most affected by noise include rest, relaxation, recreation, study, and

communications. In consideration of these factors, different measures of noise exposure have been developed to quantify the extent of the effects from a variety of noise levels. For example, some measures consider the 24-hour noise environment of a location by using a weighted average that penalizes noise levels during normal relaxation and sleeping hours. Other measures consider an average noise level over a period of time that includes ambient noise and a steady-state noise source for a given period of time within the averaging period (Caltrans 2013). The indices for measuring community noise levels used in this analysis are defined below:

Lmax, maximum noise level, is the highest instantaneous noise level during a specified time period.

Lmin, minimum noise level, is the lowest instantaneous noise level during a specified time period.

Leq, equivalent energy level, provides an average acoustical or sound energy content of noise measured during a prescribed period such as 1 minute, 15 minutes, 1 hour, or 8 hours. The sound level may not be constant over the measured time period, but the average dB sound level, given as dBA Leq, contains an equal amount of energy as the fluctuating sound level.

Ldn, day-night noise level, is a 24-hour weighted average with a 10 dBA penalty applied to the nighttime hours of 10:00 p.m. to 7:00 a.m. This penalty attempts to account for the fact that nighttime noise levels are potentially more disturbing than equal daytime noise levels.

CNEL, community noise equivalent level, is a 24-hour average that applies weights to noise levels during evening and nighttime hours to compensate for the increased disturbance response of people at those times (when relaxation and sleep typically occur). A +5 dBA weighting is applied to sound occurring between 7:00 p.m. and 10:00 p.m., and a +10 dBA weighting is applied to sound occurring between 10:00 p.m. and 7:00 a.m. Ldn and CNEL are typically within 1 dBA of each other and, for most intents and purposes, are interchangeable.

The dB level of a sound decreases (or attenuates) as the distance from the source of that sound increases. For a single point source such as a piece of mechanical equipment, the sound level normally decreases by approximately 6 dBA for each doubling of distance from the source. Sound that originates from a linear, or “line,” source, such as vehicular traffic, attenuates by approximately 3 dBA per doubling of distance. Other contributing factors that affect sound reception include ground absorption, topography that provides a natural barrier, meteorological conditions, or the presence of human-made obstacles such as buildings and sound barriers (Caltrans 2013).

5.5.1.2 Noise Effects

Noise has a significant effect on the quality of life. An individual’s reaction to a particular noise depends on many factors such as the source of the noise, its loudness relative to the background noise level, and the time of day. The reaction to noise can also be highly subjective; the perceived effect of a particular noise can vary widely among individuals in a community. Because of the nature

of the human ear, a sound must be approximately 10 dBA greater than the reference sound to be judged as twice as loud. In general, a 5 dBA change in community noise levels is clearly noticeable, and a 3 dBA change is the smallest increment that is perceivable by most receivers. Generally, 1 to 2 dBA changes are not detectable. A sound that is 10 dBA greater than the reference sound is typically perceived as twice as loud (Caltrans 2013).

Although the reaction to noise may vary, it is clear that noise is a significant component of the environment, and excessively noisy conditions can affect an individual's health and well-being. The effects of noise are often only transitory, but adverse effects can be cumulative with prolonged or repeated exposure. The effects of noise on a community can be organized into six broad categories: sleep disturbance, permanent hearing loss, human performance and behavior, social interaction or communication, extra-auditory health effects, and general annoyance.

5.5.1.3 Environmental Vibration

Vibration is defined as dynamic excitation of an elastic system, such as the ground or a structure, which results in oscillatory movement of the system (Caltrans 2020). Typical human-made causes of earthborne vibration include trains and construction activities such as blasting, pile driving, and operation of heavy earthmoving equipment (FTA 2018). The resulting waves transmitted through solid material are referred to as structure-borne or groundborne vibration. Vibration energy spreads out as it travels through the ground, causing the vibration amplitude to decrease with distance away from the source. The vibration levels inside a building depend on the vibration energy that reaches the building foundation and the characteristics of the building that affect propagation of the vibration through the building. A heavier building will typically experience lower vibration levels. The most common impact associated with vibration is annoyance resulting from the effects of vibration such as building movement, rattling of windows, shaking of items on shelves or walls, and rumbling sounds. In more extreme cases, building damage may occur. Because the effects of vibration elicit a greater response than the vibration itself, vibration is typically only perceptible to people inside buildings (FTA 2018).

Vibration levels are typically expressed in terms of the peak particle velocity (PPV) and root mean square amplitude, both in inches per second. PPV is most appropriate for evaluating building damage potential. Caltrans estimates that continuous vibration levels of less than 0.08 PPV and single-event vibration levels of less than 0.12 PPV do not result in damage to even the most fragile historic buildings (Caltrans 2020).

5.5.1.4 Existing Noise Levels

The Project site is in the Midway-Pacific Highway Community planning area, an urban community with a mix of land uses and major transportation facilities. The Project site is currently developed with a mix of commercial and entertainment land uses. Currently, special events occur on the Project site at the San Diego International Sports Arena (currently named Pechanga Arena) and

SOMA San Diego music venue, both of which are indoor event venues. The surrounding commercial developments on all sides of the Project site experience high levels of human activity, resulting in intermittent noise, such as car alarms in parking lots. Noise levels are higher compared to typical residential-only neighborhoods due to ambient noise from commercial and industrial land uses, freeways, major streets, aircraft operations, and rail operations (Appendix B). Residential uses are not typical sources of substantial noise, but commercial, and multi-family residential developments may include mechanical equipment such as heating, ventilation, and air conditioning (HVAC) systems that contribute to the noise environment.

Ambient sound level surveys were conducted in November 2023 and December 2023 to quantify the noise environment within the Project boundary and the surrounding vicinity. Four short-term (1-hour) and two long-term (48-hour) measurements were taken on the Project site and at the nearest noise-sensitive land uses (NSLUs) to the Project site. Two short-term measurements were taken at The Orchard Senior Living facility (4040 Hancock Street) to compare noise levels at the existing San Diego International Sports Arena on a day with a concert event to a non-event day. Additional short-term measurements were taken at existing commercial development north of the site and at residences southeast of the Project site, including The Orchard Senior Living facility west of the Project site at 4040 Hancock Street, Villa Marbella apartments at 3142 Midway Drive, and commercial development at 3460 Hancock Street. Two 48-hour measurements were conducted at the San Diego International Sports Arena property line with offices to the west. Measurements were conducted during consecutive event and non-event days to compare ambient noise levels. Monitored events included a San Diego Gulls game on November 29, 2023, and Depeche Mode concerts on December 6, 2023, and December 8, 2023. A second 48-hour measurement was conducted due to intermittent rain during the first measurement period.

A Larson Davis SoundExpert LxT Type I Integrating Sound Level Meter and Larson Davis calibrated with a Larson Davis CAL200 calibrator was used to record ambient sound levels. Table 5.5-2, Ambient Sound Level Measurements (dBA) – Short-Term Locations, summarizes the measured Leq and noise sources for each short-term monitoring location. Table 5.5-3, Ambient Sound Level Measurements – Long-Term Monitoring (1-Hour Leq dBA), provides the measured hourly Leq for the long-term measurements, and Table 5.5-4, Long-Term Monitoring Results Summary, summarizes the results. Figure 5.5-1, Noise Measurement and Receptor Locations, shows the monitoring locations.

Table 5.5-2. Ambient Sound Level Measurements (dBA) – Short-Term Locations

Site	Location	Observed Noise Sources	Date/Time	Leq	Lmax	Lmin
1	The Orchard Senior Living facility west of Project site (4040 Hancock Street) – No event at San Diego International Sports Arena	Consistent traffic on Hancock Street, passerby chatter	November 29, 2023 3:28 p.m.	64.2	79.3	55.7
	The Orchard Senior Living facility west of Project site (4040 Hancock Street) – Event at San Diego International Sports Arena (Depeche Mode concert)	Consistent traffic on Hancock Street, passerby chatter; concert not audible	December 6, 2023 10:23 p.m.	58.9	77.9	49.3
2	Villa Marbella apartments near Ross shopping center on Sports Arena Boulevard (3142 Midway Drive)	Consistent traffic from Sports Arena Boulevard, parking lot traffic, dogs barking, idling truck	December 6, 2023 2:43 p.m.	61.6	79.4	49.6
3	Commercial development north of Project site (3460 Hancock St)	Constant heavy truck traffic	December 14, 2023 12:06 p.m.	69.7	102.8	50.5

Source: Appendix G1.
Notes: dBA = A-weighted decibel; Leq = equivalent energy level; Lmax = maximum noise level; Lmin = minimum noise level

Ambient measurements were 60 minutes in duration.

Table 5.5-3. Ambient Sound Level Measurements – Long-Term Monitoring (1-Hour Leq dBA)

Hour	11/29/23	11/30/23	12/01/23	12/06/23	12/07/23	12/08/23	12/09/23
12:00 a.m.	—	47.8	53.9	—	51.1	50.5	58.6
1:00 a.m.	—	45.9	49.1	—	46.9	50.8	54.8
2:00 a.m.	—	46.5	50	—	44.1	51.2	54.7
3:00 a.m.	—	46.8	50.3	—	47.6	51.8	54.7
4:00 a.m.	—	52.3	53.7	—	51.6	53.1	59.4
5:00 a.m.	—	55.9	56	—	53.3	56.5	61.3
6:00 a.m.	—	62.4	62.5	—	61.2	64.8	62.9
7:00 a.m.	—	61	60.9	—	59.5	61.2	60.3
8:00 a.m.	—	60.8	61.8	—	59.6	58.7	60.8

Table 5.5-3. Ambient Sound Level Measurements – Long-Term Monitoring (1-Hour Leq dBA)

Hour	11/29/23	11/30/23	12/01/23	12/06/23	12/07/23	12/08/23	12/09/23
9:00 a.m.	—	59.8	64	—	59.5	58.1	56.7
10:00 a.m.	—	59.1	59.9	—	61.1	58.3	—
11:00 a.m.	—	58.3	58	—	57.3	58.8	—
12:00 p.m.	—	59.9	59.9	—	61.5	59.1	—
1:00 p.m.	—	57.8	59.4	—	60.6	57.8	—
2:00 p.m.	—	60.3	59.7	—	59.2	59.3	—
3:00 p.m.	58	58.2	—	—	57.8	60.7	—
4:00 p.m.	56.9	56.9	—	54.8	55.7	59.8	—
5:00 p.m.	57.6	56	—	57.7	58.2	58.1	—
6:00 p.m.	**57.7 – Event Doors Open**	58.6	—	**55.2 – Event Doors Open**	58.9	**58.8 – Event Doors Open**	—
7:00 p.m.	**58.4 – Event Start Time**	58.7	—	**57.3 – Event Start Time (7:30 p.m.)**	59.9	**60.2 – Event Start Time (7:30 p.m.)**	—
8:00 p.m.	57.3	56.6	—	49.4	58.8	58.1	—
9:00 p.m.	57.6	55.9	—	49.1	59.2	58.4	—
10:00 p.m.	56.5	57.9	—	59.6	57.5	60	—
11:00 p.m.	52.8	50	—	57.1	56.6	59.1	—

Source: Appendix G1.
Notes: dBA = A-weighted decibel; L_{eq} = equivalent energy level; L_{max} = maximum noise level; L_{min} = minimum noise level

Table 5.5-4. Long-Term Monitoring Results Summary

	Event Day Scenario	Non-Event Day Scenario
Average Daytime Noise Level (7:00 a.m. to 7:00 p.m.)	56–59 dBA Leq	59–60 dBA Leq
Average Evening Noise Level (7:00 p.m. to 10:00 p.m.)	54–59 dBA Leq	57–59 dBA Leq
Average Nighttime Noise Level (10:00 p.m. to 7:00 a.m.)	55–59 dBA Leq	56–58 dBA Leq
CNEL (Monitoring start time [3:00/4:00 p.m.] to same time the next day)	63 dBA CNEL	64–65 dBA CNEL

Source: Appendix G1.

Notes: CNEL = Community Noise Equivalent Level; dBA = A-weighted decibel; Leq = equivalent energy level; Lmax = maximum noise level; Lmin = minimum noise level

The results of the ambient noise survey reflect daytime noise levels that range between 56 and 70 dBA Leq on the Project site and in the surrounding area. Average evening and nighttime noise levels did not exceed 59 dBA Leq. Daytime, evening, and nighttime measured noise levels exceeded the City's hourly noise standards. The measured daytime noise level was the highest north of the Project site, closer to the I-8 and I-5 interchange. Ambient community noise levels were measured to be compatible with existing commercial uses. Measured event noise at the San Diego International Sports Arena did not show an increase in ambient noise levels on event days and indicated that arena events are not a major contributor to the ambient noise environment. The primary noise source within the vicinity of the Project site is traffic noise. Differences in noise levels on event and non-event days were below a perceptible change of 3 dBA and likely due to fluctuations in vehicle noise.

Existing Transportation Noise Sources

Aviation. The nearest airports to the Project site are the San Diego International Airport (SDIA), approximately 1.8 miles south of the Project site, and Naval Air Station North Island (NASNI), 2.8 miles south of the site. Aircraft noise can affect people living and working in the Midway-Pacific Highway Community planning area to varying degrees, depending on a person's level of sensitivity. The Project site is subject to aircraft overflight from the SDIA, which prohibits most late-night takeoffs to limit noise impacts (Appendix B). However, the southern half of the Project site is within the SDIA 60–65 dBA CNEL contour (refer to Figure 2-7, San Diego International Airport Land Use Compatibility Plan). The Project site is not within the 65–70 dBA CNEL noise contour of the SDIA, which extends to approximately Midway Drive southwest of the Project site (SDCRAA 2014). As such, the Project site has the potential to be exposed to aircraft noise levels from SDIA between 60 and 65 dBA CNEL but is generally not exposed to aircraft noise levels that exceed 65 dBA CNEL. The Project site is within the Airport Influence Zone for NASNI but is not within a noise contour for and is outside the identified overflight area (SDCRAA 2020).

Rail Lines. Sources of railroad noise in the Midway-Pacific Highway Community planning area include freight trains, intercity rail (Amtrak), commuter rail (COASTER), and light-rail transit (San

Diego Metropolitan Transit System trolley). The rail line is approximately 0.4 mile east of the Project site, generally adjacent to I-5. These sources can generate high, relatively brief, intermittent noise events within the vicinity of at-grade rail crossings where horns and crossing bells are sounded. Federal regulations require trains to sound their horns at all roadway-rail at-grade crossings unless a quiet zone has been established. Horns, whistles, and bells on the moving trolley vehicles and horns from freight trains combined with stationary bells at at-grade rail crossings can generate excessive noise levels that can affect NSLUs. The Midway-Pacific Highway CPU PEIR determined that combined railroad noise would have the potential to exceed 60 dBA CNEL up to 282 feet from the center rail alignment. Due to distance from the center rail alignment, the Project site is not within the projected 60 dBA CNEL noise contour for railroad noise (Appendix B).

Roadways. Major roadways, including I-8, I-5, Rosecrans Street, Camino Del Rio West, Pacific Highway, Midway Drive, Kurtz Street, and Sports Arena Boulevard, are the primary sources of motor vehicle noise on the Project site. Noise from trucks driving or parked and idling along roads can also be a source of annoyance for NSLUs (Appendix B). The Project site is bounded by Hancock Street to the northwest, Kurtz Street to the northeast, and Sports Arena Boulevard to the southwest. Hancock Street is adjacent to existing multi-family residential and office development west of the site and commercial uses north of the site. Kurtz Street is developed with office and commercial uses north of the site. Sports Arena Boulevard is primarily developed with commercial uses, including shopping centers, restaurants, and visitor accommodations. The western portion of the Project site is within the projected 65–75 dBA CNEL noise contours for roadway noise, primarily from I-8, as shown on Figure 5.5-2, Future (2035) Traffic Noise Contours.

Table 5.5-5, Existing Roadway Noise Levels, shows the existing noise levels generated by average traffic on the roadways surrounding the Project site on days when events were held at the San Diego International Sports Arena and on non-event days. As shown in Table 5.5-5, existing noise levels from Sports Arena Boulevard exceed the normally acceptable noise compatibility standard of 60 dBA CNEL for multi-family residential development. Consistent with measured noise levels on the Project site and surrounding area, noise levels do not exceed the maximum conditionally acceptable standard of 75 dBA CNEL for multi-family residential development. That is, noise levels may be considered compatible with residential development, provided that adequate building attenuation is provided to reduce interior noise levels to 45 dBA CNEL or below. Noise levels are not noticeably higher (more than a perceptible change of 3 dBA) on event days. Sports Arena Boulevard noise levels also exceed the normally acceptable noise compatibility standard of 65 dBA CNEL for office and commercial uses.

Table 5.5-5. Existing Roadway Noise Levels

Roadway	Segment	Noise Level at 50 Feet from Roadway Centerline (dBA CNEL) – Non-Event Day	Noise Level at 50 Feet from Roadway Centerline (dBA CNEL) – Event Day
Sports Arena Boulevard	I-8 Westbound Off-Ramp to I-8 Eastbound On-Ramp	67.1	67.7
	I-8 Eastbound On-Ramp to West Point Loma Boulevard	70.2	70.7
	West Point Loma Boulevard to Hancock Street	68.8	69.4
	Hancock Street to Kemper Street	68.8	69.4
	Kemper Street to (planned) Frontier Drive	67.4	68.0
	Rosecrans Street to Pacific Highway	55.6	56.2
Kurtz Street	Hancock Street to Frontier Drive	57.9	58.6
	Frontier Drive to Sherman Street	57.9	58.6
	Sherman Street to Camino Del Rio West	59.7	60.7
Hancock Street	Sports Arena Boulevard to Channel Way	58.4	59.0
	Channel Way to Kurtz Street	58.6	59.0
	Kurtz Street to Greenwood Street	59.5	59.9
	Greenwood Street to Camino Del Rio West	59.6	60.0

Source: Appendix G1.

Notes: CNEL = community noise equivalent level; dBA = A-weighted decibel

Noise-Sensitive Land Uses

NSLUs are land uses that may be subject to stress or interference from excessive noise. The 2008 City of San Diego General Plan, as amended (2008 General Plan), defines NSLUs as residential uses, hospitals, nursing facilities, intermediate care facilities, child educational facilities, libraries, museums, places of worship, childcare facilities, and certain types of passive recreational parks and open space (City of San Diego 2008). Industrial and commercial land uses are generally not considered sensitive to noise, and the City does not consider hotels and motels NSLUs. Currently, no NSLUs are on the Project site. The nearest NSLU to the Project site is The Orchard Senior Living facility west of the Project site at 4040 Hancock Street. Other NSLUs within the Project vicinity

include residential developments south of Sports Arena Boulevard, including Pointe Lux Apartment Homes at 3889 Midway Drive, and Villa Marbella apartments at 3142 Midway Drive (Figure 5.5-1). The apartment complexes are generally separated from the Project site by commercial development along the Sports Arena Boulevard frontage.

5.5.1.5 Vibration-Sensitive Land Uses

Land uses in which groundborne vibration could potentially interfere with operations or equipment, such as research, manufacturing, hospitals, and university research operations, are considered vibration sensitive (FTA 2018). The degree of sensitivity depends on the specific equipment that would be affected by the groundborne vibration. Excessive levels of groundborne vibration of either a regular or an intermittent nature can result in annoyance to residential uses. The nearest potentially vibration-sensitive land uses to the Project site are medical offices, including veterinary clinics (San Diego Bay Animal Hospital and Petco) across from the Project site on Sports Arena Boulevard and a dental office (Lighthouse Dental) approximately 400 feet south of the site on Kemper Street (Figure 5.5-2, Future [2035] Traffic Noise Contours).

5.5.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address noise.

5.5.2.1 Federal

Federal Aviation Administration Standards

Enforced by the Federal Aviation Administration (FAA), the Code of Federal Regulations, Title 14, Part 150, prescribes the procedures, standards, and methods governing the development, submission, and review of airport noise exposure maps and airport noise compatibility programs, including the process for evaluating and approving or disapproving these programs. Code of Federal Regulations, Title 14, also identifies land uses that are typically compatible with various levels of noise exposure by individuals. The FAA considers residential land uses to be compatible with exterior noise levels at or less than 65 dBA CNEL.

Noise Control Act

The Noise Control Act of 1972 identifies uncontrolled noise as a danger to health and welfare, particularly for people in urban areas. Responsibility for noise control remains primarily a state and local issue. However, the act established a means for effective coordination of federal research and noise control activities. The Noise Control Act includes a directive to the U.S. Environmental Protection Agency (USEPA) to develop and publish information on noise levels to protect public health and welfare with an adequate margin of safety. In 1974, the USEPA published Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety. The document identifies an interior noise level of 45 dBA Ldn in residential areas

as adequate to protect indoor activity from interference and annoyance. An exterior noise level of 55 dBA Ldn was identified as the maximum noise level to avoid interference and annoyance in residential areas and other areas in which quiet is a basis for use. A maximum 24-hour average outdoor noise level of 70 dBA Leq is recommended to prevent hearing loss (USEPA 1974).

5.5.2.2 State

California Noise Control Act

The California Noise Control Act of 1973 (California Health and Safety Code Sections 46000–46080) finds that excessive noise is a serious hazard to the public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. The act also finds that a continuous and increasing bombardment of noise occurs in urban, suburban, and rural areas. The act declares that the state has a responsibility to protect the health and welfare of its citizens through the control, prevention, and abatement of noise. It is the policy of the state to provide an environment for all Californians free from noise that jeopardizes their health or welfare.

California Noise Insulation Standards (California Code of Regulations, Title 24)

In 1974, the California Commission on Housing and Community Development adopted noise insulation standards for hotels, motels, dormitories, and multi-family residential uses. These standards are contained in the California Building Standards Code (Title 24). Title 24 requires that residential structures be designed to prevent the intrusion of exterior noise so that the interior noise, with windows closed, attributable to exterior sources shall not exceed 45 dBA CNEL in any habitable room. The regulations also specify that acoustical studies must be prepared whenever a multi-family residential building or structure may be exposed to exterior noise levels of 60 dBA CNEL or greater. Such acoustical analysis must demonstrate that the residences have been designed to limit intruding noise to a maximum interior noise level of 45 dBA CNEL.

5.5.2.3 Local

2008 City of San Diego General Plan

The Noise Element of the 2008 General Plan includes the following policies intended to minimize noise through standards, site planning, and noise mitigation. The 2008 General Plan policies include the separation of excessive noise-generating uses from residential and other NSLUs (Policy NE-A.1), the limitation of future residential and other noise-sensitive land uses in areas exposed to high levels of noise (NE-A.3), and an acoustical study requirement (Policy NE-A.4) (City of San Diego 2008):

- **NE-A.1.** Separate excessive noise-generating uses from residential and other noise-sensitive land uses with a sufficient spatial buffer of less sensitive uses.
- **NE-A.3.** Limit future residential and other noise-sensitive land uses in areas exposed to high levels of noise.

- **NE-A.4.** Require an acoustical study consistent with Acoustical Study Guidelines (Table NE-4) for proposed developments in areas where the existing or future noise level exceeds or would exceed the "compatible" noise level thresholds as indicated on the Land Use – Noise Compatibility Guidelines [provided in Table 5.5-6, City of San Diego Land Use – Noise Compatibility Guidelines], so that noise mitigation measures can be included in the project design to meet the noise guidelines.

As referenced in Policy NE-A.4, the Noise Element includes the Land Use – Noise Compatibility Guidelines (2008 General Plan Table NE-3), which identify the limits for acceptable noise levels for different land use categories, as illustrated in Table 5.5-6, City of San Diego Land Use – Noise Compatibility Guidelines (2008 General Plan Table NE-3). The City conditionally allows multiple-unit and mixed-use residential uses exposed to exterior noise levels of up to the 75 dBA CNEL in areas affected primarily by motor vehicle noises with existing residential uses even though they are not generally considered compatible (City of San Diego 2015).

Recent amendments to the 2008 General Plan, including the Noise Element, were adopted in July 2024 as a part of a refresh to the 2008 General Plan (Blueprint SD). The amendment to the Noise Element was adopted after the issuance of the Notice of Preparation for the Project (December 2023) and is noted for information only.

Table 5.5-6. City of San Diego Land Use – Noise Compatibility Guidelines (2008 General Plan Table NE-3)

Land Use Category	Exterior Noise Exposure (dBA CNEL)				
	<60	60–65	65–70	70–75	75+
Parks and Recreational					
Parks; Active and Passive Recreation					
Outdoor Spectator Sports; Golf Courses; Water Recreational Facilities; Indoor Recreation Facilities					
Agricultural					
Crop Raising and Farming; Community Gardens; Aquaculture; Dairies; Horticulture Nurseries and Greenhouses; Animal Raising; Maintenance and Keeping; Commercial Stables					
Residential					
Single Dwelling Units; Mobile Homes		45			
Multiple Dwelling Units		45	45		

Table 5.5-6. City of San Diego Land Use – Noise Compatibility Guidelines (2008 General Plan Table NE-3)

Land Use Category	Exterior Noise Exposure (dBA CNEL)				
	<60	60–65	65–70	70–75	75+
Institutional					
Hospitals; Nursing Facilities; Intermediate Care Facilities; K–12 Educational Facilities; Libraries; Museums; Childcare Facilities		45			
Other Educational Facilities (including Vocational/ Trade Schools and Colleges and Universities)		45	45		
Cemeteries					
Retail Sales					
Building Supplies/Equipment; Groceries; Pets and Pet Supplies; Sundries, Pharmaceutical, and Convenience Sales; Apparel and Accessories			50	50	
Commercial Services					
Building Services; Business Support; Eating and Drinking; Financial Institutions; Maintenance and Repair; Personal Services; Assembly and Entertainment (includes Public and Religious Assembly); Radio and Television Studios; Golf Course Support			50	50	
Visitor Accommodations		45	45	45	
Offices					
Business and Professional; Government; Medical, Dental, and Health Practitioner; Regional and Corporate Headquarters			50	50	
Vehicle and Vehicular Equipment Sales and Services Use					
Vehicle Repair and Maintenance; Vehicle Sales and Rentals; Vehicle Equipment and Supplies Sales and Rentals; Vehicle Parking					
Wholesale, Distribution, and Storage Use					
Equipment and Materials Storage Yards; Moving and Storage Facilities; Warehouse; Wholesale Distribution					
Industrial					
Heavy Manufacturing; Light Manufacturing; Marine Industry; Trucking and Transportation Terminals; Mining and Extractive Industries					
Research and Development				50	

Compatibility Key:

	Compatible	Indoor Uses	Standard construction methods should attenuate exterior noise to an acceptable indoor noise level.
		Outdoor Uses	Activities associated with the land use may be carried out.
45, 50	Conditionally Compatible	Indoor Uses	Building structure must attenuate exterior noise to the indoor noise level indicated by the number (45 or 50) for occupied areas.
		Outdoor Uses	Feasible noise mitigation techniques should be analyzed and incorporated to make the outdoor activities acceptable.
	Incompatible	Indoor Uses	New construction should not be undertaken.
		Outdoor Uses	Severe noise interference makes outdoor activities unacceptable.

Sources: City of San Diego 2008, 2015.
Notes: CNEL = community noise equivalent level; dBA = A-weighted decibel
Compatible noise levels and land use definitions reflect amendments to the 2008 General Plan Noise Element approved in 2015.

2018 City of San Diego Midway-Pacific Highway Community Plan

The Noise Element of the 2018 Community Plan incorporates the noise compatibility guidelines of the 2008 General Plan and provides site planning recommendations for mixed or multiple-use developments to address commercial, industrial, and transportation noise. Applicable policies include the following (City of San Diego 2018a):

- **NE-1.3.** Include noise attenuation measures in new development to ensure an interior noise level of 45 dBA for sensitive receptor uses near noise-generating activities.
- **NE-1.6.** Utilize site design to create physical separation between noise sensitive uses and noise-generating activities where possible.
    a. Consider using building setbacks along streets with high noise levels to increase distance between the street and residential buildings, as well as to enhance the urban realm and pedestrian environment.
    b. Consider siting non-residential uses or buildings closer to noise-generating uses or transportation facilities to shield residential buildings from noise, and separate or shield residential uses from delivery areas for non-residential uses for mixed-use and multiple-use developments on larger sites.
- **NE-1.7.** Utilize appropriate operational measures to reduce noise for conditionally permitted commercial uses in areas where eating, drinking, entertainment, and assembly establishments are adjacent to residential uses.
    a. Consider appropriate window open/close hours for eating and drinking establishments.
    b. Consider lowering the volume of amplified music during the last hour of service.
    c. Encourage the use of evening security staff to control crowds as well as loitering after hours.

d. Provide noise attenuation measures to reduce the noise levels generated from the establishment, to the degree possible, within their premises with special attention to "open air" concept establishments (such as beer gardens or large outdoor eating and drinking venues).
e. Encourage bars that serve food to keep their kitchens open after alcohol has stopped being served to encourage a slower flow of people leaving the establishment.

- **NE-1.8.** Incorporate sound attenuation measures such as sound absorbent wall/ceiling materials, sound walls, and dense, drought-tolerant landscaping where commercial uses such as restaurants and bars are permitted, especially adjacent to residential areas.
- **NE-1.10.** Encourage truck deliveries for businesses to occur on commercial streets during day-time hours with designated commercial loading zones.
- **NE-1.13.** Apply standard noise controls to reduce construction noise levels emanating from new construction to minimize disruption and annoyance to adjacent residential or other noise sensitive uses.
  a. Limit construction activity hours.
  b. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition, and appropriate for the equipment.
  c. Locate stationery noise-generating equipment (e.g., compressors) as far as possible from adjacent residential receivers.
  d. Acoustically shield stationary equipment located near residential receivers with temporary noise barriers.
  e. Utilize "quiet" air compressors, and other stationary noise sources where technology exists.
  f. Encourage construction contractors to prepare a detailed construction plan identifying the schedule for major noise-generating construction activities that includes coordination with adjacent residents so that construction activities can be scheduled to minimize noise disturbance.
  g. Encourage construction contractors to designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise.

City of San Diego Noise Ordinance

Chapter 5, Article 9.5, Noise Abatement and Control, of the San Diego Municipal Code (SDMC) declares that the making, creation, or continuance of excessive noises is detrimental to the public health, comfort, convenience, safety, welfare, and prosperity of the City's residents. Section 59.5.0401 establishes sound level limits. The exterior noise limits for each land use classification are summarized in Table 5.5-7, City of San Diego Table of Applicable Noise Limits. One-hour average sound levels are not to exceed the applicable limit. The noise subject to these limits is defined as that part of the total noise at the specified location that is due solely to the action of said person.

Table 5.5-7. City of San Diego Table of Applicable Noise Limits

Land Use	Time of Day	1-Hour Average Sound Level (dBA)
Single-Family Residential	7:00 a.m. to 7:00 p.m.	50
	7:00 p.m. to 10:00 p.m.	45
	10:00 p.m. to 7:00 a.m.	40
Multi-Family Residential (up to a Maximum Density of 1/2,000)	7:00 a.m. to 7:00 p.m.	55
	7:00 p.m. to 10:00 p.m.	50
	10:00 p.m. to 7:00 a.m.	45
All Other Residential	7:00 a.m. to 7:00 p.m.	60
	7:00 p.m. to 10:00 p.m.	55
	10:00 p.m. to 7:00 a.m.	50
Commercial	7:00 a.m. to 7:00 p.m.	65
	7:00 p.m. to 10:00 p.m.	60
	10:00 p.m. to 7:00 a.m.	60
Industrial or Agricultural	Anytime	75

Source: City of San Diego 2019.
Notes: dBA = A-weighted decibel

Additionally, SDMC Section 59.5.0404 sets forth limitations related to construction noise (City of San Diego 2019):

A. It shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator. In granting such permit, the Administrator shall consider whether the construction noise in the vicinity of the proposed work site would be less objectionable at night than during the daytime because of different population densities or different neighboring activities; whether obstruction and interference with traffic particularly on streets of major importance would be less objectionable at night than during the daytime; whether the type of work to be performed emits noises at such a low level as to not cause significant disturbances in the vicinity of the work site; the character and nature of the neighborhood of the proposed work site; whether great economic hardship would occur if the work were spread over a longer time; whether proposed night work is in the general public interest; and he shall prescribe such conditions, working times, types of construction equipment to be used, and permissible noise levels as he deems to be required in the public interest.

B. Except as provided in subsection C. hereof, it shall be unlawful for any person, including the City of San Diego, to conduct any construction activity so as to cause, at or beyond the property lines of any property zoned residential, an average sound level greater than 75 decibels during the 12–hour period from 7:00 a.m. to 7:00 p.m.
C. The provisions of subsection B. of this section shall not apply to construction equipment used in connection with emergency work, provided the Administrator is notified within 48 hours after commencement of work.

City of San Diego Special Events Ordinance

SDMC Chapter 2, Article 2, Division 40, Special Events, establishes a process for permitting special events in public spaces. Special events requiring a permit include organized activities including 75 or more people, such as concerts, festivals, block parties, or community events. The Special Event Permit must include details of the event, including location and hours of operation, location of assembly areas, the number of bands or other musical units and the nature of any equipment to be used to produce sounds or noise, limitations on music or other components that may produce noise to provide noise abatement, and the number of people proposed or required to monitor or facilitate the special event and provide spectator or participant control.

2014 San Diego County Regional Airport Authority San Diego International Airport Land Use Compatibility Plan

The SDIA Airport Land Use Compatibility Plan (ALUCP) was adopted on April 3, 2014, and amended on May 1, 2014. The ALUCP contains policies and criteria for guiding new developments and redevelopments within the Airport Influence Area to address land use compatibilities concerning noise and safety aspects of airport operations and land uses, heights of buildings, residential densities and intensities, and the disclosure of aircraft overflight. The Project site is within the designated Airport Influence Area of the SDIA. Specifically, the southern half of the site is within Review Area 1, while the northern half of the site is within Review Area 2. Review Area 1 is defined by the combination of the 60 dB CNEL noise contour, the outer boundary of all safety zones, and the airspace threshold siting surfaces. Review Area 2 is defined by the combination of the airspace protection and overflight boundaries beyond Review Area 1; only airspace protection and overflight policies and standards apply within Review Area 2. The Project is also within the FAA Part 77 Noticing Area Overlay Zone requiring notification for structures taller than 200 feet above ground level. The SDIA ALUCP provides policies and criteria for the City to implement and for the Airport Land Use Commission (ALUC) to use when reviewing development proposals (SDCRAA 2014).

2020 San Diego County Regional Airport Authority North Island Air Station Airport Land Use Compatibility Plan

The Project site is 2.8 miles north of NASNI within the Airport Influence Area, including the Airspace Protection Boundary. Projects within the Airspace Protection Boundary must determine if they are required to file a Notice of Proposed Construction or Alteration (FAA Form 7460-1) (SDCRAA 2020).

5.5.3 Significance Determination Thresholds

The thresholds used to evaluate potential noise impacts are generally based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU PEIR. Noise impacts related to biological resources are addressed in Section 5.13, Biological Resources. A significant impact on noise could occur if implementation of the Project would:

- **Issue 1:** Result in or create a significant increase in the existing ambient noise levels;
- **Issue 2:** Result in an exposure of people to current or future transportation noise levels which exceed guidelines established in the Noise Element of the General Plan;
- **Issue 3:** Result in land uses which are not compatible with aircraft noise levels as defined by an adopted Airport Land Use Compatibility Plan (ALUCP);
- **Issue 4:** Result in the exposure of people to noise levels which exceed property line limits established in the Noise Abatement and Control Ordinance of the Municipal Code;
- **Issue 5:** Result in the exposure of people to significant temporary construction noise; or
- **Issue 6**: Result in the exposure of people to significant vibration.

5.5.4 Impact Analysis

5.5.4.1 Issue 1: Ambient Noise

Would the Project result in or create a significant increase in the existing ambient vehicle noise?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would result in an audible (up to 11 dBA) increase in ambient vehicle traffic noise, but impacts would not exceed City's significance criteria. As outlined in the Midway-Pacific Highway Community Plan Update Errata, the Midway-Pacific Highway CPU PEIR determined that significant and unavoidable impacts to existing sensitive receptors would occur as a result of increased noise levels that exceed 5 dBA CNEL. However, this 5 dBA CNEL standard is not part of the City's adopted CEQA Significance Determination Thresholds. References to this standard were removed from the Revised Final Midway-Pacific Highway CPU PEIR (City of San Diego 2018b), and impacts to existing receptors were determined to be **Less than Significant**.

For new discretionary development, submission and approval of a required Title 24 Compliance Report would ensure future projects implemented in accordance with the 2018 Community Plan would not be exposed to ambient noise levels in excess of the compatibility levels in the 2008 General Plan. Thus, noise impacts to new discretionary projects would be less than significant. However, in the case of ministerial projects, no similar procedure exists to ensure that exterior noise would be adequately attenuated. Midway-Pacific Highway CPU PEIR Mitigation Measure **NOISE 5.5-1**, which would require acoustical studies for new ministerial development within projected freeway and heavily traveled roadway noise contours, was determined to be infeasible because no procedure exists to ensure adequate implementation. Therefore, exterior noise impacts for ministerial projects in areas that exceed the applicable land use and noise compatibility level were determined to be **Significant and Unavoidable** in the Midway-Pacific Highway CPU PEIR.

Project-Specific Impact Analysis

The potential for the Project to result in a permanent increase in ambient noise levels as a result of Project-generated traffic is addressed below. Other operational sources that would contribute to the ambient noise environment, such as mechanical equipment and special events, are addressed under Issue 4, Noise Ordinance Compliance. A substantial permanent increase in ambient noise would occur if implementation of the Project would result in traffic volumes that cause an ambient noise level that exceeds 65 dBA CNEL for residential properties and NSLU, or an increase of 3 dBA or greater if the roadway would exceed 65 dBA CNEL without Project implementation.

The Midway-Pacific Highway CPU PEIR also considered an increase of 5 dBA or greater compared to conditions without the Project if the roadway would not exceed 65 dBA CNEL. This increase is typically perceptible in a community (Caltrans 2013). However, as outlined in the Midway-Pacific Highway Community Plan Update Errata, the 5 dBA CNEL standard is not part of the City's adopted CEQA Significance Determination Thresholds. References to this standard were removed from the Revised Final Midway-Pacific Highway CPU PEIR (City of San Diego 2018b). As such, the Project is evaluated against this criterion for informational purposes only for potentially noticeable changes in community noise level to provide a similar level of analysis compared to the Midway-Pacific Highway CPU PEIR.

The existing noise measurement survey indicated that ambient community noise levels currently exceed the normally compatible noise level of 60 dBA CNEL for residential development. Noise levels are within the conditionally compatible standards (60–70 dBA CNEL) for NSLUs. That is, adequate building attenuation must be demonstrated to provide compatible interior noise levels (45 dBA CNEL or below), but it is generally accepted that these interior noise levels can be achieved with available building practices at these levels of exterior noise. Traffic is the primary source of ambient traffic noise on the Project site. Consistent with the Midway-Pacific Highway CPU PEIR, because operational noise levels would be subject to SDMC Article 11, which adopts Title 24 building regulations, and 2008 General Plan Policy NE-A.4, the analysis of the Project's potential to result in ambient noise level increases is focused on its contribution to traffic noise levels.

Project Phase 1 (Year 2030) Scenario

Table 5.5-8, Project Phase 1 (Year 2030) Traffic Noise Levels (dBA CNEL), provides expected future increases in traffic with and without the Project including on the segments of the planned Frontier Drive and the extension of Kemper Street from Sports Arena Boulevard to Kurtz Street that would be developed as part of the Project. As shown in Table 5.5-8, without implementation of the Project, five of the 13 existing roadway segments would be expected to generate noise levels that exceed the 65 dBA CNEL threshold. The Project would not be expected to result in a 3 dBA CNEL increase in noise level on these roadways; therefore, it would not exacerbate this existing condition. The Project would not be expected to cause any of the remaining segments to exceed 65 dBA CNEL. Therefore, impacts to ambient vehicle noise under the Project Phase 1 (Year 2030) scenario would be **Less than Significant**.

Project Buildout Phase 2 (Year 2035) Scenario

Table 5.5-9, Project Buildout Phase 2 (Year 2035) Traffic Noise Levels (dBA CNEL), includes expected Project Buildout Phase 2 (Year 2035) traffic noise levels with and without the Project. As shown in Table 5.5-9, five of the 13 existing roadway segments would be expected to exceed 65 dBA CNEL without Project traffic. Project-related traffic would not be expected to exceed the 3 dBA CNEL threshold for any segment that is already operating above the 65 dBA CNEL threshold. The Project would not be expected to cause any of the remaining existing segments to exceed 65 dBA CNEL. Therefore, impacts to ambient vehicle noise under the Project Phase 2 (Year 2035) scenario would be **Less than Significant**.

The Project would be expected to cause a greater than 5 dBA CNEL increase on one segment of Kurtz Street (Hancock Street to Frontier Drive) and two segments of Hancock Street (Sports Arena Boulevard to Channel Way and Channel Way to Kurtz Street) that would not be expected to exceed 65 dBA CNEL with Project implementation. The increase would occur under event and non-event conditions. Therefore, the Project would have the potential to result in readily perceptible increases in ambient noise levels to receptors within the vicinity of three roadway segments: Kurtz Street from Hancock Street to Frontier Drive (Buildout [Year 2035]), Hancock Street from Sports Arena Boulevard to Channel Way (Buildout [Year 2035]), and Hancock Street from Channel Way to Kurtz Street (Buildout [Year 2035]). As described previously under Summary of Midway-Pacific Highway CPU PEIR Impact Analysis for this issue, this potentially clearly noticeable increase in noise level is not a potentially significant impact. However, although not a CEQA impact, the potential for readily perceptible increases is further evaluated following Table 5.5-8 for informational purposes to provide a similar level of detail to the Midway-Pacific Highway CPU PEIR.

Table 5.5-8. Project Phase 1 (Year 2030) Traffic Noise Levels (dBA CNEL)

Roadway	Segment	Applicable Threshold	Non-Event Scenario		Event Scenario		Significant Impact? (Maximum Project Increase in Noise Level)
			No Project	With Project	No Project	Worst-Case Event	
Sports Arena Boulevard	I-8 Westbound Off-Ramp to I-8 Eastbound On-Ramp	65	67.4	68.2	68.0	68.9	No (0.9)
	I-8 Eastbound On-Ramp to West Point Loma Boulevard	65	70.4	71.0	70.9	71.7	No (0.8)
	West Point Loma Boulevard to Hancock Street	65	69.1	70.5	69.7	71.3	No (1.6)
	Hancock Street to Kemper Street	65	69.7	69.6	69.7	70.3	No (0.6)
	Kemper Street to (planned) Frontier Drive	65	67.7	68.4	68.3	69.2	No (0.9)
	Rosecrans Street to Pacific Highway	65	56.7	57.0	57.2	61.4	No (4.2)

Table 5.5-8. Project Phase 1 (Year 2030) Traffic Noise Levels (dBA CNEL)

Roadway	Segment	Applicable Threshold	Non-Event Scenario		Event Scenario		Significant Impact? (Maximum Project Increase in Noise Level)
			No Project	With Project	No Project	Worst-Case Event	
Kurtz Street	Hancock Street to Frontier Drive	65	58.0	62.3	58.8	63.0	No (4.3)
	Frontier Drive to Sherman Street	65	58.0	61.1	58.8	62.0	No (3.2)
	Sherman Street to Camino Del Rio West	65	59.8	61.5	60.8	62.4	No (1.7)
Hancock Street	Sports Arena Boulevard to Channel Way	65	58.9	62.3	59.4	63.3	No (3.9)
	Channel Way to Kurtz Street	65	59.2	62.7	59.6	63.3	No (3.7)
	Kurtz Street to Greenwood Street	65	59.8	61.3	60.2	61.8	No (1.6)
	Greenwood Street to Camino Del Rio West	65	59.8	61.3	60.2	61.7	No (1.6)

Table 5.5-8. Project Phase 1 (Year 2030) Traffic Noise Levels (dBA CNEL)

Roadway	Segment	Applicable Threshold	Non-Event Scenario		Event Scenario		Significant Impact? (Maximum Project Increase in Noise Level)
			No Project	With Project	No Project	Worst-Case Event	
Frontier Drive[1]	Sports Arena Boulevard to Kurtz Street	65	—	60.5	—	62.4	No (N/A)
Kemper Street[1]	Sports Arena Boulevard to Kurtz Street	65	—	57.4	—	58.3	No (N/A)

Notes: dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level; I- Interstate; N/A = not applicable

[1] Existing noise levels are not available for these segments because they would be constructed by the Project.

Noise levels are calculated at 50 feet from roadway centerline.

Noise levels are based on traffic projections provided by Kimley-Horn & Associates, Inc. (Appendix D1).

Bold = Exceeds applicable threshold

See Appendix B in the Noise Technical Report (Appendix G1 of this SEIR) for datasheets, including traffic volumes.

Table 5.5-9. Project Buildout Phase 2 (Year 2035) Traffic Noise Levels (dBA CNEL)

Roadway	Segment	Applicable Threshold	Non-Event Day Scenario		Event Day Scenario		Significant Impact? (Maximum Project Increase in Noise Level)
			No Project	With Project	No Project	Project Full Capacity Event	
Sports Arena Boulevard	I-8 Westbound Off-Ramp to I-8 Eastbound On-Ramp	65	67.7	69.3	68.2	69.8	No (1.6)
	I-8 Eastbound On-Ramp to West Point Loma Boulevard	65	70.6	71.9	71.0	72.3	No (1.3)
	West Point Loma Boulevard to Hancock Street	65	69.3	72.1	69.9	72.5	No (2.8)
	Hancock Street to Kemper Street	65	69.3	70.8	69.9	71.3	No (1.5)
	Kemper Street to (planned) Frontier Drive	65	67.9	69.6	68.5	70.1	No (1.7)
	Rosecrans Street to Pacific Highway	65	57.6	57.8	58.0	62.0	No (4.0)

Table 5.5-9. Project Buildout Phase 2 (Year 2035) Traffic Noise Levels (dBA CNEL)

Roadway	Segment	Applicable Threshold	Non-Event Day Scenario		Event Day Scenario		Significant Impact? (Maximum Project Increase in Noise Level)
			No Project	With Project	No Project	Project Full Capacity Event	
Kurtz Street	Hancock Street to Frontier Drive	65	58.2	64.5	58.9	64.8	No (6.3)[1]
Kurtz Street	Frontier Drive to Sherman Street	65	58.2	62.7	58.9	63.3	No (4.5)
	Sherman Street to Camino Del Rio West	65	60.0	62.6	60.9	63.4	No (2.6)
Hancock Street	Sports Arena Boulevard to Channel Way	65	59.0	64.8	59.5	65.3	No (5.8)[1]
	Channel Way to Kurtz Street	65	59.4	65.1	59.7	65.3	No (5.7)[1]
	Kurtz Street to Greenwood Street	65	59.9	62.0	60.3	62.4	No (2.1)
	Greenwood Street to Camino Del Rio West	65	59.9	62.0	60.3	62.3	No (2.1)

Table 5.5-9. Project Buildout Phase 2 (Year 2035) Traffic Noise Levels (dBA CNEL)

Roadway	Segment	Applicable Threshold	Non-Event Day Scenario		Event Day Scenario		Significant Impact? (Maximum Project Increase in Noise Level)
			No Project	With Project	No Project	Project Full Capacity Event	
Frontier Drive[2]	Sports Arena Boulevard to Kurtz Street	65	—	60.7	—	61.6	No (N/A)
Kemper Street[2]	Sports Arena Boulevard to Kurtz Street	65	—	62.9	—	63.1	No (N/A)

Notes: dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level; I- Interstate; N/A = not applicable

[1] The Project would result in a readily perceptible increase in noise on these segments; however, as described below, noise levels would continue to be compatible with surrounding development and this impact would be less than significant.

[2] Existing noise levels are not available for these segments because they would be developed under the Project.

Noise levels are calculated at 50 feet from roadway centerline.

Noise levels are based on traffic projections provided by Kimley-Horn & Associates, Inc. (Appendix D1).

Bold = Exceeds applicable threshold

See Appendix B in the Noise Technical Report (Appendix G1 of this SEIR) for datasheets, including traffic volumes.

As described in Table 5.5-~~8~~9, the Project may result in a clearly noticeable increase in noise levels on one segment of Kurtz Street (Hancock Street to Frontier Drive) and two segments of Hancock Street (Sports Arena Boulevard to Channel Way and Channel Way to Kurtz Street). Noise levels on these segments are further addressed in the following paragraphs for informational purposes to determine if the increase in noise level would likely be readily perceptible compared to ambient freeway noise and if noise levels would be compatible with existing NSLU.

With Project implementation, noise levels on Kurtz Street from Hancock Street to Frontier Drive would continue to be compatible with existing commercial uses. The northern frontage of this segment could be developed with new residences consistent with the Midway-Pacific Highway CPU PEIR. Residential Project development on the southern frontage of this segment is addressed below under Issue 2. Consistent with the findings of the Midway-Pacific Highway CPU PEIR, the Project would result in a readily perceptible increase in noise level on this segment, but no NSLUs currently exist along the segment. Noise levels would remain compatible with existing uses and with future NSLU because noise levels are anticipated to be below 65 dBA CNEL.

The segment of Hancock Street from Channel Way to Kurtz Street is currently developed with office and commercial uses, and the segment from Sports Arena Boulevard to Channel Way is adjacent to The Orchard Senior Living facility, an NSLU. With Project implementation, noise levels from both segments of Hancock Street would continue to be compatible with existing and future NSLUs, including residential development. As described in Section 5.5.2.3 regarding the 2008 General Plan, a maximum noise level of 75 dBA CNEL is conditionally compatible with multi-family residential development in areas affected primarily by motor vehicle noises, such as the Project site. Additionally, when ambient freeway noise is considered, the increase in noise level on these segments is not anticipated to be perceptible (3 dBA) or clearly noticeable (5 dBA or more) compared to total ambient noise levels. The segment of Hancock Street from Channel Way to Kurtz Street is in the 75+ dBA CNEL contour for noise levels from I-8 (refer to Figure 5.5-2). Combined noise level exposure from this segment of Hancock Street with Project implementation (~~63.9~~ 65.3 dBA CNEL) and projected freeway noise levels (75 dBA CNEL) would result in noise levels of approximately ~~75.3~~75.4 dBA CNEL at adjacent receptors. Without the Project, combined noise levels from Hancock Street (~~58.3~~ 59.4 dBA CNEL) and freeway noise (75 dBA CNEL) would be approximately 75.1 dBA CNEL. Therefore, due the dominance of freeway noise in the area, the total ambient vehicle noise exposure at receptors adjacent to Hancock Street from Channel Way to Kurtz Street with Project implementation would be approximately ~~0.2~~ 0.3 dBA CNEL higher than noise levels without the Project. Consistent with the findings of the Midway-Pacific Highway CPU PEIR, when combined with I-8 traffic noise levels, the change in noise level with Project implementation on this segment of Hancock Street would not be readily perceptible.

Similarly, combined noise level exposure on Hancock Street from Sports Arena Boulevard to Channel Street with Project implementation (~~63.2~~ 65.3 dBA CNEL) and projected freeway noise levels (65 dBA

CNEL) would be approximately ~~67.2~~ 68.2 dBA CNEL. Without the Project, combined noise levels from Hancock Street (~~57.8~~ 59 dBA CNEL) and freeway noise (65 dBA CNEL) would be approximately ~~65.8~~ 66 dBA CNEL. Therefore, due to the dominance of freeway noise in the area, the increase in total ambient traffic noise levels from Project implementation would be ~~1.4~~ 2.2 dBA CNEL higher than noise levels without Project implementation and would not be readily perceptible compared to conditions without the Project.

Summary

The Project would not be expected to result in a 3 dBA CNEL increase in noise level on any roadway segment that would exceed 65 dBA CNEL without the Project under the Project Phase 1 (Year 2030) scenario or the Project Phase 2 (Year 2035) scenario. Additionally, the Project would not be expected to cause any of the remaining segments to exceed 65 dBA CNEL under either scenario. Impacts would be **Less than Significant**.

5.5.4.2 Issue 2: Vehicular Noise

Would the Project result in exposure to current or future transportation noise levels which exceed guidelines established in the Noise Element of the 2008 General Plan (refer to Table 5.5-6)?

CEQA is intended to protect the existing environment from impacts that would result from the Project. Generally, CEQA does not consider impacts of the existing environment on a proposed land used to be significant (see Section 15126.2 of the CEQA Guidelines). However, the 2008 General Plan Noise Element states that new NSLUs should be evaluated to determine if receptors would be exposed to noise levels that exceed the noise levels considered compatible as identified in Table 5.5-6. Therefore, consistent with the Midway-Pacific Highway CPU PEIR, the potential exposure of Project NSLUs to transportation noise are addressed below. Impacts to existing NSLUs from traffic noise are addressed under Issue 1, Increases in Ambient Vehicle Noise.

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would result in a **Significant and Unavoidable** impact related to exposure of NSLUs developed under the 2018 Community Plan to transportation noise. In the Midway-Pacific Highway Community planning area, noise levels for all land uses would be incompatible (i.e., greater than 75 dBA CNEL) closest to the freeways and specific segments of Pacific Highway. The streets generating the greatest noise levels within the proposed 2018 Community Planning area were determined to be Camino Del Rio West, Midway Drive, Sports Arena Boulevard, Rosecrans Street, Pacific Highway, and Laurel Street. Compliance with existing 2008 General Plan policies for noise attenuation in new residences would reduce impacts to new discretionary development to a **Less than Significant** level. However, similar to Issue 1, in the case of ministerial projects, there is no procedure to ensure that exterior noise is adequately attenuated. Midway-Pacific Highway CPU PEIR Mitigation

Measure **NOISE 5.5-1** was identified but determined to be infeasible as described under Issue 1. Therefore, exterior noise impacts for ministerial projects located in areas that exceed the applicable land use and noise compatibility level were determined to be **Significant and Unavoidable** in the Midway-Pacific Highway CPU PEIR.

The Midway-Pacific Highway CPU PEIR determined that Amtrak, COASTER, and freight train noise levels would exceed 60 dBA Ldn. However, all sensitive receptors located within the applicable noise contour would be exposed to existing and future traffic noise levels in excess of 70 dBA CNEL. Thus, impacts specifically from rail noise were determined to be **Less than Significant** in the Midway-Pacific Highway CPU PEIR.

Project-Specific Impact Analysis

Freeway and Roadway Noise

A significant impact would occur if implementation of the Project would result in an exposure of sensitive receivers to high levels of noise from current or future motor vehicle traffic noise that exceeds standards established in the Noise Element of the 2008 General Plan, presented in Table 5.5-6. Consistent with the Midway-Pacific Highway CPU PEIR, and General Plan Policies NE-A.1, NE-A.3, and NE-A.4, the applicable noise standards for Project development are as follows:

- Multi-family residential and mixed uses are compatible up to 60 CNEL and conditionally compatible up to 70 CNEL. Additionally, as stated in Section B of the City's Noise Element, although not generally considered compatible, the City conditionally allows multi-family and mixed-use residential uses in areas experiencing up to 75 dBA CNEL from motor vehicle traffic noise with existing residential uses. Conditions are placed on projects during the permitting process such that any future residential use exposed to noise levels up to 75 dBA CNEL must include attenuation measures to ensure an interior noise level of 45 dBA CNEL and be in an area where a community plan allows multi-family and mixed-use residential uses.
- Sales, commercial services, and office uses are compatible up to 65 dBA CNEL and conditionally compatible up to 75 dBA CNEL.
- Neighborhood parks are compatible up to 70 dBA CNEL and conditionally compatible up to 75 dBA CNEL.

Vehicle traffic is the dominant noise source affecting the proposed Midway-Pacific Highway Community planning area, including the Project site. The western portion of the Project site is located within the projected 65–75 dBA CNEL noise contours for roadway noise, primarily from I-8. The existing noise levels from Sports Arena Boulevard currently exceed the normally acceptable noise compatibility standard of 60 dBA CNEL for multi-family residences and other NSLUs but not the compatibility standards of 65 dBA CNEL for commercial and office uses or the 70 dBA CNEL standard for parks. Consistent with measured noise levels on the Project site and surrounding area, existing

noise levels do not exceed the maximum conditionally acceptable standard of 75 dBA CNEL for multi-family residential development.

Consistent with the methodology for the Midway-Pacific Highway CPU PEIR, future noise contours are also calculated for the Project study area roadways, based on the modeled worst-case noise levels presented in Table 5.5-9. Worst-case noise levels are represented by Project buildout (Year 2035). Study area roadway contours are provided in Table 5.5-10, Project Buildout Phase 2 (Year 2035) Traffic Noise Contours, and Figure 5.5-3, Project Buildout Phase 2 (Year 2035) Traffic Noise Contours. Distances to the roadway noise contours are based on an assumed hard, flat site, with no intervening barriers or obstructions.

Table 5.5-10. Project Buildout Phase 2 (Year 2035) Traffic Noise Contours

Roadway	Segment	Worst-Case Noise Level (dBA CNEL)	Contour Distance from Centerline (feet)			
			≤60 dBA CNEL	≤65 dBA CNEL	≤70 dBA CNEL	≤75 dBA CNEL
Sports Arena Boulevard	I-8 Westbound Off-Ramp to I-8 Eastbound On-Ramp	69.8	477	151	48	15
	I-8 Eastbound On-Ramp to West Point Loma Boulevard	72.3	859	272	86	27
	West Point Loma Boulevard to Hancock Street	72.8	901	285	90	28
	Hancock Street to Kemper Street	71.3	676	214	68	21
	Kemper Street to (planned) Frontier Drive	70.1	512	162	51	16

Table 5.5-10. Project Buildout Phase 2 (Year 2035) Traffic Noise Contours

Roadway	Segment	Worst-Case Noise Level (dBA CNEL)	Contour Distance from Centerline (feet)			
			≤60 dBA CNEL	≤65 dBA CNEL	≤70 dBA CNEL	≤75 dBA CNEL
	Rosecrans Street to Pacific Highway	62	79	25	8	2
Kurtz Street	Hancock Street to Frontier Drive	64.8	151	48	15	5
	Frontier Drive to Sherman Street	63.3	108	34	11	3
	Sherman Street to Camino Del Rio West	63.4	108	34	11	3
Hancock Street	Sports Arena Boulevard to Channel Way	65.3	168	53	17	5
	Channel Way to Kurtz Street	65.3	169	53	17	5
	Kurtz Stret to Greenwood Street	62.4	87	27	9	3
	Greenwood Street to Camino Del Rio West	62.3	86	27	9	3
Frontier Drive	Sports Arena Boulevard to Kurtz Street	61.7	74	23	7	2

Table 5.5-10. Project Buildout Phase 2 (Year 2035) Traffic Noise Contours

Roadway	Segment	Worst-Case Noise Level (dBA CNEL)	Contour Distance from Centerline (feet)			
			≤60 dBA CNEL	≤65 dBA CNEL	≤70 dBA CNEL	≤75 dBA CNEL
Kemper Street	Sports Arena Boulevard to Kurtz Street	63.1	103	33	10	3

Source: Appendix G1.

Notes: dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level; I- Interstate

Noise levels are calculated at 50 feet from roadway centerline.

Noise levels are based on traffic projections provided by Kimley-Horn & Associates, Inc. (Appendix D1).

See Appendix B in the Noise Technical Report (Appendix G1 of this SEIR) for datasheets, including traffic volumes.

As shown in Table 5.5-10, noise levels from surrounding roadways would not exceed 75 dBA CNEL beyond approximately 30 feet of the roadway centerline, which would be within the roadway right-of-way based on Section 5.3.1, Public Streets, of the Specific Plan. Noise levels would exceed the 2008 General Plan Noise Element compatibility level of 60 dBA CNEL for residential uses. Residences adjacent to street frontages may experience exterior noise levels up to 72.8 dBA CNEL along Sports Arena Boulevard. Noise levels would not exceed 65 dBA CNEL more than 50 feet from the centerline along the remaining roadways. The northwestern area of the Project site is with the 65–75 dBA CNEL I-8 noise contour. However, noise levels up to a maximum of 75 dBA CNEL from traffic noise for multi-family residential are considered conditionally compatible since interior noise levels can be reduced to 45 dBA CNEL through feasible means, such as closing/sealing windows and providing mechanical ventilation. As described above under Issue 1, all new residential development on the Project site would be subject to existing state, City, and 2018 Community Plan Policy NE-1.3 requirements to demonstrate that interior noise levels of 45 dBA CNEL would be achieved in areas potentially exposed to traffic noise above compatible noise levels. This requirement is implemented through submission of a Title 24 Compliance Report to demonstrate interior noise levels of 45 dBA CNEL. With this existing framework, exterior traffic noise impacts associated with development of new residences on the Project site would be **Less than Significant**.

Noise levels would generally be compatible with neighborhood park and commercial uses (65 dBA CNEL) due to setbacks and building attenuation provided by residential development along Sports Arena Boulevard. Promenades would be public spaces along street frontages that may be exposed to noise levels above the normally compatible noise level of 65 dBA CNEL along Sports Arena Boulevard for parks. However, noise levels would be within the conditionally compatible 70 dBA CNEL contour, which extends up to approximately 68 feet from the roadway centerline, as shown in Table 5.5-10. Noise levels on Sports Arena Boulevard adjacent to the Project site would be reduced to below the incompatible standard of 75 dBA CNEL within 28 feet of centerline and would not

extend into promenade areas. Promenade parks are proposed to provide park-like multimodal connections between proposed land uses. As such, these parks would be active facilities that are less sensitive to noise because users are moving from place to place, so noise exposure in a specific location would be temporary, and a quiet noise environment is not essential to its function. By comparison, passive parks are subject to more stringent standards because these spaces are assumed to serve as gathering spaces where ambient noise levels that do not exceed conversation levels is essential. As such, the promenades would be an appropriate use in areas exposed to the conditionally compatible level of 70 dBA CNEL. Impacts would be **Less than Significant**.

Rail Noise

Sources of railroad noise in the Midway-Pacific Highway Community include freight trains, intercity rail (Amtrak), commuter rail (COASTER), and light-rail transit (San Diego Metropolitan Transit System trolley). The projected 60 dBA CNEL rail noise contour was calculated to be 282 feet from rail center alignment in the Midway-Pacific Highway CPU PEIR (PEIR Table 5.5-5, Existing Predicted Railway Noise Levels) (Appendix B). The Project site is not within 282 feet of the rail center alignment, and future on-site development would not be subject to incompatible noise levels from rail operation. Additionally, the Project would not result in any changes to rail operation that would result in a change in exposure of off-site NSLUs to rail noise. This impact would be **Less than Significant**.

5.5.4.3 Issue 3: Airport Compatibility

Would the Project result in land uses which are not compatible with aircraft noise levels as defined by an adopted Airport Comprehensive Land Use Plan (ACLUP)?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the Midway-Pacific Highway CPU would not result in a significant impact related to airport noise. Even though there are sensitive receptors in the proposed Midway-Pacific Highway Community planning area located where noise levels exceed 60 dBA CNEL due to aircraft operations, future development must include interior noise attenuation consistent with the Noise Element of the 2008 General Plan and the SDIA ALUCP, including Title 24 requirements and ALUC Consistency Determination Review. No mitigation measures were required.

Project-Specific Impact Analysis

The nearest airport to the Project site is the SDIA, approximately 1.8 miles southeast of the Project site. NASNI is 2.8 miles south of the site. The site is within the Airport Influence Area for NASNI but is not located within any noise contour for the airport. According to the SDIA ALUCP, the Project site is within the overflight area and the southern portion of the site is within the airport's 60–65 dBA CNEL contour (Figure 2-7). The Project site is not within the 65 dBA CNEL or above noise contour of the SDIA, which extends to approximately Midway Drive southwest of the Project site (SDCRAA 2014).

Prior to issuance of any building permit, buildings developed under the Project would be required to submit Project-level consistency determination to demonstrate compliance with the interior noise compatibility guidelines of the 2008 General Plan for new residences in areas where exterior noise levels exceed 60 dBA CNEL. This requirement would be implemented for the Project through submittal of a Title 24 Compliance Report and an ALUC Consistency Determination Application, both of which would require demonstration of interior noise levels of 45 dBA CNEL. With this existing framework, aircraft noise exposure would be **Less than Significant**.

5.5.4.4 Issue 4: Noise Ordinance Compliance

Would the Project result in the exposure of people to noise levels which exceed property line limits established in the Noise Abatement and Control Ordinance of the San Diego Municipal?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would not result in a significant impact related to noise ordinance compliance. Mixed-use sites and areas where residential uses are located in proximity to commercial sites would potentially expose sensitive receptors to noise. However, City policies and regulations would control noise and reduce noise impacts between various land uses. In addition, enforcement of state noise regulations in Title 24 of the California Code of Regulations would control impacts. With implementation of these policies and enforcement of the Noise Abatement and Control Ordinance of the SDMC, impacts would be **Less than Significant**.

Project-Specific Impact Analysis

A significant impact would occur if implementation of the Project would result in the exposure of people to noise levels that exceed property line limits established in the Noise Abatement and Control Ordinance of the SDMC, as shown in Table 5.5-7. The applicable noise level limits for existing development include the All Other Residential and Commercial use categories. Where ambient conditions exceed the SDMC standards, the threshold is assumed to be a perceptible increase (3 dBA CNEL or more) above ambient noise levels.

The Project would provide a mix of residential, commercial, and entertainment uses, and parks and public spaces that encourage an active urban environment, consistent with the land use types and vision identified in the 2018 Community Plan, as addressed in the Midway-Pacific Highway CPU PEIR. Consistent with 2018 Community Plan NE-1.8, Project design includes a variety of open and public space amenities to create separation between uses and existing roadway noise sources. However, the Project would generate typical sources of noise in mixed-use developments, including loading docks, mechanical equipment (such as generators and HVAC units), truck deliveries, trash-hauling activities, and customer and employee use of commercial facilities. Outdoor activity areas including those that would host special events would also result in noise from human activity and amplified noise. The Project uses and applicable City regulations are further described below.

Commercial Development

Proposed commercial development would include retail and restaurant uses. Potential operational noise sources associated with commercial development on the Project site would include HVAC equipment, commercial truck deliveries at loading docks, and human activity associated with live entertainment or outdoor patios.

The exact specifications and locations of the HVAC systems that would be installed at commercial or mixed-use buildings are unknown at this time, given the Project is a Specific Plan and the buildings have not been designed. For the purposes of this analysis, it is assumed that the HVAC systems of a mixed-use commercial and residential Project would be typical of a community-serving retail building, based on reference noise levels available from a mixed-use project in the region (City of Santee 2020). HVAC units not installed within an enclosure would have the potential to generate noise levels up to 79 dBA Leq at the unit (approximately 3 feet from the source). Without proper attenuation, HVAC units could result in noise levels that exceed SDMC limits. However, consistent with the Midway-Pacific Highway CPU PEIR, new mechanical equipment would be required to demonstrate consistency with the SDMC during the building permit approval process. The City's CEQA Significance Determination Thresholds note that non-residential stationary equipment located adjacent to residential development may result in a significant impact if noise levels exceed 65 dBA CNEL, even if hourly noise levels are consistent with the SDMC limits (City of San Diego 2022). Commercial uses would be located within mixed-use buildings with residential uses. However, as part of the building permit process, design considerations submitted by the Project applicant would be required to demonstrate that Title 24 interior noise standards would be achieved at adjacent residences, including noise from proposed commercial uses. Per SDMC, future building design would incorporate adequate shielding for mechanical equipment to achieve interior and exterior noise standards for on-site residential and commercial uses. The nearest sensitive receptors to proposed buildings that may include commercial uses are the Via Marbella and The Orchard Senior Living facility, both located approximately 750 feet from the nearest potential Project building location. At this distance, based on a standard noise attenuation rate of 6 dBA per doubling of distance, noise levels from an individual residential HVAC unit would be reduced to below 40 dBA without attenuation (Caltrans 2013). Additionally, existing intervening commercial buildings provide added attenuation to existing residences, and this area is already within the 60–70 dBA CNEL noise contours for freeway noise. Project equipment would be designed to achieve SDMC noise standards on site, as required to obtain a building permit. Due to distance, intervening structures, existing ambient noise, and on-site attenuation, significant impacts to off-site receptors would not occur. This impact would be **Less than Significant.**

In addition to HVAC systems, commercial land uses also have the potential to generate noise from truck deliveries, such as engines idling and beeping from backing warning signals at commercial loading docks. Truck deliveries to the Project site would involve deliveries of supplies and products to

commercial uses. State law (California Code of Regulations, Title 13, Section 2485) currently prohibits heavy-duty diesel delivery trucks from idling more than 5 minutes. Therefore, noise from truck idling would be limited to 5 minutes during truck deliveries. Because of the intermittent and short duration of noise from truck deliveries in each location, truck deliveries would not be a source of excessive ambient noise. Consistent with 2018 Community Plan Policy 1.10, deliveries would also be encouraged to occur during day-time hours. Therefore, truck activities would not exceed SDMC hourly noise standards, and impacts related to truck deliveries and loading would be **Less than Significant**.

Commercial establishments such as restaurants and bars on the Project site may generate intermittent noise from live entertainment or lively crowds. However, operation would be subject to SDMC requirements. The Project proposes to change the existing Commercial Community (CC-3-6 and CC-3-8) zones to Residential-Mixed Use (RMX-2). Following Project approval, the RMX zoning regulations would be the applicable zoning requirements for the site. RMX zoning regulations limit operational hours for eating and drinking establishments adjacent to residences to between 6:00 a.m. and 12:00 a.m. 2018 Community Plan Policies NE-1.7 and NE-1.8 require the incorporation of sound attenuation measures, such as lowering the volume of amplified music and installing sound absorbent wall/ceiling materials, where commercial uses, such as restaurants and bars, are permitted or conditionally permitted, especially adjacent to residential areas. With enforcement of 2018 Community Plan policies and SDMC requirements, impacts to on-site NSLUs would be **Less than Significant**.

The nearest sensitive receptors to proposed buildings that may include commercial uses are the Villa Marbella apartments and The Orchard Senior Living facility (approximately 750 feet west and southeast of the Project site, respectively), separated from the Project site by existing commercial development. Due to distance, intervening structures, existing ambient noise, and on-site attenuation, noise from human activity would not be expected to be audible at the nearest existing NSLUs or exceed SDMC noise level limits. Nuisance impacts to off-site NSLUs would be **Less than Significant**.

Residential Development

Residential development would be located throughout the Project site in mixed-use buildings with multi-family residential and commercial uses. Mixed-use buildings would require HVAC systems as described above for commercial development. The analysis of the HVAC systems above applies to on-site commercial and residential development. Remaining noise generated from residential uses is generally described as “nuisance noise.” Nuisance noise is defined as intermittent or temporary neighborhood noise from sources such as amplified music and barking dogs that may be disturbing to other residents. Section 59.5.0501 of the SDMC prohibits disturbing, excessive, or offensive noise which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The San Diego Police Department enforces the nuisance noise provisions of the Noise Ordinance. Additionally, nuisance noises would be different from each other in kind, duration, and location. The overall effects would be separate and, in most cases, would not affect the same receptors at the same time. Therefore, nuisance noise in residential neighborhoods would not result

in noise levels that would exceed the SDMC hourly noise level limits and would not result in a significant impact. This impact would be **Less than Significant.**

Parking Areas

On-site parking would consist almost entirely of parking structures, with some on-street parking planned along private drives, Kemper Street, and Frontier Drive. Larger entertainment events may require use of off-site parking lots for overflow parking either within walking distance of the Project site or requiring shuttle service. No specific overflow parking lot locations are identified at this time. These lots would be identified as leases are signed. Noise sources from parking areas include car alarms, door slams, radios, and tire squeals. Based on reference noise levels from a similar mixed-use project in the region, these sources typically range from approximately 51 to 66 dBA at a distance of 10 feet (City of Santee 2020) and are generally short term and intermittent. Parking areas have the potential to generate noise levels that exceed 65 dBA depending on the location of the source; however, noise sources from the parking areas would be different from each other in kind, duration, and location. Therefore, the overall effects would be separate and, in most cases, would not affect noise-sensitive receptors at the same time. Additionally, most proposed on-site parking would be located within structures that are wrapped by residential units, which would shield surrounding uses from parking area noise. Parking in overflow lots would be similar to existing use of the lots. Nuisance noise in these lots would be concentrated in the periods before and after events. However, as a condition of approval, these lots would be managed, and traffic control would reduce intermittent noises, such as honking. Therefore, noise generated from parking areas would not exceed SDMC hourly noise level limits and would be **Less than Significant**.

Permanent Indoor Event Facilities – Event Noise

The Project would allow for the development of a new 16,000-seat entertainment center. The existing San Diego International Sports Arena would remain operational until the new entertainment center is constructed. Event noise from the existing San Diego International Sports Arena would be the same as existing conditions during the interim period while the San Diego International Sports Arena is still in operation. As described in Section 5.5.1.4, Existing Noise Levels, measured sound levels at existing receptors showed no increase in noise levels on event days at the existing 16,000-seat San Diego International Sports Arena from operation of the entertainment center for events. Changes to ambient noise as a result of event-associated traffic are addressed in Section 5.5.4.1, Issue 1: Ambient Noise. Event noise at the existing San Diego International Sports Arena was not audible over existing vehicle noise levels. The construction of a new entertainment center would meet current building standards that would provide additional noise attenuation compared to the existing San Diego International Sports Arena building. As such, noise levels from operation of a new entertainment center would not be a noticeable contributor to the ambient noise environment, similar to the existing San Diego International Sports Arena. Moreover, operation of a new entertainment center would be subject to SDMC ordinances, such as SDMC Article 3, Division 15,

Regulations for Entertainment Uses, that limit nuisance impacts associated with operation and require the establishment and enforcement of orderly dispersal after events. Consistent with the findings of the Midway-Pacific Highway CPU PEIR, continued operation of an entertainment center on the Project site would not result in noise levels that exceed property line limits established in the Noise Abatement and Control Ordinance of the SDMC. Impacts would be **Less than Significant**. Special events accommodated by new outdoor spaces are addressed below.

Permanent Indoor Event Facilities – Mechanical Equipment

The Project would allow for the development of a new 16,000-seat entertainment center. Mechanical equipment for this type of facility would be larger than typical HVAC units described above for commercial and multi-family residential development. HVAC equipment is anticipated to be located in a mechanical yard on the northern side of the proposed entertainment center and would include approximately four air source heat pumps and three cooling towers (Appendix G1). Based on conceptual equipment specifications provided by the Project applicant for similar facilities (Appendix G1), unattenuated noise levels from mechanical equipment would range from 59 dBA to 65 dBA at 200 feet, with a combined noise level of approximately 74 dBA at 200 feet. The conceptual Project information presumes the mechanical yard would be surrounded by a solid 22-foot-high wall that would reduce noise levels to approximately 65 dBA at 200 feet. The nearest existing NSLU to the proposed entertainment center is the Villa Marbella apartment complex located behind commercial development southeast of the Sports Arena Boulevard and East Drive intersection, approximately 530 feet south of the proposed entertainment center. Noise levels from entertainment center mechanical equipment would be reduced by distance to approximately 57 dBA at the Villa Marbella apartments, which exceeds the SDMC daytime and nighttime noise level limits. However, in addition to distance, mechanical equipment would be further attenuated by the entertainment center building and existing commercial development south of Sports Arena Boulevard. Similarly, existing commercial development and proposed site development would provide attenuation to residences at The Orchard Senior Living facility approximately 2,600 feet west of the entertainment center. These areas are also subject to higher levels of ambient freeway noise due to proximity to I-8 and I-5. Calculated noise levels from the proposed entertainment center mechanical yard would generally not be audible over existing ambient roadway noise at these locations. Prior to issuance of building permits, final barrier design of the mechanical yard wall would be required to demonstrate consistency with the SDMC noise level limits at the Project site boundary.

As noted previously, stationary source impacts may still be considered significant if noise levels would exceed 65 dBA CNEL at residential uses. If mechanical equipment would run continuously, it would result in noise exposure of 64 dBA CNEL at the nearest existing NSLU (the Villa Marbella apartments), assuming attenuation from distance only. Therefore, due to the distance to the nearest existing receptors and equipment shielding, residential uses would be outside the 65 dBA CNEL screening distance for impacts from mechanical equipment. Attenuation from intervening structures and

existing ambient noise sources would further reduce noise exposure. Project mechanical equipment would not result in noise level exposure in excess of 65 dBA CNEL at surrounding residential receptors.

In addition, emergency generators would be located within the entertainment center mechanical yard, but operation would be limited to monthly daytime testing. Due to the limited duration of testing (typically 30 minutes once per month), the proposed 22-foot-high mechanical yard wall, and existing ambient noise levels primarily from traffic, monthly emergency generator testing is not anticipated to be noticeable at on- or off-site receptors. Consistent with the findings of the Midway-Pacific Highway CPU PEIR, because operation of mechanical equipment would be required to demonstrate consistency with SDMC noise level standards at the Project property line, operation would not exceed SDMC noise levels limits at nearby receptors. Due to the short-term duration of testing, generators would not result in noise levels that exceed 65 dBA CNEL. This impact would be **Less than Significant**.

Outdoor Human Activity and Recreational Facilities

The Project site is currently a source of human activity noise from the movement of people and vehicles associated with existing commercial and event spaces and from the outdoor Kobey's Swap Meet. However, the increased residential density proposed on site and new park and public space amenities would have the potential to increase daily activity on the site. The Project would provide a variety of public space areas for recreational and gathering opportunities (refer to Figure 3-1, Site Concept Illustrative Map, in Chapter 3.0, Project Description). The Green would be a centrally located gathering hub for the on-site residential community, while The Square would be outside the proposed entertainment center as an activated courtyard and supporting the outdoor venue. These two outdoor areas would be linked by The Plaza, a linear space envisioned to be lined by retail and dining establishments. Proposed paseo greens and greenways would intersect with these public spaces to provide active transportation corridors. Wide, meandering, tree-lined promenades would provide a park-like setting in the public rights-of-way throughout and adjacent to the Project site.

The proposed public spaces would support the implementation of 2018 Community Plan Policy UD-2.2 by activating public spaces, including streets, sidewalks, and parks with City-permitted special events and park uses that provide cultural enrichment, promote economic vitality, enhance community identity and pride, and provide fundraising opportunities for the community's nonprofit agencies. Daily anticipated activities in The Green and The Square could include small yoga classes, board and lawn games, art classes and similar group activities that would generally result in noise levels similar to normal conversation. Similarly, daily use of The Plaza, paseo greens, greenways, and promenades for mobility or recreation would generally not result in noise levels beyond normal conversation (65 dBA at 3 feet from the source [Appendix G1]). Additionally, the Project site is subject to ambient traffic noise levels, including freeway noise from I-8. Noise from general human activity on site would generally not be audible at off-site uses, including residences, above ambient roadway noise. Noise levels from general activity on the Project site would not exceed SDMC hourly noise level limits and would not result in a significant impact.

Other fitness classes, happy hour events, food truck events or small musical performances may also occur throughout a typical week and result in higher noise levels from amplified music or larger gatherings. Events may also include noise sources such as fireworks displays or use of generators. Based on information provided by the Project applicant for similar facilities (Appendix G1), noise levels from daily use would typically be normal conversation levels, while large events in the public spaces throughout the Project site could generate noise levels of 95 dBA or more adjacent to the source. Larger events would take place primarily in The Green and The Plaza, where proposed development would provide noise attenuation to existing off-site receptors, including NSLUs, and The Square, which would be located on the eastern side of the Project site near a primarily commercial area, which is not an NSLU.

The nearest existing NSLU to The Square is the Villa Marbella apartments located approximately 700 feet southwest of The Square. The nearest NSLU to The Green would be The Orchard Senior Living facility west of the Project site across Hancock Street, approximately 1,200 feet west of The Green. Noise levels from future events would vary, and the specifications for future event size, type, and required equipment are currently unknown. As such, the estimated typical large event noise level of 95 dBA (Appendix G1) provides a screening level for potential impacts. At these distances, assuming a worst-case distance in which the location of the noise sources is at the edge of the nearest public space area, noise from an event generating noise levels of 95 dBA at the source would attenuate to 58 dBA at the nearest southern NSLU, and 53 dBA at the nearest western NSLU. As such, events would have the potential to exceed evening (7:00 p.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 p.m.) residential noise standards. The estimated noise level is within acceptable daytime residential noise levels. However, because the specifications for future events are currently unknown, as a worst-case assumption, it is assumed that an event would potentially exceed 95 dBA at the source and potentially exceed the daytime standard of 60 dBA at these receptors.

In addition to the Project buildings, existing commercial development would provide noise attenuation to existing residences west and southeast of the site. Additionally, the Project site is separated from nearby residences by existing noise-generating roadways, and anticipated event noise levels are generally consistent with existing measured evening and nighttime ambient noise levels (primarily traffic noise), as shown in Table 5.5-4. Therefore, although outdoor events within on-site public space areas would have the potential to result in noise levels that exceed the noise level limits in Table 5.5-7, building attenuation and existing ambient noise levels would reduce the potential for outdoor events to result in a significant nuisance. However, because specifications for future events are currently unknown and would have the potential to exceed SDMC limits, individual events could result in a **Potentially Significant** impact to NSLUs (**Impact 5.5-1**).

Surrounding existing commercial uses would also have the potential to be exposed to crowd and amplified music noise from use of the public spaces. Based on the screening noise level of 95 dBA at 10 feet, event noise would attenuate to below the daytime commercial standard of 65 dBA at 350 feet, and below the evening and nighttime standard of 60 dBA at approximately 575 feet.

Surrounding commercial and office uses are generally closed during nighttime hours, although some may operate during evening or nighttime hours, such as fitness centers or casual restaurants. Existing commercial and office uses are located within 575 feet of proposed green spaces on all sides of the Project site. Proposed on-site development would provide building noise attenuation to most existing development from events in The Green and The Square, with the exception of first row commercial development located north (approximately 50 feet across Kurtz Street) and south (approximately 150 feet across Sports Arena Drive) of The Square. At these distances, assuming worst-case location of noise sources at the edge of The Square, noise from an event generating noise levels of 95 dBA at the source would attenuate to 81 dBA and 72 dBA, respectively. Therefore, event noise may exceed SDMC standards at the commercial uses closest to The Square during daytime, evening, or nighttime hours. This impact would be **Potentially Significant** (**Impact 5.5-1**). The impact would be lessened by existing ambient traffic noise, especially for the commercial uses to the south separated from the Project site by Sports Arena Boulevard, and through compliance with SDMC requirements as detailed below.

As described above, new activities and special events on the Project site would have the potential to exceed the Noise Abatement and Control Ordinance for residential and commercial uses, including on- and off-site receptors. Commercial activities or events operating in public spaces with 75 or more participants, such as large group fitness classes and special events like concerts, would be required to obtain Special Event Permits to operate, including limits on hours of operation or use of amplified equipment. Such events would be governed by the terms and conditions of the Special Event Permits. The Project site would be designated as part of an Entertainment Center District and, thus, a Special Event Venue (Midway Rising Entertainment Center District ~~Overlay~~), which would streamline the special event permitting process and provide additional regulations for large outdoor events on the Project site. As a Special Event Venue, events in the district would be subject to one or more Special Event Permits for the site pursuant to Chapter 2, Article 2, Division 40 of the SDMC. Although the specifics of the permits are currently unknown, at a minimum, a permit would outline types of events and activities allowed and not allowed on the site, and establish performance standards, including noise mitigation. Individual events would need to demonstrate consistency with permit requirements prior to event approval. If the Midway Rising Entertainment Center District is not applied, or a district-wide Special Event Permit does not apply to an individual event, events would be required to obtain their own Special Event Permit. Requirements to obtain a Special Event Permit include detailing anticipated noise sources and applicable noise abatement as required by the City, also pursuant to Chapter 2, Article 2, Division 40 of the SDMC. Permit compliance would reduce excessive and unnecessary noise related to events, but would not necessarily reduce noise levels to below SDMC hourly noise levels limits.

The Project site was anticipated to include entertainment uses and active public gathering spaces in the 2018 Community Plan (Section 2.4.1, Sports Arena Community Village; Policy UD-2.2, and Table 7-1, Population-Based Parks and Recreation Facilities Inventory and Recommendations). The Midway-Pacific Highway CPU PEIR determined that an existing regulatory framework is in place to

limit noise from human activity and use of recreational facilities on the Project site. With permit approval, events would be subject to permit requirements, rather than the Noise Abatement and Control Standards. The purpose of the permit is to minimize nuisance noise to surrounding receptors. However, because events are anticipated that have the potential to exceed SDMC hourly noise standards, which provide the screening threshold for impacts to existing receptors, and it cannot be demonstrated at this time that existing regulations or future permitting would reduce predicted noise levels to an acceptable level, this impact would be **Potentially Significant** (**Impact 5.5-1**).

Maximum Event Scenario

Special events such as musical festivals that involve multiple venues across the site, or other special outdoor concerts or performances up to 4,000 people may be accommodated a few times per year, and those events are anticipated to exceed the 95 dBA noise screening level. Up to 166 annual events are estimated to occur at the entertainment center, and most events would not include an outdoor event component. The maximum site event capacity for a multi-venue event is 20,000 attendees (Appendix D1). Impacts to vehicle noise levels from this maximum event scenario are addressed in Section 5.5.4.1.

As discussed above, indoor events at the new entertainment center would not result in exterior noise levels that exceed SDMC standards. Noise levels from a multiple venue event would generally be limited to crowd noise and amplified music in Project public space areas. Crowds of up to 4,000 people could be accommodated in outdoor spaces throughout the Project site, concentrated in The Green, The Square and The Plaza. These larger events may generate noise levels higher than 95 dBA at the source. The specific types of events, location of the site, frequency, and required noise amplifying equipment cannot be determined at this time. As discussed for individual events above, it can be assumed that noise levels would potentially exceed SDMC noise level limits at nearby receptors. Noise attenuation would be outlined in the district's Special Event Permit and SDMC regulations related to crowd management to reduce noise exposure, but it cannot be demonstrated at this time that noise levels would be below SDMC noise level limits. This impact would be **Potentially Significant (Impact 5.5-1)**.

Impact 5.5-1: Outdoor special events could result in the exposure of people to noise levels which exceed property line limits established in the Noise Abatement and Control Ordinance of the SDMC.

Other Operational Noise Sources

Other operational noise sources associated with mixed-use development include landscape and maintenance activities and regular trash pickup. These activities currently occur on the Project site. These sources would be subject to applicable SDMC requirements, including Section 59.5.0502 and Section 59.5.0406. These noise sources would be intermittent, short term, and similar to existing

conditions on the Project site and surrounding development. Therefore, landscape maintenance and trash collection would not exceed SDMC Noise Abatement and Control Ordinance Standards hourly noise level limits and would result in a **Less than Significant** impact.

Summary

The Project site is currently a source of noise from human activity and commercial uses. Consistent with development anticipated for the area in the 2018 Community Plan, the Project would result in increased activity on the site, including new noise sources from mechanical equipment, permanent indoor entertainment center spaces that are larger than the existing venues, outdoor gatherings in public space areas, and special events. Consistent with the findings of the Midway-Pacific Highway CPU PEIR, an existing regulatory framework is in place to condition future development to operate in a manner that would not result in noise levels in excess of noise ordinance standards. The City would continue to enforce noise-related regulations of the SDMC, and compliance with 2018 Community Plan policies. Although use of the Project site for public gatherings and events was anticipated in the Midway-Pacific Highway CPU, large special events accommodated in Project outdoor public space areas would have the potential to exceed SDMC hourly noise standards, and compliance with existing regulations cannot demonstrate adequate reduction in noise levels at this time. This impact would be **Potentially Significant**.

5.5.4.5 Issue 5: Temporary Construction Noise

Would the Project result in the exposure of people to significant temporary construction noise?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that construction noise from implementation of allowable 2018 Community Plan land uses would be **Potentially Significant.** Construction activities would potentially generate short-term noise levels in excess of 75 dBA Leq at adjacent properties. Due to the highly developed nature of the proposed Midway-Pacific Highway Community planning area with sensitive receivers potentially located near any given construction site, it was determined that construction of future projects would have the potential to expose existing sensitive land uses to noise levels above allowable SDMC standards. Midway-Pacific Highway CPU PEIR Mitigation Measure **NOISE 5.5-2** was identified to reduce this impact to a **Less than Significant** level through implementation of best management practices.

Project-Specific Impact Analysis

This section discusses construction noise from heavy equipment operation and construction traffic.

Construction Equipment

A significant impact would occur if implementation of the Project would result in the exposure of people to significant temporary construction noise. Construction noise would be considered significant if it would result in 12-hour Leq levels of 75 dBA or higher at a residential receptor between the hours of 7:00 a.m. to 7:00 p.m. or occur during nighttime hours (7:00 p.m. to 7:00 a.m.), on legal holidays, or Sundays (SDMC Section 59.5.0404). The City's CEQA Significance Determination Thresholds note that construction noise consistent with the SDMC noise level limit may still be significant if it would substantially interfere with normal operation. Sensitive receptors adjacent to the Project site consist of residences. The primary concern for disturbance for residences is sleep disturbance. Therefore, limits on the hours of construction and daytime noise levels provide an adequate threshold for the Project, consistent with the Midway-Pacific Highway CPU PEIR.

Construction of the Project is anticipated to occur from approximately January 2026 through December 2035, and occur in two phases. Phase 1 would occur from January 2026 to December 2030 and would include construction of the planned Frontier Drive between Sports Arena Boulevard and Kurtz Street and development east of the new Frontier Drive segment, including the new entertainment center and mixed-use buildings. Phase 2 would occur from October 2028 to December 2035 and include development of the remaining mixed-use buildings and public space west of Frontier Drive, and construction of Kemper Street between Sports Arena Boulevard and Kurtz Street. All phases would include demolition of existing development, earthwork, installation of paving and building foundations, exterior building construction, and interior construction and application of architectural coatings. Excavated soil would be stockpiled and reused on site to the extent feasible; however, truck trips would be required in each phase for demolition export, soil import and export, and building material import. A rock crusher would be required during Phase 2 to reuse some demolished material on site. This equipment would be stationary; however, the location is currently unknown. As such, noise levels from the rock crusher are considered in determining the worst-case noise level at locations closest to existing sensitive receptors. Transportation improvements, as outlined in Section 3.3.2.2, Frontage and Off-Site Improvements, are also anticipated to require use of heavy construction equipment. Improvements include construction of new multi-use paths, roadway and intersection improvements, and relocation or installation of new street lights.

Construction noise typically occurs intermittently and varies depending upon the phase of construction (e.g., demolition/clearing, grading and excavation), type and size of equipment being operated, and duration of construction. Hourly average noise levels vary depending on the duration of equipment operation, type of equipment, relative location of the construction equipment to the noise-sensitive receptor, and presence of intervening barriers. The construction equipment anticipated for Project construction, and reference noise levels are provided in Table 5.5-11, Project Construction Equipment Noise Levels. In addition to equipment typical of a land use development

project, a rock crusher is assumed to be required for material reuse on-site and is included in Table 5.5-11. Reference noise levels conservatively assume diesel equipment, although some quieter electric equipment is anticipated to be used for Project construction. Consistent with the 2018 Community Plan methodology, construction equipment predictions followed the FTA "general assessment" technique, which focuses on predicting noise emissions from the loudest potential pieces of construction equipment from a given construction phase. Simultaneous operation of the loudest two pieces of equipment anticipated for construction in the Midway-Pacific Highway Community planning area (concrete saw and hoe ram) were assumed for the 2018 Community Plan. For construction on the Project site, four pieces of equipment are conservatively assumed due to the potential for multiple construction activities to occur on-site on a given day, although at different locations. The analysis of the loudest pieces of equipment provides a conservative maximum noise level at individual receptors, although in practice, different types of equipment would be in operation at multiple and varying distances from an individual receptor throughout the day. At the transportation improvement locations, the number of pieces of equipment operating simultaneously would be limited by the size of the construction area. The construction fleets for demolition and paving are assumed for the off-site improvements areas, although the quantity of equipment and resulting noise would be reduced compared to on-site construction.

Table 5.5-11. Project Construction Equipment Noise Levels

Construction Activity	Equipment Type	Quantity	Reference Noise Level (dBA at 50 feet)	Combined Noise Level (dBA at 50 feet)[1]	Screening Distance to 75 dBA (feet)
Grading/ Excavation	Scraper	1	84	84.9	160
	Excavators	3	81		
	Loaders	2	79		
	Water Trucks	1	75		
	Grader	1	85		
Deep Foundations	Drill Rigs	3	80	81.6	110
	Backhoe Loader	2	78		
Demolition	Excavator w/ Breaker[2]	3	90	85.2	165
	Loaders	2	79		
	Rock Crusher with Generator[2] (Phase 2 Only)	1	90		

Table 5.5-11. Project Construction Equipment Noise Levels

Construction Activity	Equipment Type	Quantity	Reference Noise Level (dBA at 50 feet)	Combined Noise Level (dBA at 50 feet)[1]	Screening Distance to 75 dBA (feet)
Building Construction	Concrete Placing Booms[2]	3–6	81	85.6	170
	Concrete Trailer Pumps	2	81		
	Concrete Pump Trucks	2	81		
	Tower Cranes	4–5	81		
	Manlifts	8	75		
	Generators	8	81		
	Welder	6	74		
	Forklifts[2]	10	85		
Paving	Paving Machine	1	77	81.2	105
	Vibrating Roller	1	80		
	Plate Vibrator[2]	2	83		

Source: Appendix G1.

Notes:

[1] Assumes four noisiest pieces of equipment.

[2] Reference Noise level for break ram is assumed for excavator with breaker and rock crusher, crane assumed for concrete placing booms, and compactor assumed for plate vibrator. "All other equipment >5 HP" category assumed for forklifts.

Based on the anticipated construction fleet provided by the Project applicant (AECOM 2023) and reference noise levels from the Roadway Construction Noise Model, construction noise levels would range from 81.2 to 85.2 dBA and have the potential to exceed 75 dBA up to 170 feet from the active construction area (Appendix G1). Therefore, construction noise levels would have the potential to exceed the SDMC construction noise limit of 75 dBA 12-hour Leq average up to 170 feet from active construction areas. As noted in the Midway-Pacific Highway CPU PEIR, evaluating impacts based on a potential hourly maximum is conservative because, if the above equipment is operating for less than the 12 allowable hours of the workday, the average daily impact may be drastically reduced. Figure 5.5-4, Construction Noise Screening Distance, shows the areas surrounding the Project site and transportation improvement locations that are within 170 feet of the anticipated construction areas.

Construction would occur during allowable daytime hours (7:00 a.m. to 7:00 p.m.). There are no existing residentially zoned uses within 170 feet of on-site construction areas. Therefore, on-site construction would not exceed SDMC construction noise limits at existing residential receptors. Existing residences are located within 170 feet of the intersections of Sports Arena Boulevard/Midway Drive/West Point Loma Boulevard, Hancock Street/Sports Arena Boulevard, and

Rosecrans Street/Lytton Street. Additionally, following Phase 1 of construction, newly constructed on-site Project residences would have the potential to be exposed to noise from Phase 2 of construction. Therefore, consistent with the conclusions of the Midway-Pacific Highway CPU PEIR, operation of heavy construction equipment would have the potential to expose receptors to 12-hour Leq levels of 75 dBA or higher. This impact would be **Potentially Significant (Impact 5.5-2)**.

Impact 5.5-2: Construction of the Project could result in the exposure of people to significant temporary construction noise.

Construction Traffic

Construction of the Project would have the potential to result in temporary noise level increases from increased construction traffic volumes. A substantial temporary increase would occur if construction would result in an ambient noise level that would exceed the applicable exterior land use compatibility criteria, or would result in an increase of more than 3 dBA if the roadway already exceeds the standard without the addition of construction traffic. The analysis assumes the worst-case maximum scenario of 1,524 daily worker vehicle trips and 228 truck trips in 1 day (Appendix G1). Modeling conservatively assumes all worker trip traffic occurs on all study area segments. In reality, workers would arrive to the site from different directions, so that individual segments would not be expected to carry 100 percent of trips. Truck trips would occur on identified truck route segments. All truck traffic would enter and exit the site from Sports Arena Boulevard and would travel on Sports Area Boulevard to and from I-8 (Appendix G1). Traffic noise modeling on Sports Arena Boulevard considers the increase in truck trips as a percentage of total vehicle traffic during construction.

Table 5.5-12, Existing Traffic Noise Levels Plus Construction (dBA CNEL), provides existing noise levels and estimated traffic noise levels with the construction of the Project.

Table 5.5-12. Existing Traffic Noise Levels Plus Construction (dBA CNEL)

Roadway	Segment	Applicable Threshold	Non-Event Scenario	Event Scenario	Significant Impact? (Maximum Project Increase in Noise Level)	Roadway	Segment
			No Project	With Construction	No Project	With Construction	
Sports Arena Boulevard	I-8 Westbound Off-Ramp to I-8 Eastbound On-Ramp	65	67.1	68.6	67.7	69.1	No (1.5)
	I-8 Eastbound On-Ramp to West Point Loma Boulevard	65	70.2	70.8	70.7	71.3	No (0.6)
	West Point Loma Boulevard to Hancock Street	65	68.8	69.9	69.4	70.4	No (1.1)
	Hancock Street to Kemper Street	65	68.8	69.9	69.4	70.4	No (1.1)
	Kemper Street to (planned) Frontier Drive	65	67.4	68.5	68.0	69.0	No (1.1)
	Rosecrans Street to Pacific Highway	65	55.6	60.3	56.2	60.5	No (4.7)

Table 5.5-12. Existing Traffic Noise Levels Plus Construction (dBA CNEL)

Roadway	Segment	Applicable Threshold	Non-Event Scenario	Event Scenario	Significant Impact? (Maximum Project Increase in Noise Level)	Roadway	Segment
			No Project	With Construction	No Project	With Construction	
Kurtz Street	Hancock Street to Frontier Drive	65	57.9	59.8	58.6	60.3	No (1.9)
	Frontier Drive to Sherman Street	65	57.9	59.8	58.6	60.3	No (1.9)
	Sherman Street to Camino Del Rio West	65	59.7	61.1	60.7	61.8	No (1.4)
Hancock Street	Sports Arena Boulevard to Channel Way	65	58.4	60.2	59.0	60.6	No (1.8)
	Channel Way to Kurtz Street	65	58.6	60.4	59.0	60.6	No (1.8)
	Kurtz Street to Greenwood Street	65	59.5	61.1	59.9	61.3	No (1.6)
	Greenwood Street to Camino Del Rio West	65	59.6	61.1	60.0	61.3	No (1.5)

Source: Appendix G1.

Notes: dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level; I- Interstate; N/A = not applicable

Noise levels are calculated at 50 feet from roadway centerline.

Noise levels are based on traffic projections provided by Kimley-Horn & Associates, Inc. (Appendix D1).

As shown in Table 5.5-12, no significant increase in traffic noise levels would occur during construction activities compared to existing conditions under worst-case conditions, which assumes the maximum trips for both workers and trucks would occur on the same construction day. Temporary impacts would be **Less than Significant** under this scenario.

Interim (Year 2030–2035) Construction Scenario

A portion of the Project (Phase 1) would be operational during construction of Phase 2 of the Project, including the proposed entertainment center, approximately 875 residential units, and 90,888 square feet of commercial space. The interim construction scenario assumes traffic volumes generated by operation of Phase 1 of the Project to determine if concurrent operation of Phase 1 plus construction of Phase 2 would result in a significant temporary increase in noise levels. Table 5.5-13, Interim (Year 2030–2035) Construction Scenario Noise Levels (dBA CNEL), provides estimated traffic noise levels compared to near-term (2030) noise levels during concurrent Project operation and construction. As shown in Table 5.5-13, interim operation and construction traffic noise levels would result in a clearly noticeable increase (more than 5 dBA) on one roadway segment of Sports Arena Boulevard from Rosecrans Street to Pacific Highway and one segment of Kurtz Street from Hancock Street to the planned Frontier Drive. However, the resulting noise level would not exceed 65 dBA CNEL with Project traffic, the additional noise from construction would be temporary, and no NSLUs are currently located adjacent to these segments. Additionally, as previously noted, modeling considers worst-case maximum estimated worker and truck trips. Realistically, the traffic noise impact would be reduced compared to the calculated noise levels in Table 5.5-13 because average traffic volumes would be less than the modeled worst-case scenario. Therefore, this impact would be **Less than Significant.**

Table 5.5-13. Interim (Year 2030–2035) Construction Scenario Noise Levels (dBA CNEL)

Roadway	Segment	Applicable Threshold	Non-Event Scenario		Event Scenario		Significant Impact? (Maximum Project Increase in Noise Level)
			No Project	Phase 1 + Construction	No Project	Phase 1 20K Event + Construction	
Sports Arena Boulevard	I-8 Westbound Off-Ramp to I-8 Eastbound On-Ramp	65	67.4	69.4	68.0	69.9	No (2.0)
	I-8 Eastbound On-Ramp to West Point Loma Boulevard	65	70.4	71.5	70.9	72.1	No (1.2)
	West Point Loma Boulevard to Hancock Street	65	69.1	71.2	69.7	71.9	No (2.2)
	Hancock Street to Kemper Street	65	69.7	70.5	69.7	71.1	No (1.4)
	Kemper Street to (planned) Frontier Drive	65	67.7	69.3	68.3	69.9	No (1.6)
	Rosecrans Street to Pacific Highway	65	56.7	60.0	57.2	62.5	No (5.3)[1]
Kurtz Street	Hancock Street to Frontier Drive	65	58.0	63.0	58.8	63.6	No (5.0)[1]
	Frontier Drive to Sherman Street	65	58.0	62.0	58.8	62.7	No (4.0)
	Sherman Street to Camino Del Rio West	65	59.8	62.4	60.8	63.1	No (2.6)

Table 5.5-13. Interim (Year 2030–2035) Construction Scenario Noise Levels (dBA CNEL)

Roadway	Segment	Applicable Threshold	Non-Event Scenario		Event Scenario		Significant Impact? (Maximum Project Increase in Noise Level)
			No Project	Phase 1 + Construction	No Project	Phase 1 20K Event + Construction	
Hancock Street	Sports Arena Boulevard to Channel Way	65	58.9	63.1	59.4	63.9	No (4.5)
	Channel Way to Kurtz Street	65	59.2	63.4	59.6	63.8	No (4.2)
	Kurtz Street to Greenwood Street	65	59.8	62.2	60.2	62.6	No (2.4)
	Greenwood Street to Camino Del Rio West	65	59.8	62.2	60.2	62.6	No (2.4)
Frontier Drive[2]	Sports Arena Boulevard to Kurtz Street	65	—	61.4	—	62.9	No (N/A)
Kemper Street[2]	Sports Arena Boulevard to Kurtz Street	65	—	59.1	—	59.8	No (N/A)

Source: Appendix G1.

Notes: dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level; I- Interstate; N/A = not applicable

[1] The increase in noise level on this segment may be clearly noticeable; however, as described above, noise levels would continue to be compatible with surrounding development and this impact would be less than significant.

[2] Existing noise levels are not available for these segments because they would be developed under the Project.

Noise levels are calculated at 50 feet from roadway centerline.

Noise levels are based on traffic projections provided by Kimley-Horn & Associates, Inc. (Appendix D1).

See Appendices B and C in the Noise Technical Report (Appendix G1 of this SEIR) for datasheets, including traffic volumes.

5.5.4.6 Issue 6: Vibration

Would the Project result in the exposure of people to significant vibration?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would not result in a significant impact related to vibration during operation because proposed land uses are not a typical source of vibration. The Midway-Pacific Highway CPU PEIR determined that vibration from typical construction equipment and methods was **Less than Significant**. However, impacts related to pile driving were determined to be **Significant and Unavoidable**, even with implementation of Mitigation Measure **NOISE 5.5-3**, which required future projects with vibration-generating activities to conduct site-specific vibration studies.

Project-Specific Impact Analysis

Vibration from Project Operation

The Project land uses are consistent with those evaluated in the Midway-Pacific Highway CPU PEIR. The Midway-Pacific Highway CPU PEIR determined that the mixed-use and entertainment land uses accommodated by the Project, including residential, commercial, and event uses, would not result in operational vibration. As such, the Project would result in a **Less than Significant** vibration impact from operation.

Vibration from Project Construction

As described in the Midway-Pacific Highway CPU PEIR, construction activities can generate groundborne vibration of varying degrees based on the construction activity and equipment being used. Temporary groundborne vibration associated with construction activities would only occur during groundbreaking activities such as demolition (including rock crushing), drilling for foundations, excavation for underground levels, and use of vibratory equipment during paving. No pile driving or blasting would be required for Project construction.

Reference vibration levels for anticipated Project construction equipment are provided in Table 5.5-14, Project Construction Equipment Vibration Levels. The Caltrans Transportation and Construction Vibration Guidance Manual (Caltrans 2020) identifies potential vibration building damage thresholds as measured by PPV, in inches per second. For continuous vibratory construction activities, maximum PPV values range from 0.25 PPV for historic and certain older buildings, to 0.5 PPV for modern industrial/commercial buildings. As shown in Table 5.5-14, none of the equipment required for the Project would exceed the most conservative standard of 0.25 PPV at 25 feet from equipment operation. Caltrans also identifies thresholds for potential human vibration annoyance from intermittent and continuous sources. Reports of annoyance would typically occur

when vibration levels reach 0.1 PPV, which is the "strongly perceptible" response level. Only operation of vibratory equipment during paving would have the potential to exceed 0.1 PPV at more than 25 feet from equipment operation. Based on attenuation calculations provided by the FTA, vibration levels would be reduced to below 0.1 PPV at approximately 40 feet. Operation of an individual piece of equipment in one location would only occur for a short period of time, so that exposure of an individual receptor to vibration from vibratory equipment required for paving would be limited. Additionally, existing receptors are generally setback from on- and off-site Project construction areas by more than 40 feet due to existing roadways, landscaping, and parking lots. Therefore, temporary nuisance impacts from Project construction would be **Less than Significant**.

Table 5.5-14. Project Construction Equipment Vibration Levels

Construction Activity	Equipment Type[1]	PPV at 25 Feet	VdB at 25 Feet
Grading/excavation	Scraper, Excavator, Loaders, Grader	0.089	87
	Water Trucks	0.076	86
Deep foundations	Drill Rigs, Backhoe Loader	0.089	87
Demolition	Excavator w/ Breaker, Loaders, Rock Crusher	0.089	87
Building construction	Concrete Placing Booms, Concrete Trailer Pumps, Tower Cranes, Manlifts, Generators, Welder, Forklifts	0.089	87
	Concrete Pump Trucks	0.076	86
Paving	Paving machine	0.089	87
	Vibrating roller	0.21	94
	Plate Vibrator	0.21	94

Source: Appendix G1.

Notes: PPV = peak particle velocity; VdB = vibration decibel

[1] Reference vibration level for large bulldozer (0.089 PPV at 25 feet) assumed for general construction equipment where a specific reference level is not available. Reference vibration level for vibrating roller also assumed for plate vibrator.

The Midway-Pacific Highway CPU PEIR does not specifically address impacts to vibration-sensitive uses in the Midway-Pacific Highway Community planning area. However, the FTA identifies a threshold of 65 vibration decibels (VdB) for buildings where vibration would interfere with interior operations. Project construction equipment would have the potential to exceed 65 VdB up to 230 feet from operation of vibrating equipment (roller and plate compactor) and 140 feet from operation of other construction equipment. Veterinary clinics (San Diego Bay Animal Hospital and Petco) are located across the Project site on Sports Arena Boulevard, approximately 100 feet from construction areas. The next closest vibration-sensitive receptors, the dental office approximately 400 feet south of the site on Kemper Street, would be outside the vibration impact area. Therefore, impacts to vibration-sensitive uses on Sports Arena Boulevard during Project construction would be **Potentially Significant (Impact 5.5-3)**.

Impact 5.5-3: Construction of the Project could result in the exposure of vibration-sensitive uses along Sports Arena Boulevard to vibration during construction.

5.5.5 Significance of Impacts

5.5.5.1 Issue 1: Ambient Noise

Implementation of the Project would result in increases in ambient noise levels within the Project vicinity. However, noise levels with Project implementation would not exceed the City's significance thresholds by causing any roadway to exceed 65 dBA CNEL or a 3 dBA CNEL increase on any roadway that would exceed 65 dBA CNEL without the Project. Impacts related to future NSLUs would be reduced to a Less than Significant level with implementation of the 2008 General Plan Noise Element and Title 24 building standards that would ensure compatible interior noise levels. Impacts to existing and future NSLUs would be **Less than Significant**.

5.5.5.2 Issue 2: Vehicular Noise

Implementation of the Project would not expose Project NSLUs to current or future motor vehicle traffic noise levels that exceed applicable standards established in the 2008 General Plan Noise Element. Noise level exposure is not anticipated to exceed 70 dBA CNEL in active recreation areas or the maximum residential noise standard of 75 dBA CNEL. Noise levels at new residences would demonstrate consistency with the interior noise level standard of 45 dBA CNEL through Title 24 compliance. The Project would not be within the 282-foot screening distance for incompatible noise levels from rail operation. Impacts would be **Less than Significant**.

5.5.5.3 Issue 3: Airport Compatibility

A Project-level consistency determination as part of the building permit process is required to demonstrate compliance with the interior noise compatibility guidelines of the 2008 General Plan for new residences in areas where exterior noise levels exceed 60 dBA CNEL. Implementation of the Project would result in development within the 60 dBA CNEL noise contour for aircraft noise levels; however, new NSLU development would demonstrate interior noise levels of 45 dBA CNEL or below through Title 24 compliance and the SDIA ACLU Consistency Determination Application. Impacts would be **Less than Significant**.

5.5.5.4 Issue 4: Noise Ordinance Compliance

Implementation of large special events accommodated in Project outdoor public space areas would have the potential to exceed SDMC hourly noise standards, and compliance with existing regulations cannot demonstrate adequate reduction in noise levels at this time. This impact would be **Potentially Significant (Impact 5.5-1)**. Operational noise sources associated with commercial development, residential development, parking areas, event noise, mechanical equipment, outdoor human activities and recreational facilities, and landscape and maintenance activities and regular

trash pickup would not result in the exposure of people to noise levels that exceed property line limits established in the Noise Abatement and Control Ordinance of the SDMC for hourly noise standards (see Table 5.5-7). Impacts would be **Less than Significant**.

5.5.5.5 Issue 5: Temporary Construction Noise

On-site construction would not be expected to exceed the SDMC construction noise limit of 75 dBA at existing residential receptors. However, the area surrounding the Project site to the north, west, and east of the Project site is planned to include future residential development. If residential development allowed under the 2018 Community Plan would be constructed and occupied prior to the end of Project construction, residences may be temporarily exposed to Project construction noise. Additionally, following Phase 1 of construction, newly constructed on-site Project residences would have the potential to be exposed to noise from Phase 2 of construction. Therefore, operation of heavy construction equipment would have the potential to expose receptors to 12-hour Leq levels of 75 dBA or higher. This impact would be **Potentially Significant (Impact 5.5-2)**.

Increased traffic volumes from construction of the Project would not cause any roadway segment to exceed 65 dBA CNEL or result in more than a 3 dBA CNEL temporary ambient noise level increase on any roadway that would exceed 65 dBA CNEL without the Project. Impacts would be **Less than Significant**.

5.5.5.6 Issue 6: Vibration

Project construction equipment would have the potential to exceed 65 VdB up to 230 feet from operation of vibrating equipment (roller and plate compactor) and 140 feet from operation of other construction equipment. Therefore, impacts to vibration-sensitive uses including the veterinary clinics on Sports Arena Boulevard as a result of Project construction would be **Potentially Significant (Impact 5.5-3)**.

5.5.6 Mitigation

5.5.6.1 Issue 1: Ambient Noise

No significant impacts were identified; therefore, no mitigation is required.

5.5.6.2 Issue 2: Vehicular Noise

No significant impacts were identified; therefore, no mitigation is required.

5.5.6.3 Issue 3: Airport Compatibility

No significant impacts were identified; therefore, no mitigation is required.

5.5.6.4 Issue 4: Noise Ordinance Compliance

To reduce **Impact 5.5-1** to the extent feasible, the following mitigation measure shall be implemented as part of the Project. Implementation of this mitigation measure would reduce noise levels. However, the details of future events are unknown, and it cannot be demonstrated that noise levels would be reduced to below SDMC Noise Abatement and Control Ordinance Standards.

MM NOISE 5.5-1: Special Events Noise Best Management Practices. Prior to approval of a sitewide or individual Special Event Venue Permit for all private events, public events, or commercial operations in outdoor spaces on the Project site that require the use of amplified noise, the Owner/Permittee, event organizer, or individual responsible party shall submit a Noise Control Plan, satisfactory to the City of San Diego Special Events & Filming Department. The Noise Control Plan shall:

1. Demonstrate that event acoustics have been planned to minimize their impact on the nearest noise-sensitive receptors.
2. Indicate where stationary noise sources such as generators and speakers will be located. No speakers or other stationary noise sources shall be allowed in areas not indicated in the Noise Control Plan.
3. Demonstrate how speaker arrays would be designed to reduce noise spillage to the surrounding environment. This may include the following:
    a. Directing speakers away from sensitive receptors to the extent feasible.
    b. Using temporary sound barriers for stages and event areas where they would not present a safety hazard or inhibit movement on the site.
    c. Incline elevated speakers downward or otherwise design them to reduce noise spillage.
    d. Install optimized sub-arrays and optimized speaker arrays for temporary stages, if required. If suitable, employ delay tower speaker systems or circuit speakers rather than banks of speakers on either side of the stage.
4. Establish a contact phone number that is monitored during outdoor events. If complaints are received, or there is reason to suspect that conditions of the Noise Control Plan have not been met, the City of San Diego shall require the Owner/Permittee to conduct noise monitoring of events to confirm noise levels and enforce agreement compliance.

5.5.6.5 Issue 5: Temporary Construction Noise

To reduce **Impact 5.5-2** to below a level of significance, the following mitigation measure shall be implemented as part of the Project. The Midway-Pacific Highway CPU PEIR Mitigation Measure **NOISE 5.5-2** has been modified for the Project and incorporates the standard noise controls required in 2018 Community Plan Policy NE-1.13. This measure includes construction management

features to be implemented to achieve the SDMC standard of 12-hour average noise levels of 75 dBA or less at residential receptors.

MM NOISE 5.5-2: Construction Noise Best Management Practices. Prior to issuance of a grading permit, the Owner/Permittee shall submit grading plans that demonstrate that Project construction shall achieve a 12-hour average sound level of less than 75 A-weighted decibel, satisfactory to the Chief Building Official. At a minimum, construction noise best management practices shall be applied to all construction activities within 170 feet of existing or future residential development occupied at the time of construction. Best management practices shall be detailed on all Project construction plans and shall include but are not limited to the following:

- Limit construction activities to the hours between 7:00 a.m. and 7:00 p.m. Construction is not allowed on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with the exception of Columbus Day and Washington's Birthday, or on Sundays (consistent with Section 59.5.0404 of the San Diego Municipal Code).
- Equip all internal combustion engine-driven equipment with appropriately sized intake and/or exhaust mufflers that are properly operating and maintained consistent with manufacturer's standards.
- Stationary noise-generating equipment (e.g., compressors or generators) shall be located as far as possible from adjacent residential receivers and oriented so that emitted noise is directed away from sensitive receptors, whenever feasible.
- If noise levels are expected to potentially exceed San Diego Municipal Code thresholds, locate temporary noise barriers with a minimum height of 8 feet around pertinent active construction equipment or entire work areas to shield nearby sensitive receivers.
- Use "quiet" air compressors, generators, and other stationary noise sources where technology exists.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" responsible for receiving and responding to any complaints about construction noise or vibration. Contact information shall be posted in a conspicuous location near the construction site entrance. The disturbance coordinator shall determine the cause of the noise complaint and, if identified as a sound generated by construction area activities, shall institute modifications to the construction operations, equipment, or work plan to ensure compliance with San Diego Municipal Code standards. These modifications shall

implement one or more of the following: administrative controls (e.g., reduce equipment operating time and/or prohibit the use of equipment types within certain distances of sensitive receptors); engineering controls (upgraded existing noise controls, such as installing better engine exhaust mufflers or improving existing noise abatement); and installation of temporary barriers, barrier back sound curtains, and/or acoustical panels around working construction equipment and, if necessary, around the construction boundary.

- Recurring disturbances shall be evaluated by a qualified acoustical consultant retained by the Project proponent to ensure compliance with applicable standards.

5.5.6.6 Issue 6: Vibration

To reduce **Impact 5.5-3** to below a level of significance, the following mitigation measure shall be implemented as part of the Project. Midway-Pacific Highway CPU PEIR Mitigation Measure **NOISE 5.5-3**, has been modified for the Project.

MM NOISE 5.5-3: Vibration Management Strategies. Prior to construction activities near vibration-sensitive land uses (within 230 feet from operating vibrating equipment [roller and plate compactor] or 140 feet from other operating construction equipment), vibration sensitive uses shall be identified on construction plans, and the Owner/Permittee shall submit the site-specific vibration studies that documents that Project construction would not adversely affect adjacent vibration-sensitive properties, satisfactory to the City Engineer. Surrounding vibration-sensitive uses include veterinary clinics on Sports Arena Boulevard where the operation of construction equipment could exceed 65 vibration decibels and interfere with interior operations that use vibration-sensitive equipment, such as medical equipment. Such efforts shall be conducted by a qualified vibration expert and shall include the following:

- Develop a Vibration Monitoring and Construction Contingency Plan to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels exceed the limits.
- Monitor vibration during initial construction activities and during activities that require use of vibratory equipment. Monitoring results may indicate the need for modifications to the Vibration Monitoring and Construction Contingency Plan to include more or less intensive measurements.
- Designate a “disturbance coordinator” who would be responsible for receiving and responding to any complaints about construction vibration. The disturbance

coordinator shall determine the cause of the noise complaint and shall require that reasonable measures be implemented to correct the problem.

- When vibration levels exceed limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.
- Conduct post-activity survey on structures where either monitoring has indicated high levels or complaints of damage have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

5.5.7 Significance of Impacts after Mitigation

5.5.7.1 Issue 1: Ambient Noise

Less than Significant.

5.5.7.2 Issue 2: Vehicular Noise

Less than Significant.

5.5.7.3 Issue 3: Airport Compatibility

Less than Significant.

5.5.7.4 Issue 4: Noise Ordinance Compliance

Impact 5.5-1 related to noise ordinance compliance would be potentially significant. Mitigation Measure **NOISE 5.5-1** would reduce noise from special events in Project outdoor public space areas. However, because the specifics of future events and required equipment cannot be determined at this time, it cannot be demonstrated that Mitigation Measure **NOISE 5.5-1** would fully reduce event noise to below a significant level. Therefore, impacts would remain **Significant and Unavoidable**.

5.5.7.5 Issue 5: Temporary Construction Noise

Impact 5.5-2 related to temporary construction noise would be potentially significant. Project construction would be required to incorporate the standard controls outlined in Mitigation Measure **NOISE 5.5-2**. Implementation of measures would be required to the extent necessary to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance in compliance with the SDMC. Impacts from Project implementation would be **Less than Significant with Implementation of Mitigation Measure NOISE 5.5-2.**

5.5.7.6 Issue 6: Vibration

Impact 5.5-3 related to construction vibration would be potentially significant. Project construction would be required to implement vibration management strategies consistent with Mitigation Measure **NOISE 5.5-3.** The temporary increase in ambient noise and vibration levels during construction would be **Less than Significant with Implementation of Mitigation Measure NOISE 5.5-3**.

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Source: Maxar Imagery 2022.

N 0 300 600 Feet

Figure 5.5-1

Noise Measurement and Receptor Locations

Midway Rising

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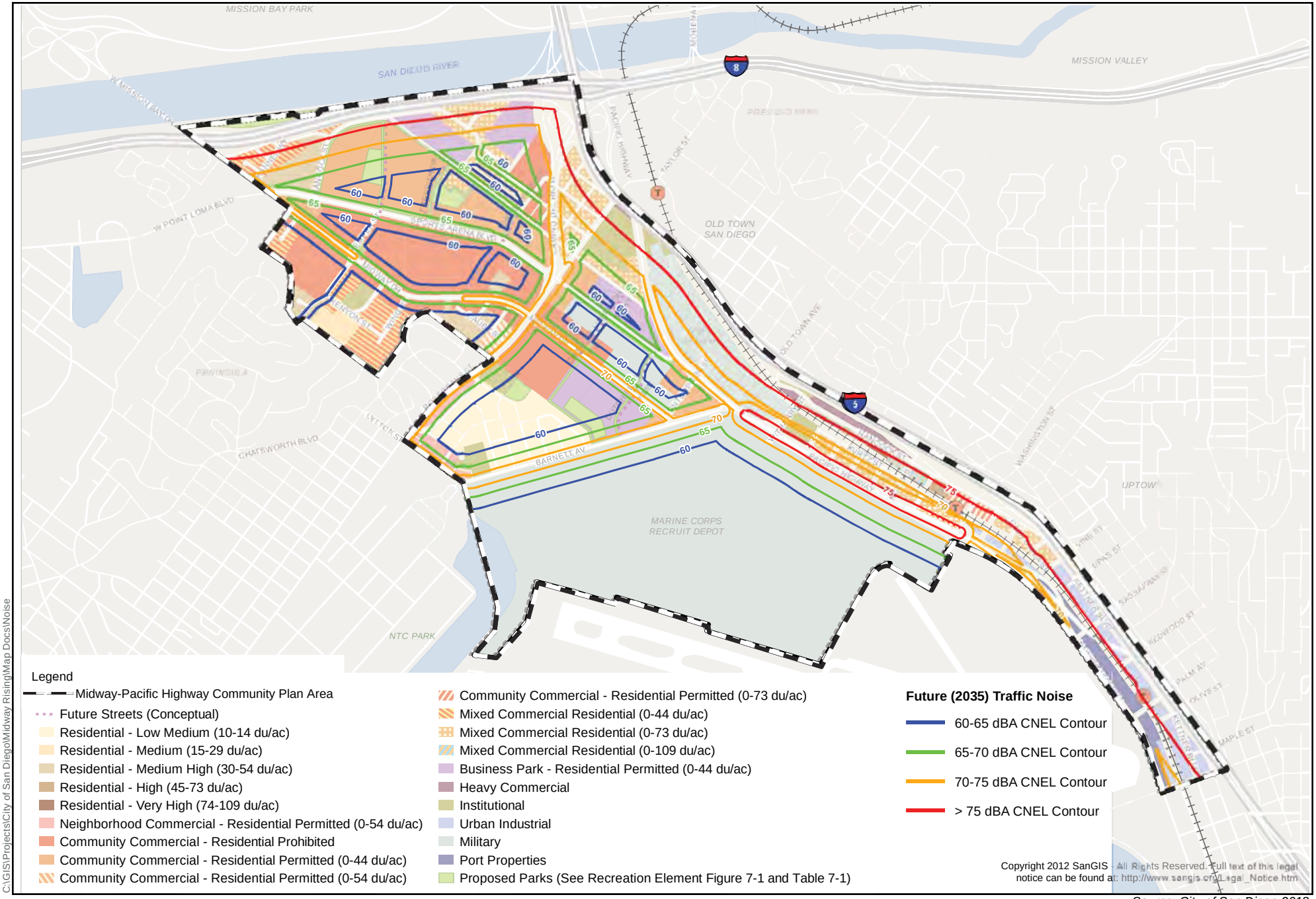

Source: City of San Diego 2018.

Figure 5.5-2

Future (2035) Traffic Noise Contours

Midway Rising

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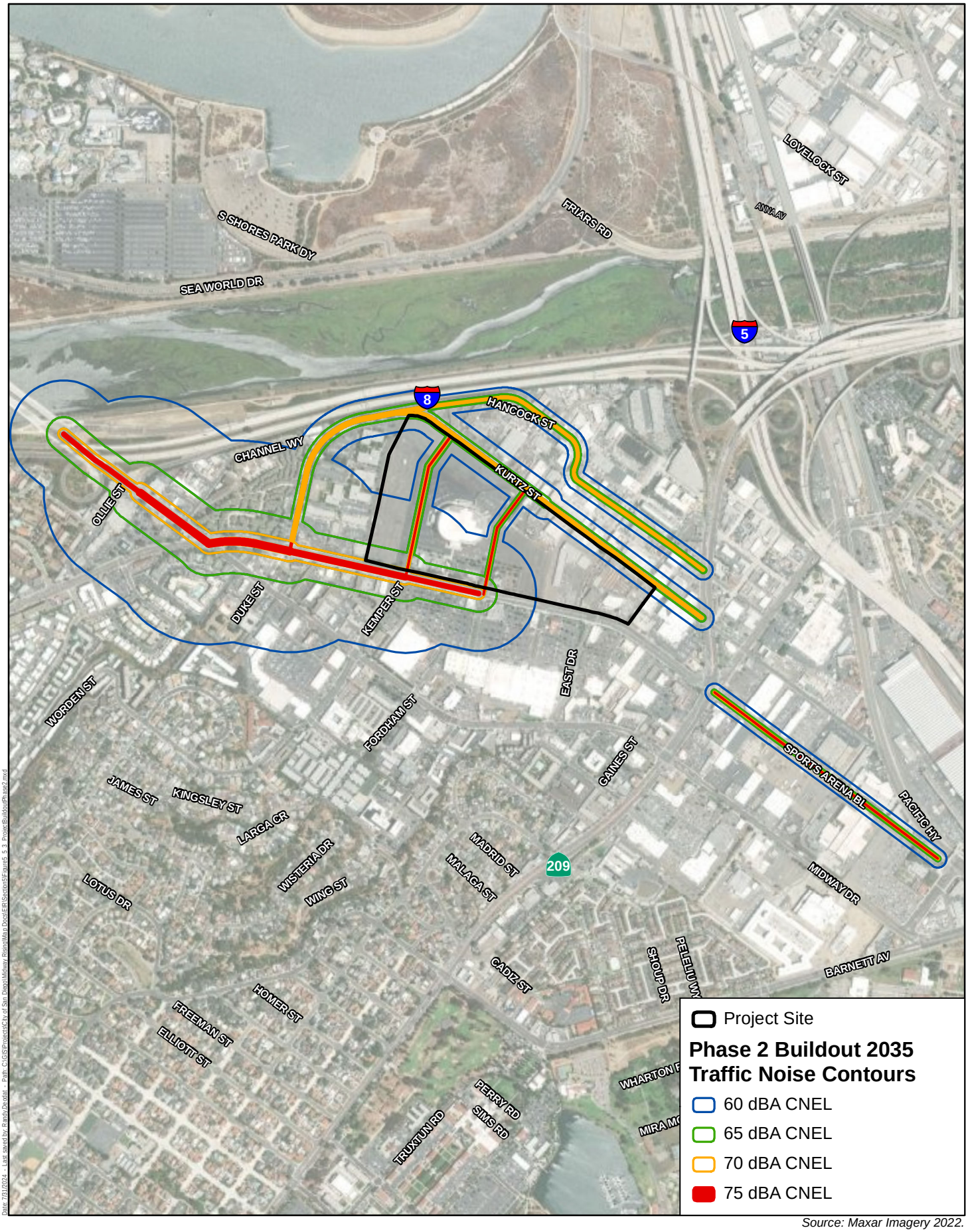

Source: Maxar Imagery 2022.

N

0 600 1,200

Feet

Figure 5.5-3

Project Buildout Phase 2 (Year 2035) Traffic Noise Contours

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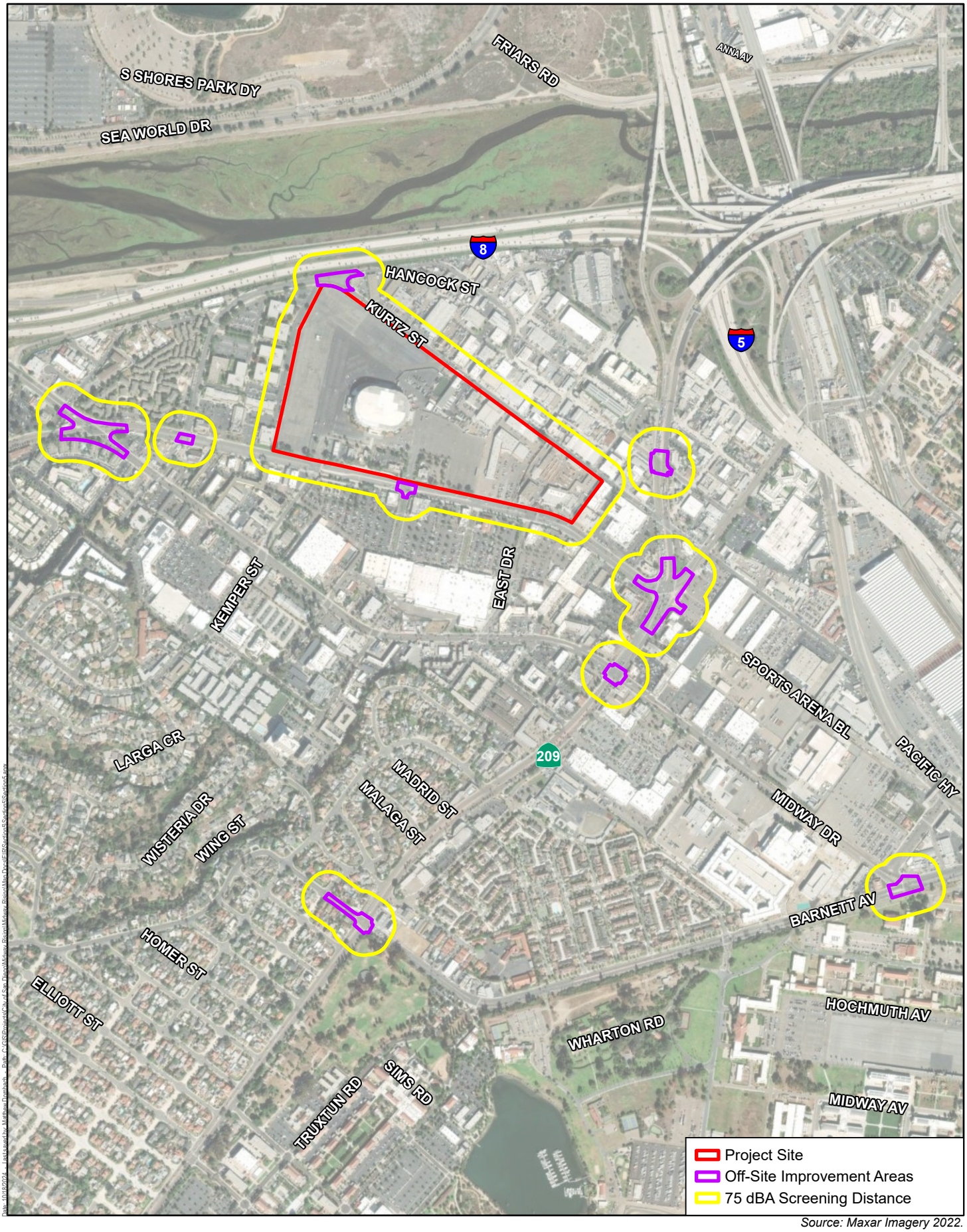

Source: Maxar Imagery 2022.

N

0 500 1,000

Feet

Figure 5.5-4

Construction Noise Screening Distance

Midway Rising

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5.6 Health and Safety

This Subsequent Environmental Impact Report (SEIR) section describes the existing health and safety conditions on the Midway Rising Project (Project) site and evaluates the potential for implementation of the Project to impact or result in wildland fires, hazardous materials emissions, Emergency Response Plans, hazardous materials sites, and airport aircraft accidents.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- Phase I Environmental Site Assessment (ESA) prepared by SCS Engineers (2023), included as Appendix H1 of this SEIR
- Phase II ESA Report prepared by SCS Engineers (2023), included as Appendix H2 of this SEIR
- Phase II ESA Report Number 2 – Geophysical Survey and Trenching Assessment (Geophysical Survey and Trenching Assessment) prepared by SCS Engineers (2023), included as Appendix H3 of this SEIR
- Asbestos and Lead-Based Paint (LBP) Survey prepared by SCS Engineers (2023), included as Appendix H4 of this SEIR
- Off-Site Right-of-Way Soil Management Letter, included as Appendix H5 of this SEIR
- Additional Phase II ESA Report prepared by SCS Engineers (2024), included as Appendix H6
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018)

5.6.1 Existing Conditions

5.6.1.1 Historical and Current Land Use

A review of aerial photographs revealed that agricultural activity took place at the Project site around 1928. During World War II, the site became part of the Frontier Housing Project, which was one of the largest wartime housing projects with a total of 3,500 temporary homes for defense workers. Approximately 150 structures (between 600 and 1,200 units) appear to have been located at the site. The development also included a large "L"-shaped structure that was the former "Frontier School." In 1966, the site was leveled for construction of the San Diego International Sports Arena (currently named Pechanga Arena). A portion of the former school may have overlapped with the current Sports Arena structure. A portion of the former West Point Loma Dump, in operation between 1899 and 1908, crosses the southwestern portion of the Project site.

Current on-site development includes the San Diego International Sports Arena, parking lots, a gasoline service station, restaurants, and various commercial/retail businesses. The on-site parking lots are used for Kobey's outdoor swap meet weekly from Friday to Sunday.

5.6.1.2 Hazardous Materials

Hazardous materials are substances with certain physical or chemical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed of, or otherwise managed. California Code of Regulations, Title 22, Division 4.5, Chapter 11, Article 3 groups hazardous materials into the following four categories based on their properties: toxic (causes human health effects), ignitable (has the ability to burn), corrosive (causes severe burns or damage to materials), and reactive (causes explosions or generates toxic gases). Hazardous materials are commonly used in commercial, agricultural, and industrial applications and in residential areas to a limited extent.

5.6.1.3 Hazardous Waste

A hazardous waste is any waste that may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment, due to factors including, but not limited to, carcinogenicity, acute toxicity, chronic toxicity, bio-accumulative properties, or persistence in the environment, when improperly treated, stored, transported, disposed of, or otherwise managed (California Health and Safety Code Section 25141). Hazardous materials and wastes can result in public health hazards if improperly handled; released into the soil or groundwater; or released into the air through vapors, fumes, or dust.

5.6.1.4 Hazardous Material Sites

Hazardous materials are used for a variety of purposes for most land uses, including residential, commercial, education, industrial and entertainment. Many chemicals used in household cleaning, medical offices, construction, dry cleaning, film processing, landscaping, and automotive maintenance and repair are considered hazardous. Businesses that handle/generate hazardous materials within the City of San Diego (City) are monitored by U.S. Environmental Protection Agency (USEPA).

The Midway-Pacific Highway CPU PEIR (Appendix B) identified 73 documented release cases within the proposed Midway-Pacific Highway Community planning area; 13 properties in the Midway-Pacific Highway Community planning area were identified as open and 60 were closed. No open sites are on the Project site.

A Phase I ESA (Appendix H1) was performed for the Project site to identify the presence of recognized environmental conditions (RECs) as a result of the current or historical site land use or from a known and reported off-site source. A REC is defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. The following are the identified RECs associated with the Project site. Figure 3-8 in Appendix H1 identifies their locations.

Former Frontier Housing. The former Frontier Housing facility was built in the 1940s and razed in the 1960s to build the San Diego International Sports Arena. Heating may have relied on heating oil as a fuel source which would have been typically stored in underground storage tanks (USTs) near the structures and fueled the heating system for the buildings. Possible leaks may have occurred from numerous former heating fuel USTs. Due to the time frame of operation, there is the potential for burned or incinerated ash from "backyard" incinerators or "burn pits" to be present or mixed with the soil. In addition, elevated concentrations of metals may exist in the shallow soil from other sources, including imported fill, aerially deposited lead, and paint from historical structures. Burn ash and/or fill materials may contain high concentrations of copper, lead, zinc, mercury, and cadmium.

Clarifier Systems and Ice Pits. Six inground wastewater clarifiers were observed on the Project site: One is associated with the Sports Arena car wash, and the other five are food-grade grease traps associated with the San Diego International Sports Arena food service, Summit Gasoline Station convenience store, Chick-fil-A restaurant, and Chili's Bar and Grill restaurant. Sludge and paint from the San Diego International Sports Arena floor accumulate in two ice pits at either end of the arena floor. Each ice pit is 5 feet wide by 35 feet long and 5 feet deep. Ice drains into the ice pits as it melts and is later pumped out with a portable pump. The ice pits have only been cleaned out once over the course of their lifetime (more than 50 years).

Inground wastewater clarifiers and ice pits have the potential to release wastewater containing petroleum products, solvents, and hazardous wastes into the subsurface. This potential is exacerbated as the clarifier and ice pit systems age. The grease traps associated with food operations are not a concern due to the collection of food-grade waste within these units. However, due to the potential presence of metals and volatile organic compounds (VOCs) associated with the sludge and the length of time the ice pits have been present on the San Diego International Sports Arena site (more than 50 years), there is potential for subsurface impacts beneath the two ice pits.

Kobey's Swap Meet Waste Storage Area. Surface staining that may be associated with spills of petroleum products, hazardous substances, and/or other unknown substances associated with the outdoor Kobey's Swap Meet was observed.

On-Site Gasoline Service/Fueling Stations. This Project site has been developed with a lumber and home store, fueling stations at 3520 Sports Arena Boulevard since approximately 1970 (54 years), a gasoline service station identified as Arena Fuels/Arco AM-PM/Summit Gasoline Service Station at 3580 Sports Arena Boulevard since 2003 (21 years), and a historical gasoline service station Union Oil/76 at 3494, 3580, or 3640 Sports Arena Boulevard from approximately 1966 to 1974 (8 years). Gasoline service/fueling stations are associated with features of environmental concern, including petroleum products/wastes, UST, fuel dispensers, and clarifier/sumps.

Historical Printing and Furniture Stripping Facilities. Rock and Roll Music at 3360 Sports Arena Boulevard was historically used as a printing and furniture stripping facility (from approximately

1977 to 1989). In addition, 3350 Sports Arena Boulevard was historically used as a silk-screening business (1990 to 2000). Solvents used to clean printing and painting equipment and strip paint from furniture typically contain VOCs, particularly chlorinated VOCs. VOCs are known to penetrate concrete floors due to the porous nature of the concrete or due to thin cracks and joints that may be present, resulting in VOC impacts to the subsurface.

Off-Site Sources. Based on the off-site source survey, several facilities within the Project vicinity (approximately 50 feet north of the Project site) were reported to have had releases of hazardous materials/waste or petroleum products. This includes the former cleaners at 3496 and 3502 Kurtz Street; Clean Harbors waste disposal and recycling services at 3495 Kurtz Street; the former Shorebreak Materials-Butler Property at 3612 Kurtz Street, Exponents, Inc., at 3280 Kurtz Street; past or present uses at 3467–3469 Kurtz Street; and the Yellow Cab Company of San Diego at 3473 Kurtz Street.

The Phase II ESA (Appendix H2) addressing the Project site included a geophysical survey to evaluate the subsurface portion of the Project site for the presence of previously unidentified USTs, piping, UST pits, and undocumented artificial fills including burn pits; soil sampling to assess in representative and focused locations the possible presence and concentrations of metals such as lead, petroleum products, VOCs, and organochlorine pesticides in the soil; groundwater sampling to assess groundwater for petroleum hydrocarbons and VOCs in select focused locations; and soil vapor sampling to assess the possible presence and concentrations of VOCs in the shallow soil vapor in select focused locations.

Although the results of the geophysical survey did not conclusively reveal the presence of USTs on the Project site, it did reveal the presence of subsurface features consistent with utility lines in a pattern resembling the layout of former housing structures in the survey area. In addition, detectable concentrations of total petroleum hydrocarbon, VOCs, and organochlorine pesticides and elevated concentrations of the metal's antimony, arsenic, barium, copper, lead, mercury, and zinc that exceeded health risk-based criteria were detected in some samples taken from the site. All of the groundwater samples analyzed for total petroleum hydrocarbon and VOCs were below the health risk-based criteria levels.

A broader geophysical survey was conducted as part of the Geophysical Survey and Trenching Assessment (Appendix H3). This assessment was prepared to further evaluate potential subsurface features of concern and the possible presence of chemicals of concern in the subsurface at the Project site from current and past activities. Exploratory trenches were excavated to visually evaluate subsurface conditions and observed for potential features of environmental concern, such as fuel piping, burn pits, or USTs. A total of 32 trenches (T-1 through T-32) were excavated and ranged from approximately 5 to 9 feet deep (Figure 5.6-1, Trench Locations). Groundwater was not encountered in any of the trenches. Soil samples were collected from the excavations. A geophysical survey was conducted on the majority of the Project site with the exception of the San Diego International Sports Arena building footprint and the area south of the building.

The analysis of the soil samples from various portions of the Project site indicated the presence of chemicals of concern. Specifically, the analysis identified detectable concentrations of total petroleum hydrocarbons and VOCs and reported concentrations of lead, antimony, arsenic, cobalt, and/or mercury that exceeded health risk-based criteria. In addition, burned waste dump material (burn ash) was encountered in a soil boring drilled near the southwestern corner of the Project site. This may be a combination of burn areas from the Frontier Housing yard area and the former West Point Loma Dump, both located in the southwestern portion of the Project site including the off-site improvements along Sports Arena Boulevard (Appendix E1 and Appendix H5).

The Additional Phase II ESA Report (Appendix H6) includes additional geophysical survey activities and additional Phase II soil, soil vapor, and groundwater sampling activities. The assessment was prepared to further evaluate the area southwest of the San Diego International Sports Arena for the presence of previously unidentified USTs, piping, UST pits, and undocumented artificial fills, including burn pits, and to evaluate the possible efficacy of using geophysical survey methods to evaluate subsurface conditions. In addition, soil and groundwater sampling was completed to assess in representative and focused locations the possible presence and concentrations of elevated concentrations of metals such as lead, petroleum products, organochlorine pesticides, VOCs in the soil, and petroleum hydrocarbons and VOCs in the groundwater. Finally, additional soil vapor sampling was conducted to assess the possible presence and concentrations of VOCs within the existing Project structures.

5.6.1.5 Hazardous Building Materials

Development and redevelopment projects often involve the need to demolish existing older structures. Many older buildings contain building materials that can become hazardous to people and the environment once disturbed. These materials include LBP and asbestos-containing material (ACM).

Lead is a highly toxic metal that was used until the late 1970s in a number of products, most notably LBP. Prior to the USEPA ban in 1978, LBP was commonly used on interior and exterior surfaces of buildings. Through such disturbances as sanding and scraping activities, renovation work, gradual wear and tear, old peeling paint, or paint dust, particulates have been found to contaminate surface soils or cause lead dust to migrate and affect indoor air quality. Exposure to residual lead can cause severe adverse health effects especially in children. Lead may cause a range of health effects and can affect almost every organ and system in your body. Primary sources of lead exposure are deteriorating LBP, lead-contaminated dust, and lead-contaminated soil. Lead contamination can also come from cars built prior to the early 1980s. An LBP survey was performed by SCS Engineers (Appendix H4). Survey activities included sampling of readily accessible painted surfaces. Materials were found to contain LBP and San Diego lead-safe paint.

Asbestos is a naturally occurring fibrous material that was extensively used as a fireproofing and insulating agent in building construction materials before such uses were banned by the USEPA in

the 1970s. ACM were commonly used for insulation of heating ducts as well as ceiling and floor tiles. Similar to LBP, ACM within building materials present no significant health risk because there is no exposure pathway. However, once the tiny fibers are disturbed, they can become an airborne respiratory hazard to humans. The fibers are very small and cannot be seen with the naked eye. Once they are inhaled, they can become lodged into the lung potentially causing lung disease or other pulmonary complications. An asbestos survey was performed at various locations throughout the Project site by SCS Engineers (Appendix H4). Survey activities included a preliminary visual assessment and bulk sampling of suspect ACM. The survey identified ACM in samples at the following sites: 3220 Sports Arena Boulevard, 3250 Sports Arena Boulevard, 3350 Sports Arena Boulevard, and 3500 Sports Arena Boulevard.

5.6.1.6 Emergency Plan

Emergency Response Plans

The County of San Diego (County) Office of Emergency Services (OES) coordinates the overall County response to disasters. The OES is responsible for notifying appropriate agencies when a disaster occurs, coordinating all responding agencies, ensuring that resources are available and mobilized, developing plans and procedures for response to and recovery from disasters, and developing and providing preparedness materials for the public.

The County and 18 local jurisdictions, including the City, adopted the Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) (County of San Diego 2023). The MJHMP is a Countywide plan that identifies risks and ways to minimize damage by natural and human-made disasters. The plan is a comprehensive document that serves many purposes, including creating a decision tool for management, promoting compliance with state and federal program requirements, enhancing local policies for hazard mitigation capability, and providing interjurisdictional coordination. The Multi-Jurisdictional Hazard Mitigation Plan: City of San Diego Annex is specific to the City planning area identified in the MJHMP and includes the Project site and vicinity.

Emergency Evacuation Plans

The City is also a participating agency in the County's Unified San Diego County Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan (EOP) (County of San Diego 2022), which identifies a broad range of potential hazards and a response plan for public protection. The plan identifies major interstates and highways within San Diego County that could be used as primary routes for evacuation. Two interstates near the Project site are identified in the San Diego County EOP, Interstate (I)-5 and I-8, located to the east and north of the Project site, respectively.

5.6.1.7 Aircraft Related Hazards

The Project site is located approximately 1.8 miles north of the San Diego International Airport (SDIA), which is owned and operated by the San Diego County Regional Airport Authority. The SDIA is the busiest single runway airport in the United States. The Project site is located within the designated Airport Influence Area (AIA) of the SDIA, which requires specific protection measures for noise, overflight, safety, and/or airspace protection (SDCRAA 2014). Specifically, the Project site is bisected by the boundaries of AIA Review Areas 1 and 2 (Figure 2-7, San Diego International Airport Land Use Compatibility Plan). The southern half of the Project site is within Review Area 1, while the northern half of the Project site is within Review Area 2. Review Area 1 is defined by the combination of the 60- to 65-decibel Community Noise Equivalent Level contour, the outer boundary of all safety zones, and the airspace threshold siting surfaces. Review Area 2 is defined by the combination of the airspace protection and overflight boundaries beyond Review Area 1 where only airspace protection and overflight policies and standards apply. The Project is also within the Federal Aviation Administration (FAA) Part 77 Noticing Area Overlay Zone requiring notification for structures within 20,000 feet of a public use or military airport that exceeds a 100:1 surface ratio from any point on the runway of an airport with at least one runway more than 3,200 feet long.

The Project site is located 2.8 miles north of Naval Air Station North Island (NASNI) and is located within its designated AIA. Specifically, the Project site is within the NASNI Airspace Protection Boundary. This boundary establishes the area within which airspace protection and flight safety policies and standards apply.

5.6.1.8 Wildfire Hazards

Potential wildfire risk zones include areas that have steep slopes, limited precipitation, and available vegetation fuel. The Project site is developed with 97 percent impermeable areas and does not contain steep slopes or native vegetation. Based on the City's Very High Fire Hazard Severity Zone Map, the Project site is not within the Very High Fire Hazard Severity Zone (VHFHSZ) (City of San Diego 2024). The VHFHSZ Map was established in coordination between the City of San Diego Fire-Rescue Department and the California Department of Forestry and Fire Protection (CAL FIRE). The purpose of the map is to classify lands where very high fire hazard is present so that public officials can identify measures that will slow the rate of fire spread and reduce the intensity of uncontrolled fire through vegetation management and implementation of building standards developed to minimize loss of life, resources, and property.

5.6.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address health and safety.

5.6.2.1 Federal

Resource Conservation and Recovery Act

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

Hazardous Materials Transportation Act

The U.S. Department of Transportation regulates hazardous materials transportation under Title 49 of the Code of Federal Regulations, which requires the U.S. Department of Transportation Office of Hazardous Materials Safety to generate regulations for the safe transportation of hazardous materials.

Comprehensive Environmental Response, Compensation, and Liability Act

The 1980 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, provides federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Federal actions related to CERCLA are limited to sites on the National Priorities List for cleanup activities, with listings based on the USEPA's Hazard Ranking System. The Hazard Ranking System is a numerical ranking system used to screen potential sites based on criteria such as the likelihood and nature of the hazardous material release and the potential to affect people or environmental resources. CERCLA was amended by the Superfund Amendments and Reauthorization Act (SARA) in 1986, as outlined below.

Superfund Amendments and Reauthorization Act

SARA is primarily intended to address the emergency management of accidental releases and to establish state and local emergency planning committees responsible for collecting hazardous material inventory, handling, and transportation data. Specifically, under Title III of SARA, a nationwide emergency planning and response program established reporting requirements for businesses that store, handle, or produce significant quantities of hazardous or acutely toxic substances as defined under federal laws. Title III of SARA also requires each state to implement a comprehensive system to inform federal authorities, local agencies, and the public when significant quantities of hazardous or acutely toxic substances are stored or handled at a facility. This data is made available to the community at large under the "right-to-know" provision, with SARA also requiring annual reporting of continuous emissions and accidental releases of specified compounds.

5.6.2.2 State

California Code of Regulations

Most state and federal regulations and requirements that apply to generators of hazardous waste are codified in California Code of Regulations Title 22, Division 4.5. Title 22 contains detailed compliance requirements for hazardous waste generation, transportation, treatment, storage, and disposal facilities. Because California is a fully authorized state under the RCRA, most RCRA regulations are integrated into Title 22. The California Environmental Protection Agency and California Department of Toxic Substances Control (DTSC) regulate hazardous waste more stringently than the USEPA through Title 22, which does not include as many exemptions or exclusions as the equivalent federal regulations. Similar to the California Health and Safety Code, Title 22 also regulates a wider range of waste types and waste management activities than the RCRA does. The state has compiled a number of additional regulations from various California Code of Regulations titles related to hazardous materials, wastes, and toxics into California Code of Regulations Title 26 (Toxics) and provides additional related guidance in Titles 23 (Waters) and 27 (Environmental Protection), although California hazardous waste regulations are still commonly referred to as Title 22.

Title 24 of the California Code of Regulations provides a number of requirements related to fire safety, including applicable elements of Part 2, the California Building Code; Part 2.5, the California Residential Code; and Part 9, the California Fire Code. Specifically, California Building Code, Chapter 7 (Fire and Smoke Protection Features), includes standards related to building materials, systems, and assembly methods to provide fire resistance and prevent the internal and external spreading of fire and smoke (such as the use of non-combustible materials and fire/ember/smoke barriers). California Building Code, Chapter 9 (Fire Protection Systems), provides standards regarding when fire protection systems (such as alarms and automatic sprinklers) are required, as well as criteria for their design, installation, and operation. Section R327 of the California Residential Code provides fire-related standards for building design, materials, and treatments. The California Fire Code establishes minimum standards to safeguard public health and safety from hazards, including fire in new and existing structures. Specifically, this includes requirements related to fire hazards from building use/occupancy (e.g., access for firefighting equipment/personnel and the provision of water supplies), the installation or alteration/removal of fire suppression or alarm systems, and the management of vegetative fuels and the provision of defensible space.

Title 27, Article 2, of the California Code of Regulations includes closure and post -closure maintenance standards for disposal sites and landfills.

California Health and Safety Code

The California Environmental Protection Agency/DTSC has established rules governing the use of hazardous materials and the management of hazardous wastes. California Health and Safety Code Section 25531 et seq. incorporates the requirements of SARA and the federal Clean Air Act as they

pertain to hazardous materials. Under the California Accidental Release Prevention Program (California Health and Safety Code Sections 25531–25545.3), certain businesses that store or handle more than 500 pounds, 55 gallons, or 200 cubic feet (for gases) of acutely hazardous materials at their facilities are required to develop and submit a Risk Management Plan (RMP) to the appropriate local authorities, the designated local administering agency, and the USEPA for review and approval. The RMP is intended to satisfy federal "right-to know" requirements and provide basic information to regulators and first responders, including identification/quantification of regulated substances used or stored on site, operational and safety mechanisms in place (including employee training), and potential on- and off-site consequences of release and emergency response provisions.

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

Pursuant to California Health and Safety Code, Chapter 6.11, the California Environmental Protection Agency established the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program), which consolidated a number of existing state programs related to hazards and hazardous materials. The Unified Program allows the designation of Certified Unified Program Agencies (CUPAs) to implement associated state regulations within their jurisdiction. For businesses in the City, applicable hazardous materials plans (such as RMPs and Hazardous Materials Business Emergency Plans) are submitted to and approved by the County Department of Environmental Health and Quality (DEHQ), Hazardous Materials Division (HMD), which is the local CUPA as outlined below under County requirements.

Division 12 (Fires and Fire Protection) of the California Health and Safety Code provides several standards related to fire protection methods, including requirements for the management of vegetation comprising a potential fire hazard under Part 5, Chapters 1–3.

Investigation and Cleanup of Contaminated Sites

The State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (RWQCBs) have legal authority to regulate site cleanup via Division 7 of the California Water Code, SWRCB plans and policies, and Regional Water Quality Control Plans (Basin Plans). The RWQCBs oversee the dischargers' (i.e., responsible parties') activities pertaining to the cleanup of pollution at sites to ensure that the dischargers clean up and abate the effects of discharges in a manner that promotes attainment of either background water quality or the best water quality that is reasonable if background levels of water

quality cannot be restored considering all demands being made and to be made on those waters and the total values involved, beneficial and detrimental, economic and social, and tangible and intangible. The SWRCB manages the program on a statewide basis by overseeing the Site Cleanup Program budget, maximizing the collection of debt owed to the state, establishing contracts for special projects, and conducting Site Cleanup Program roundtables with the RWQCBs on a quarterly basis to share information; discussing ways to facilitate procedures and improve the program; and updating the regions on any changes or additions to existing procedures. The SWRCB is also sometimes involved with petitions that are filed by an aggrieved person to review an action or failure to act by a RWQCB, as described in California Water Code Section 13320. Currently, the RWQCBs actively oversee 3,452 cleanup sites, and an additional 1,616 sites in backlog are awaiting RWQCB regulatory oversight.

The Site Cleanup Program regulates and oversees the investigation and cleanup of "non-federally owned" sites where recent or historical unauthorized releases of pollutants to the environment, including soil, groundwater, surface water, and sediment, have occurred. Sites in the program vary and include but are not limited to pesticide and fertilizer facilities, rail yards, ports, equipment supply facilities, metals facilities, industrial manufacturing and maintenance sites, dry cleaners, bulk transfer facilities, refineries, and some brownfields.

Hazardous Materials Transportation

The California Highway Patrol and California Department of Transportation are the state agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies. These agencies also govern permitting for hazardous materials transportation within the state.

California Department of Forestry and Fire Protection – State Responsibility Area System

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

5.6.2.3 Local

2008 City of San Diego General Plan

The 2008 City of San Diego General Plan, as amended (2008 General Plan), contains a Public Facilities, Services, and Safety Element to address publicly managed and provided facilities and services. The Public Facilities, Services, and Safety Element contains goals and policies related to wildfire planning. The 2008 General Plan, as amended in 2014, also contains a Land Use and Community Planning Element to guide future growth and development into a sustainable citywide development pattern,

while maintaining or enhancing quality of life in the communities. The Land Use and Community Planning Element contains goals and policies related to airport compatibility and hazardous materials. Relevant 2008 General Plan policies are as follows (City of San Diego 2008):

- **LU-G.3.** Submit the General Plan, community plans, and specific plans affected by an airport influence area to the ALUC after the adoption or amendment to an Airport Land Use Compatibility Plan to ensure that they are consistent or have the City Council take steps to overrule the ALUC.
- **LU-G.4.** Submit development projects affected by an airport influence area to the ALUC after the adoption or amendment to an Airport Land Use Compatibility Plan to ensure that they are consistent up until the time that the ALUC has determined the General Plan, community plans, and specific plans consistent with the Airport Land Use Compatibility Plan or have the City Council take steps to overrule the ALUC.
- **LU-G.5**. Implement the height standards used by the FAA as defined by Code of Federal Regulations Title 14, Part 77 through development regulations and zoning ordinances.
- **LU-G.6.** Require that all proposed development projects (ministerial and discretionary actions) notify the FAA in areas where the proposed development meets the notification criteria as defined by Code of Federal Regulation Title 14, Part 77.
    a. a. Require that all proposed development projects that are subject to FAA notification requirement provide documentation that FAA has determined that the project is not a Hazard to Air Navigation prior to project approval.
    b. b. Require that the Planning Commission and City Council approve any proposed development that the FAA has determined to be a Hazard to Air Navigation once state and ALUC requirements are satisfied.
- **LU-G.9**. Coordinate with the Navy and Marine Corps to ensure that future land use and General Plan community plan, specific plan, development regulations and zoning ordinances amendments are consistent with the Air Installation Compatible Use Zone study for military air installations.
- **LU-I.14**. As part of community plan updates or amendments that involve land use or intensity changes, evaluate public health risks associated with identified sources of hazardous substances and toxic air emissions (see also Conservation Element, Section F). Create adequate distance separation, based on documents such as those recommended by the California Air Resources Board and site specific analysis, between sensitive receptor land use designations and potential identified sources of hazardous substances such as freeways, industrial operations or areas such as warehouses, train depots, port facilities, etc. (also refer to Appendix C, EP-2).

2018 Midway-Pacific Highway Community Plan

The Public Facilities, Services, and Safety Element of the 2018 Community Plan addresses the provision of public facilities and services within Midway-Pacific Highway Community and health and safety issues

affecting the community. Additional discussion and policies related to public facilities and services are found in other 2018 Community Plan elements, including the Land Use, Villages and Districts, Recreation, and Economic Prosperity Elements.

County of San Diego, Department of Environmental Health Quality, Hazardous Materials Division

The County DEHQ/HMD is the local CUPA and has jurisdiction over hazardous materials plans in the City. The County DEHQ/HMD regulates hazardous waste and tiered permitting, USTs, aboveground petroleum storage and RMPs, Hazardous Materials Business Plans and chemical inventory, and medical waste. The County DEHQ/HMD also requires businesses that handle reportable quantities of hazardous materials, hazardous wastes, or extremely hazardous substances to submit a Hazardous Materials Business Plan, which includes detailed information on the storage of regulated substances. The County DEHQ/HMD provides guidelines for the preparation and implementation of Hazardous Materials Business Plans, including direction on submittal requirements, covered materials, inspections, and compliance.

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

The County DEHQ's Voluntary Assistance Program helps the public with planning and implementing environmental investigations and remediation activities on contaminated sites. The program provides staff consultation, project oversight, and technical or environmental report evaluation on Phase I and Phase II reports, results of soil and water investigations, Work Plans and Community Health and Safety Plans (CHSPs), remedial alternatives, human health risk analyses, and Corrective Action Plans. The County DEHQ uses its experience and knowledge of environmental assessment, cleanup, and risk evaluation to facilitate the rapid and cost-effective resolution of soil and groundwater contamination problems.

2023 San Diego County Multi-Jurisdictional Hazard Mitigation Plan

The County OES and County Unified Disaster Council administer the MJHMP, which was prepared in 2017 and updated in 2023. The MJHMP is generally intended to promote and provide a multi-jurisdictional approach to compliance with applicable regulatory requirements. The 2023 MJHMP was prepared to comply with the Disaster Mitigation Act of 2000 to increase disaster planning funding. It is intended to educate the public, help serve as a decision-making tool, supplement and enhance local policies regarding disaster planning, and improve multi-jurisdictional coordination. The MJHMP identifies hazardous materials

and wildfire/structure fire among the top 11 hazards in the City due to the potential loss of life, injuries, and damage to property and the significance in the disruption of services (County of San Diego 2023).

2022 San Diego County Emergency Operations Plan

The County OES and County Unified Disaster Council administer the County's EOP, which provides guidance for responding to major emergencies and disasters. The 2022 EOP describes a comprehensive emergency management system that provides for a planned response to disaster situations associated with natural disasters, technological incidents, terrorism, and nuclear-related incidents. It delineates operational concepts relating to various emergency situations, identifies components of the Emergency Management Organization, and describes the overall responsibilities for protecting life and property and providing for the overall well-being of the population. The plan also identifies the sources of outside support that might be provided (through mutual aid and specific statutory authorities) by other jurisdictions, state and federal agencies, and the private sector (County of San Diego 2022).

City of San Diego

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

The City of San Diego Solid Waste Local Enforcement Agency (LEA) is certified by the California Department of Resources Recycling and Recovery to enforce state laws and regulations at solid waste facilities, including closed disposal sites. The LEA has authority to review and approve land use changes on or within 1,000 feet of closed disposal sites pursuant to California Code of Regulations, Title 27, Section 21190(c).

The City of San Diego Municipal Code (SDMC) includes general hazardous materials regulations in Chapter 4 (Health and Sanitation), Sections 42.0801 and 42.0901 et seq., and Chapter 5 (Public Safety, Morals and Welfare), Section 54.0701, as well as regulations regarding specific hazardous materials such as explosives (Chapter 5, Section 55.3301). Chapter 14 (General Regulations) of the SDMC also includes requirements pertaining to fire hazard concerns, such as brush management (Section 142.0412), adequate fire flow (Section 144.0240), and construction materials for development near open space (Section 145.0701 et seq.).

Chapter 5 of the SDMC outlines fire protection requirements (access, building design, etc.). Except as outlined in Chapter 5 of the SDMC, the City adopts the California Fire Code. Chapter 14 (General Regulations) of the SDMC includes requirements pertaining to brush management (Section 142.0412).

2014 San Diego County Regional Airport Authority San Diego International Airport Land Use Compatibility Plan

The SDIA Airport Land Use Compatibility Plan (ALUCP) was adopted on April 3, 2014, and amended on May 1, 2014. The ALUCP contains policies and criteria for guiding new developments and redevelopments within the AIA to address land use compatibilities concerning noise and safety aspects of airport operations and land uses, heights of buildings, residential densities and intensities, and the disclosure of aircraft overflight (SDCRAA 2014).

2020 Naval Air Station North Island Airport Land Use Compatibility Plan

The NASNI ALUCP was adopted on October 1, 2020. The ALUCP contains policies and criteria for guiding new developments and redevelopments within the AIA to protect the public health, safety, and welfare. ALUCP promotes compatibility between NASNI and surrounding land uses to protect public health, safety, and welfare in areas around the airport, to the extent that these areas are not already devoted to incompatible use (SDCRAA 2020).

5.6.3 Significance Determination Thresholds

The thresholds used to evaluate potential health and safety impacts are generally based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU PEIR. A significant health and safety impact could occur if implementation of the Project would:

- **Issue 1:** Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including when wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands;
- **Issue 2:** Result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school;
- **Issue 3:** Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan;
- **Issue 4:** Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment; or
- **Issue 5:** Expose people or structures to a significant risk of loss, injury, or death from off-airport aircraft operational accidents.

5.6.4 Impact Analysis

5.6.4.1 Issue 1: Wildland Fire Risk

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

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the Midway-Pacific Highway Community planning area is highly urbanized and does not contain undeveloped land. The Midway-Pacific Highway Community planning area is not identified in a VHFHSZ of state or local responsibility according to CAL FIRE's Fire Hazard Severity Zones Viewer (CAL FIRE 2022). The Midway-Pacific Highway CPU PEIR determined that impacts related to wildfires would be **Less than Significant**.

Project-Specific Impact Analysis

The Project site is within an urbanized area of the City surrounded by commercial uses. It is not adjacent to wildland areas and is not in an area identified as a VHFHSZ (City of San Diego 2024). The Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The Project would be designed in accordance with the SDMC, the California Building Code, and built to fire code requirements, including the provision of fire hydrants, fire hydrant markers (i.e., blue reflectors installed in the roadway), vertical clearances, turning radii, and fire ladder clearances as required during the building permit process. Proposed buildings would be constructed with fire-resistant materials and would include a protective system of fire sprinklers, as required by the California Fire Code. Impacts would be **Less than Significant**.

5.6.4.2 Issue 2: Hazardous Emissions and Materials

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

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that, while schools are present, any new development that involves contaminated property would necessitate the cleanup and/or remediation of the property in accordance with applicable requirements and regulations. No construction would be permitted to occur at such locations until a "no further action" clearance letter is received from the County DEHQ or a similar determination is issued by the City's Fire-Rescue Department, DTSC, San Diego RWQCB, or other regulatory agency. Impacts would be **Less than Significant**.

Project-Specific Impact Analysis

Existing schools are within the Project vicinity, as shown on Figure 5.6-2, Location of Existing Schools. The Captivate Academy at 3010 North Evergreen Street is 0.2 mile south of the Project site, within the 0.25-mile screening distance for hazardous emissions to schools. In addition, the following schools are between 0.3 and 0.7 mile from the Project site: San Diego College of Continuing Education West City Campus, approximately 0.3 mile south of the Project site; School West City, approximately 0.3 mile south of the Project site; Dewey Elementary, approximately 0.4 mile south of the Project site; Charter School of San Diego, approximately 0.5 mile south of the Project site; Loma Portal Charter School, approximately 0.6 mile south of the Project site; Warren Walker School Early Learning Center, approximately 0.6 mile south of the Project site; and Saint Charles Borromeo Academy, approximately 0.7 mile south of the Project site. No future schools are proposed within 0.25 mile of the Project site.

Project construction would include the handling of hazardous materials, substances, and waste. Construction activities would require the operation of heavy equipment (e.g., dozers, excavators, tractors) that would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, nearby schools, the public, and the environment. Construction contractors would be required to comply with all applicable federal, state, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the USEPA, DTSC, and San Diego RWQCB. Water quality regulations are further discussed in Section 5.7, Hydrology/Water Quality, of this SEIR. Air quality health risks are discussed further in Section 5.9, Air Quality, of this SEIR.

The Project would involve the demolition of all on-site structures including the San Diego International Sports Arena. A 2023 asbestos sampling survey of on-site structures found ACM in samples at the following on-site locations: 3220 Sports Arena Boulevard, 3250 Sports Arena Boulevard, 3350 Sports Arena Boulevard, and 3500 Sports Arena Boulevard (Appendix H4). In addition, materials were found to contain LBP and San Diego lead-safe paint at all the on-site structures identified above. Demolition of structures containing ACM and LBP could result in the release of hazardous materials into the environment.

In accordance with the San Diego County Air Pollution Control District Rule 1206, ACM must be removed by a properly licensed abatement contractor and disposed of at an approved landfill. Asbestos abatement shall be monitored by an independent third party. Third-party monitoring shall be conducted to ensure documentation of abatement activities and limit the building owner's liabilities. Monitoring shall include development of Project specifications; visual inspections during

and after building demolition; and air monitoring prior to, during, and after building demolition to verify that the area is safe for re-occupancy or for other trades to continue with demolition work.

In accordance with the requirements of California Code of Regulations, Title 22, building components containing LBP shall be removed and stored in a dumpster lined with 6-mil polyethylene sheeting. The construction contractor must perform waste characterization analysis of the waste stream. A composite sample representative of the building components (e.g., paint, metal) must be analyzed by Total Threshold Limit Concentration, Waste Extraction Test, and Toxicity Characteristic Leaching Procedure analysis. Depending on the Total Threshold Limit Concentration, Waste Extraction Test, and Toxicity Characteristic Leaching Procedure analytical results, the waste must be disposed of as general construction debris, California hazardous waste, or federal Resource Conservation and Recovery Act hazardous waste. Furthermore, building components, including lead-contaminated waste, must be picked up and hauled away by a hauler registered with the DTSC.

Improper removal of ACM and LBP-containing materials would have the potential to expose construction workers to a hazardous release of asbestos and lead. The Captivate Academy is within 0.2 mile of the Project site. Demolition of the existing buildings containing ACM and LBP could result in hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within a quarter mile of an existing school. Impacts would be **Potentially Significant** (**Impact 5.6-1**).

Impact 5.6-1: Construction of the Project could encounter ACM and LBP during demolition, which could result in the handling of hazardous materials within one-quarter mile of a school.

Operation of the proposed Project land uses (entertainment, retail, restaurants, residential, recreational, public, and parks) would require routine cleaning and maintenance activities using common hazardous materials, such as cleaning fluids, detergents, solvents, adhesives, sealers, paints, fuels/lubricants, and pesticides/herbicides. However, usage would not be at levels that would result in substantial hazardous emissions or waste. Therefore, operation of the Project would not result in an impact associated with hazardous emissions or handling of hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Impacts would be **Less than Significant**.

5.6.4.3 Issue 3: Emergency Plan Consistency

Would the Project impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The County EOP is the applicable emergency plan for the Midway-Pacific Highway Community planning area. It identifies a broad range of potential hazards and a response plan for public protection. The plan identifies major interstates and highways in the County that could be used as primary routes for

evacuation, two of which, I-5 and I-8, are directly adjacent to the Midway-Pacific Highway Community planning area. The Midway-Pacific Highway CPU PEIR concluded that the 2018 Community Plan included improvements to the existing transportation infrastructure that could improve evacuation times. Therefore, it would not impair implementation of, or physically interfere with, an adopted Emergency Response Plan or Emergency Evacuation Plan. Impacts were determined to be **Less than Significant**.

Project-Specific Impact Analysis

The Project proposes to redevelop the Project site with a mix of uses including entertainment, retail, restaurants, residential, recreational, public, and park uses. The Project would also implement on and off-site vehicular and non-vehicular circulation improvements as described in Chapter 3.0, Project Description. The County EOP identifies a broad range of potential hazards and a response plan for public protection (County of San Diego 2022). The plan identifies major interstates and highways within San Diego County that could be used as primary routes for evacuation including I-5 located east of the Project and I-8 located along the northern Project boundary. Project construction activities could require detours and/or lane closures that could temporarily disrupt travel along existing roadways for periods of time within the construction zone. Site access to surrounding properties would be maintained throughout the construction period to ensure access to emergency vehicles as required. In addition, a traffic control plan would be prepared and implemented during Project construction, as required by the City. With implementation of the City-approved Traffic Control Plan, the Project would not impede access to publicly or privately owned land and would not interfere with emergency response or evacuation during construction.

The Project would provide adequate emergency access on the Project site. Access for emergency vehicles would be provided at the main Project entries along Sports Arena Boulevard and Kurtz Street. Internal private drives would meet the City Fire Marshal's standards. In addition, a 20-foot-wide fire access lane would be provided through a portion of The Green to access residential buildings, The Square, the entertainment center, and adjacent buildings. Also, a 26-foot-wide portion of The Plaza would be provided for vehicular fire access. In addition, a 20-foot-wide fire lane would be provided through the paseo greens. Finally, 26-foot-wide fire lanes would be delineated by a 6-inch flush curb throughout the paseo greenways. Additional emergency requirements, such as fire hydrants, fire hydrant markers (i.e., blue reflectors installed in the roadway), adequate vertical clearances, adequate turning radii, and fire ladder clearances, would be provided in accordance with SDMC Chapter 5. Proposed buildings would be constructed with fire-resistant construction materials and would include a protective system of fire sprinklers, as required by the California Fire Code.

Primary evacuation routes consist of the major interstates, highways, and prime arterials within the City. For the Project site, identified evacuation routes include I-8 north of the Project site and I-5 to the east. Sports Arena Boulevard to the south, Kurtz Street on the north, Hancock Street to the west, and Camino De Rio to the East provide local access to I-8 and I-5. The Project proposes construction of Frontier Drive and a Kemper Street extension within the development that would connect Sports

Arena Boulevard and Kurtz Street. These new streets would provide additional emergency access to the Project site and adjacent areas. In addition, as described in Chapter 3.0, the Project proposes off-site roadway improvements to Sports Arena Boulevard, Kurtz Street, and Rosecrans Street and off-site intersection improvements. These improvements are intended to improve traffic flow through the area and would not impact emergency response. The Project would not preclude access or movement by emergency response vehicles or personnel within the local area. The Project would not impair implementation of, or physically interfere with, an Emergency Response Plan or Emergency Evacuation Plan adopted by the County or the City. Impacts would be **Less than Significant**.

5.6.4.4 Issue 4: Hazardous Materials Site

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

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR identified the presence of open and closed hazardous material release cases in the Midway-Pacific Highway Community planning area. The Midway-Pacific Highway CPU PEIR concluded that compliance with federal, state, and local regulations, as well as 2008 General Plan policies, would reduce potential impacts related to hazardous materials sites and health hazards to a **Less than Significant** level.

Project-Specific Impact Analysis

Construction

Phase I

The Project site has been used in the past as a dump, agricultural land, and military housing, all of which could have created hazardous conditions on site. A Phase I ESA was conducted for the Project and included a review of historical source information, a search of regulatory agency databases within specified distances of the subject property, a review of available local agency records, interviews, and a site reconnaissance. The Project site is included on the list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5.

Based on the Phase I ESA, five RECs on the Project site were identified as a result of the current or historical site land use or from a known and reported off-site source. As identified in Section 5.6.1.4, on-site RECs associated with the Project site include the former Frontier Housing facility, clarifier systems/ice pits from existing commercial uses, Kobey's swap meet waste storage area, former and current on-site gasoline service/fueling stations, and historical printing and furniture stripping facilities.

Several facilities within the Project vicinity were also reported to have had releases of hazardous materials/waste or petroleum products. This includes: the former cleaners at 3496 and 3502 Kurtz

Street; existing Clean Harbors business at 3495 Kurtz Street; the former Shorebreak Materials-Butler Property at 3612 Kurtz Street; Exponents, Inc., at 3280 Kurtz Street; past or current uses at 3467–3469 Kurtz Street; and the Yellow Cab Company of San Diego at 3473 Kurtz Street.

Phase II

The Phase II ESA (Appendix H2) included assessment activities consisting of drilling to collect soil, groundwater, and soil vapor samples at the Project site. Results of the drilling and sampling activities indicated the presence of chemicals of concern, including petroleum hydrocarbons, VOCs, organochlorine pesticides, and lead, in various portions of the Project site. In addition, burned waste dump material (burn ash) was encountered in a soil boring drilled near the southwestern corner of the site.

A Geophysical Survey and Trenching Assessment (Appendix H3) was prepared to further evaluate potential subsurface features of concern and the possible presence of chemicals of concern in the subsurface at the Project site from current and past activities. A total of 32 exploratory trenches were excavated to visually evaluate subsurface conditions and observed for potential features of environmental concern. In general, observations during the trench excavations were divided into four categories. A UST candidate was discovered during the geophysical survey and was confirmed through the excavation of trench (T)-13, and metallic pipes were present in T14, T19, T20, T26, T27, and T32. In addition, burned waste dump material (burn ash) was encountered in trenches excavated near the southwestern corner of the Project site (T3, T4, T6, T8, T9, T11, T23, and T24). This may be a combination of burn areas from the Frontier Housing yard area and the former West Point Loma Dump, both located in the southwestern portion of the Project site including the off-site improvements along Sports Arena Boulevard. No significant issues were observed in the remaining exploratory trenches.

Soils samples were collected during the exploratory trenching. The analysis of the soil samples from various portions of the Project site indicated the presence of chemicals of concern. Specifically, the analysis identified detectable concentrations of total petroleum hydrocarbons and VOCs within trench T-13 that was excavated to expose the discovered UST. In addition, visible staining was observed at a depth of approximately 7 feet near the bottom of the UST. Analysis of soil samples also detected reported concentrations of lead, antimony, arsenic, cobalt, and/or mercury that exceeded health risk-based criteria collected from trenches in the southwestern portion of the Project site where burned waste and burn ash was observed.

The Additional Phase II ESA Report (Appendix H6) includes additional geophysical survey activities and Phase II soil, soil vapor, and groundwater sampling activities. The analysis of the soil samples reported that the detectable concentrations of total petroleum hydrocarbons, VOCs, and organochlorine pesticides and metals in soil exceeded applicable Regional Water Quality Control Board hazardous waste-based criteria. In two samples, total petroleum hydrocarbon diesel was detected above the Regional Water Quality Control Board health risk-based criteria. Additional samples, which were obtained from the reported burn ash deposits, contained metal concentrations that exceeded both

the health risk-based criteria and the hazardous waste-based criteria. Soil samples collected from other trench locations were reported with metal concentrations below the health risk-based criteria, facilitating a further delineation of the burn ash deposits.

Based on subsurface assessment activities conducted by SCS Engineers in 2023 in the southwestern portion of the Project site in the area of the reported West Point Loma Dump, an approximately 1-to-2-foot-thick layer of burn ash was observed buried at depths of approximately 2 to 5 feet with elevated concentrations of metals including antimony, arsenic, cobalt, lead, and/or mercury that exceed residential health risk-based screening levels, along with old household debris including bottles, ceramics, and other trash. Portions of these soils are considered a California hazardous waste and must be disposed of at a facility approved to receive this type of waste. Therefore, Project grading and excavation would have the potential to encounter contaminated soil during construction activities which could create a significant hazard to the public or environment.

To reduce the potential risks associated with grading and excavation of soils potentially containing hazardous materials, the following options have been identified for remediating the portion of the West Point Loma Dump within the Project disturbance area prior to or during construction of the Project:

- **Option 1:** Remove waste and burn ash from the Project site to achieve a partial clean closure.
- **Option 2:** Reconsolidate waste and burn ash to different area(s) on the known West Point Loma Dump waste footprint.
- **Option 3:** Leave waste and burn ash in place.

An analysis and discussion of each of these three options is provided below. It is possible that a combination of the three options may be selected and implemented along with the requisite regulatory approvals, as discussed below. Regardless of the option selected, the following general reporting and regulatory oversight would be required:

A Soil Management Plan (SMP) shall be prepared that describes the means and methods for the proper management of impacted soils during construction and grading activities. The SMP shall be comprehensive and include a discussion for remediating the various areas at the site with subsurface impacts and shall include separate sections addressing the West Point Loma Dump. The SMP shall address regulated waste criteria, worker exposure issues, and the proposed future residential and commercial development plans and land uses. The SMP shall describe the methods and details and other aspects of the proper handling and management of soils that exceed the remediation criteria that would be encountered during the grading and construction of the Project.

In conjunction with the SMP, and pursuant to the requirements of the LEA, a CHSP shall be prepared to address potential off-site impacts, particularly the monitoring and suppression of dust generated by on-site activities. The primary health and safety issue associated with the excavation of impacted soil is the potential generation of dust that may occur during the handling of the impacted soil. In addition, the CHSP may address odor assessment and remediation measures to be carried out

during the proposed grading activities. In the portion of the West Point Loma Dump within the Project disturbance area, odors are not anticipated to be encountered during grading based on the localized trenching activities SCS completed in 2023 and 2024, the age and nature of the waste (i.e., burn waste from the late 1800s to early 1900s), and the observed thickness of the burned material being limited to approximately 1 to 2 feet. The CHSP would also include public notifications to the adjacent property owners advising them of the excavation activities.

It is anticipated that the Project would also enter into oversight agreements with the LEA and other applicable regulatory agencies (such as the DEHQ, RWQCB, and/or DTSC) prior to grading and development activities to ensure the former waste areas of the West Point Loma Dump and other areas with known environmental impacts within the Project disturbance area are properly managed during Project construction activities. Additional assessment of soil and/or soil gas may be conducted as requested by the overseeing regulatory agencies.

To further vet each of the former West Point Loma Dump remediation options, the City, which owns the Project site and the subject portion of the West Point Loma Dump; the LEA; and other applicable regulatory agencies would be consulted to ensure that implementation of remedial options is conducted in accordance with applicable policies, rules, and regulations.

Option 1: Remove waste and burn ash from the Project site to achieve a partial clean closure.

A clean closure would involve removing all waste, decontaminating or removing equipment (if present), and preparing the site for post-closure use. The complete removal of burn ash from the Project site would be considered a partial clean closure, since the removal of waste would be limited to the Project disturbance area and would not include the entirety of the former West Point Loma Dump, which extends beyond the Project disturbance area. The former West Point Loma Dump is a landfill that must be closed in accordance with applicable statutes, regulations, and local ordinances in consultation with the LEA and other applicable regulatory agencies.

The burn ash would be removed with heavy construction equipment and loaded into dump trucks tracked by a waste manifest for disposal at an appropriately licensed facility. During excavation of these soils, air/dust monitoring as well as verification of impacted soil removal through confirmation soil sampling would be conducted by an environmental monitor. Dust emissions would be controlled by spraying surfaces with water and using cyclone/covered fencing to reduce dust emissions as excavation, grading, stockpiling, and loading activities are conducted. Other proper soil management and health and safety measures as stipulated in the SMP and CHSP would be followed. Health and safety considerations to be included in the CHSP would include the inhalation of dust, dermal exposure, and possible odors.

The on-site treatment of hazardous soils would involve the permitting and setup of an on-site treatment unit that would reduce the leachability of lead and other metals to levels that would allow the disposal of this material as a lesser waste type (i.e., a California hazardous waste could be reduced through treatment and post-treatment confirmation sampling to a non-hazardous regulated waste upon disposal

at the appropriately licensed facility). Prior to conducting on-site treatment, the required applications and information would need to be provided to regulatory agencies with oversight of on-site mobile soil treatment units, including the LEA, DTSC, and the San Diego Air Pollution Control District. On-site treatment would also include the preparation of a Treatment and Waste Analysis Plan to be submitted for review and approval by the applicable oversight agency. The operator of landfills accepting the treated material would also be notified, and the proper waste profile and confirmation soil sample results would be provided. Perimeter air monitoring would be required for on-site treatment.

Option 2: Reconsolidate waste and burn ash to different area(s) on the known West Point Loma Dump waste footprint.

Reconsolidating the waste to different areas of the West Point Loma Dump footprint would involve excavating and relocating the waste material with heavy construction equipment and establishing proper engineering controls, such as covering the waste material with a clean soil cap, and institutional controls, such as recording of a deed restriction and other controls.

During excavation of these soils, air/dust monitoring and verification of impacted soil removal through confirmation soil sampling would be conducted by an environmental monitor. Dust emissions would be controlled by spraying surfaces with water and the use of cyclone/covered fencing to reduce dust emissions as excavation, grading, stockpiling, and loading activities are conducted. Other soil management and health and safety measures stipulated in the SMP and CHSP would be followed. Health and safety considerations to be included within the CHSP would include the inhalation of dust, dermal exposure, and possible odors.

Leaving hazardous waste material on site above applicable action levels would likely require recording of a deed restriction for the subject property. The deed restriction, which would include surveyed locations of the waste limits on a plat map, would indicate that no building, structure, driveways, roadways, or other site improvements shall be constructed, developed, or placed on any portion of the affected site and no grading, trenching, backfilling, excavating, or other earthwork would be permitted, except with prior written consent of the LEA. The City, as the owner of the Project site, would need to consent to the deed restriction.

Additional institutional controls would be implemented because waste material would be left on site. The Project applicant would be responsible for managing, tracking, and notifying contractors and other interested parties of the left-in-place waste areas so that appropriate precautions, management controls, and adherence to the deed restriction are followed.

Option 3: Leave waste and burn ash in place.

Leaving the burn ash in place would require engineering controls such as ensuring that a proper clean soil cap is in place over the waste material. Institutional controls, such as recording of a deed restriction, and other management controls would also need to be implemented.

The remediation work would involve verifying that a suitable clean soil cap is in place, which would require minimal disturbance of the waste materials. Heavy construction equipment would be used to verify a suitable cap is in place. During excavation of soils to ensure that a soil cap with sufficient thickness is in place, air/dust monitoring would be conducted by an environmental monitor. Dust emissions would be controlled by spraying surfaces with water and the use of cyclone/covered fencing to reduce dust emissions as excavation, grading, stockpiling, and loading activities are conducted. Other proper soil management and health and safety measures as stipulated in the SMP and CHSP would be followed. Health and safety considerations in the CHSP would include the inhalation of dust, dermal exposure, and possible odors.

Leaving hazardous waste material in place on site would require recording of a deed restriction for the property. The deed restriction, which would include surveyed locations of the waste limits on a plat map, would indicate that no building, structure, driveways, roadways, or other site improvements shall be constructed, developed, or placed on any portion of the site, and no grading, trenching, backfilling, excavating, or other earthwork would be permitted, except with prior written consent of the LEA. The City, as the owner of the Project site, would need to consent to the deed restriction.

Additional institutional controls would be implemented because waste material would be left on site. The Project applicant would be responsible for managing, tracking, and notifying contractors and other interested parties of the left-in-place waste areas so that appropriate precautions, management controls, and adherence to the deed restriction would be followed. Regardless of the remediation option selected, adherence to regulatory procedures administered by the applicable regulatory oversight agency would reduce the Project's potential to result in a **Less than Significant** impact level**.**

Project construction has the potential to encounter known or previously unknown USTs, which could result in impacts to on-site construction personnel. Due to the site-specific nature of USTs, it is not anticipated that impacts to off-site residents or nearby schools would occur. This impact would be **Potentially Significant**.

Impact 5.6-2: Construction of the Project could encounter known or unknown USTs during grading and excavation, which could result in adverse hazards and hazardous materials impacts to on-site construction personnel.

Operation

Operation of the Project would involve an unquantifiable, but limited, use of potentially hazardous materials typical of entertainment, retail, restaurant, residential, recreational, public, and park uses, including cleaning fluids, detergents, solvents, adhesives, sealers, paints, fuels/lubricants, pesticides/herbicides for landscaping. These materials would be contained, stored, and used on site in accordance with manufacturers' instructions, applicable standards, and federal, state, and local regulations. Compliance with applicable regulations would serve to protect against a significant and irreversible environmental change that could result from the accidental release of hazardous materials.

The Additional Phase II ESA Report (Appendix H6) conducted a vapor intrusion risk assessment and screening at the Project site to assess the potential for significant human health risk posed to occupants of the existing and proposed commercial land use and the future residential use due to the upward migration of VOCs in soil vapor. Additional soil vapor sampling was conducted to assess the possible presence and concentrations of VOCs in the footprints of the proposed Project structures. Specifically, at least one soil vapor probe was advanced in the footprint of each of the proposed Project structures across the Project site to assess for vapor intrusion risks to future occupants of the proposed buildings. After applying the applicable 2011 DTSC attenuation factors for the existing commercial and future residential land use (both with an attenuation factor of 0.001) as well as future commercial land use (attenuation factor of 0.0005) to the maximum reported concentrations of VOCs in soil vapor beneath the Project site, the maximum theoretical concentrations of VOCs in indoor air on the Project site may exceed the commercial DTSC Screening Level (DTSC-SL) for benzene of 0.42 micrograms per cubic meter (µg/m^3) and the residential DTSC-SL for benzene of 0.097 µg/m^3, indicating a potential significant human health risk for portions of the current commercial and future commercial and residential buildings at the Project site as a result of vapor intrusion of benzene (DTSC 2022). The DTSC-SLs are recommended screening levels for various chemicals in ambient air and are used in the human health risk assessment process for indoor air in facilities in California.

In addition, after applying the applicable California Environmental Protection Agency's Supplemental Draft Guidance's recommended attenuating factor of 0.03 to the maximum reported concentrations of VOCs in soil vapor beneath the Project site, the maximum theoretical concentrations of VOCs (including benzene, ethylbenzene, and tetrachloroethylene [PCE]) in indoor air on the Project site may exceed the commercial and residential screening DTSC -SLs, and m,p-xylene and PCE in indoor air at portions of the Project site may exceed the residential DTSC -SLs (CalEPA 2023).

Therefore, due to the possible exceedances of commercial and residential screening levels for VOCs in indoor air, impacts would be **Potentially Significant**.

Impact 5.6-3: The Additional Phase II ESA Report vapor intrusion risk screening and application of the 2011 DTSC attenuation factor indicate that there is a risk of exceedances of commercial and residential screening levels for benzene in indoor air, and the California Environmental Protection Agency Supplemental Draft Guidance recommended attenuation factor indicate that there is also a risk of exceedances of commercial and residential screening levels for m,p-xylene, ethylbenzene and PCE in indoor air, posing a potential health risk for future residential occupants of the Project.

5.6.4.5 Issue 5: Aircraft Hazards

Would the Project expose people or structures to a significant risk of loss, injury, or death from off-airport aircraft operational accidents?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the Midway-Pacific Highway Community planning area falls within the AIA for the SDIA and is conditionally consistent because future projects would be required to submit Project-level consistency determinations. Impacts would be **Less than Significant**.

Project-Specific Impact Analysis

The Project site is 1.8 miles north of the SDIA and within the SDIA AIA. It is also 2.8 miles north of NASNI and within the NASNI Airspace Protection Boundary. There are no private airstrips, private airports, or heliport facilities within 2 miles of the Project site.

The Project site is within the SDIA Review Areas 1 and 2 (Figure 2-7). The southern half of the site is within Review Area 1, while the northern half of the site is within Review Area 2. In accordance with SDMC Article 2, Division 15, the portion of the Project site in Review Area 1 shall comply with the noise, safety, and airspace protection compatibility requirements in SDMC Sections 132.1510–132.1520; the aircraft overflight notification requirements in SDMC Section 132.1525; and the development review for compatibility in SDMC Section 132.1505. Multi-family residential units, retail sales, and commercial uses are permitted in Review Area 1. The portion of the Project site within Review Area 2 shall comply with the airspace protection compatibility requirements in SDMC Section 132.1520. The Project applicant is in the process of submitting an application for consistency review to the San Diego County Regional Airport Authority for compatibility with the SDIA ALUCP in accordance with the SDMC. In addition, the construction of multi-family residential buildings would require the recordation of an Overflight Notification Agreement due to the Project site's location within the SDIA Overflight Boundary Area.

The Project is also within the FAA Part 77 Noticing Area Overlay Zone, which requires notification for structures that exceed a 100:1 surface ratio from any point on the runway of the SDIA and NASNI. The Project proposes mid-rise mixed-use buildings up to 105 feet in height and a new entertainment center with a maximum height of 165 feet. In addition, up to 10 percent of the total Project site (approximately 226,512 gross square feet) of building floorplate (excluding the entertainment center site and floorplate) may be constructed to a maximum height of 250 feet in any location on the Project site. Future proposed buildings with a maximum height of 200–250 feet may surpass the obstruction standards of Part 77 for objects in navigable airspace, as determined by the FAA. Prior to obtaining building permits, the Project applicant would be required to notify the FAA and obtain an FAA determination of no hazard to air navigation in accordance with the SDIA AIA and the NASNI Airspace Protection Boundary.

Compliance with the SDMC Article 2, Division 15, requirement to obtain a consistency determination from the San Diego County Regional Airport Authority and requirement to obtain an FAA determination of no hazard to air navigation in accordance with the SDIA AIA and the NASNI Airspace Protection Boundary would ensure that the Project would result in a less than significant airport safety hazard impact. Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death from off-airport aircraft operational accidents. Impacts would be **Less than Significant**.

5.6.5 Significance of Impacts

5.6.5.1 Issue 1: Wildland Fire Risk

The Project site is within an urbanized area of the City and surrounded by commercial uses. It is not adjacent to wildland areas and is not within a VHFHSZ. Therefore, impacts related to wildland fire risk would be **Less than Significant**.

5.6.5.2 Issue 2: Hazardous Emissions and Materials

Demolition of structures containing ACM and LBP could result in the release of hazardous materials within 0.25 mile of a school. Improper removal of these materials during Project construction activities would have the potential to expose construction workers to a hazardous release of asbestos and lead within 0.25 mile of a school (**Impact 5.6-1**). Construction impacts would be **Potentially Significant**. During operation, the Project would not introduce land uses that would be likely to result in hazardous emissions or exposure of schools to hazardous materials, substances, or waste. As such, the adjacent schools would not be adversely affected by Project operation. Operational impacts would be **Less than Significant**.

5.6.5.3 Issue 3: Emergency Plan Consistency

The Project would be designed in accordance with applicable requirements for emergency access and would not involve any components that would hinder emergency response of evacuation. The Project would not impair implementation of, or physically interfere with, an adopted emergency response or emergency evacuation plan. Impacts would be **Less than Significant.**

5.6.5.4 Issue 4: Hazardous Materials Site

Project construction activities could encounter contaminated soil during construction activities. The Project would remediate a portion of the West Point Loma Dump within the Project disturbance area prior to or during construction of the Project using one or a combination of the following options: (1) remove waste and burn ash from the Project site to achieve a partial clean closure, (2) reconsolidate waste and burn ash to different area(s) on the known West Point Loma Dump waste footprint, or (3) leave waste and burn ash in place. In addition, a comprehensive SMP and CHSP would be reviewed and approved by the LEA. It is anticipated that the Project would enter into oversight agreements with the LEA and other applicable

regulatory agencies (such as the DEHQ, RWQCB, and/or DTSC) prior to grading and development activities to ensure the former waste areas of the West Point Loma Dump and other areas with known environmental impacts are properly managed during construction activities. Regardless of the remediation option selected, adherence to regulatory procedures administered by the applicable regulatory oversight agency would reduce the Project's potential impact to a **Less than Significant** level. In addition, Project construction has the potential to encounter known or previously unknown USTs, which could result in impacts to on-site construction personnel, which could create a significant hazard to the public or environment (**Impact 5.6-2**). Impacts would be **Potentially Significant**.

During Project operation, there is a risk of exceedances of commercial and residential screening levels for benzene in indoor air and a risk of exceedances of commercial and residential screening levels for m,p-xylene, ethylbenzene, and PCE in indoor air, which could create a significant hazard to future residential occupants of the Project (**Impact 5.6-3**). Impacts would be **Potentially Significant**.

5.6.5.5 Issue 5: Aircraft Hazards

The Project site is within the SDIA AIA Review Areas 1 and 2 and the NASNI Airspace Protection Boundary. Compliance with the SDMC Article 2, Division 15, requirement to obtain a consistency determination from the San Diego County Regional Airport Authority and requirement to obtain an FAA determination of no hazard to air navigation in accordance with the SDIA AIA and the NASNI Airspace Protection Boundary would ensure that the Project would not expose people or structures to a significant risk of loss, injury, or death from off-airport aircraft operational accidents. Impacts would be **Less than Significant**.

5.6.6 Mitigation

5.6.6.1 Issue 1: Wildland Fire Risk

No significant impacts were identified; therefore, no mitigation is required.

5.6.6.2 Issue 2: Hazardous Emissions and Materials

To reduce **Impact 5.6-1** to below a level of significance, the following mitigation measures shall be implemented as part of the Project. Implementation of these mitigation measures would reduce the risk for accidental release of hazardous materials associated with demolition and grading activities, ensure testing of soils occurs prior to construction, and confirm procedures are in place for the management of potentially impacted soil.

MM HS 5.6-1: **Asbestos-Containing Material Removal.** Prior to issuance of a demolition permit, the Owner/Permittee shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements pertaining to asbestos-containing material removal have been met.

MM HS 5.6-2: Lead-Based Paint Removal. Prior to issuance of a demolition permit, the Owner/Permittee shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements pertaining to lead-based paint removal have been met.

5.6.6.3 Issue 3: Emergency Plan Consistency

No significant impacts were identified; therefore, no mitigation is required.

5.6.6.4 Issue 4: Hazardous Materials Site

To reduce **Impact 5.6-2** to below a level of significance, the following mitigation measure shall be implemented as part of the Project. Implementation of the mitigation measure would reduce the risk for accidental release of hazardous materials associated with known or unknown USTs during construction activities.

MM HS 5.6-3: Removal of Underground Storage Tank. Prior to issuance of a grading permit for the area where an underground storage tank was encountered on the Project site, the Owner/Permittee shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements related to the removal of the underground storage tank have been met.

To reduce **Impact 5.6-3** to below a level of significance, the following mitigation measure shall be implemented as part of the Project. Implementation of the mitigation measure would reduce the risk of exceedance of commercial and residential screening levels for VOCs (benzene, m,p-xylene, ethylbenzene, and PCE) in indoor air.

MM HS 5.6-4: Soil Vapor Sampling and Vapor Intrusion Mitigation System Where Indicated. Prior to issuance of a grading permit, the Owner/Permittee shall collect soil vapor samples within the footprints of the proposed Project buildings to re-assess soil vapor concentrations. Where soil vapor concentrations comply with the State Water Resources Control Board Low-Threat Underground Storage Tank Case Closure Policy, which provides specific health risk-based screening criteria for the petroleum hydrocarbon-related volatile organic compounds that include benzene, ethylbenzene, and naphthalene established by the State Water Resources Control Board, as well as the applicable vapor intrusion screening levels for human health risks, the additional round of soil vapor sampling may indicate that vapor intrusion remediation is not necessary beneath certain buildings proposed above the sampling site, and no further work is required in connection with indoor air, provided applicable regulatory agency approval is received.

Prior to the issuance of the first certificate of occupancy for any building affected by and/or within the footprint of the vapor intrusion mitigation system, the Owner/Permittee shall provide a verification letter from the County of San Diego's Department of Environmental Health and Quality, the San Diego Regional Water Quality Control Board, or other applicable agency with environmental authority to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements related to the design and construction of the vapor intrusion mitigation system have been met. For buildings proposed to be located on soil where previously collected and future soil vapor sample results indicate a vapor risk is present for future occupants, a vapor intrusion mitigation system shall be installed. The vapor intrusion mitigation system shall be installed for the enclosed occupied ground floor spaces of the residential or commercial buildings where necessary due to the high concentrations of volatile organic compounds identified in soil vapor sampling. The vapor intrusion mitigation system shall be designed by a licensed professional engineer and consist of a passive-vented system with the option to convert to an active system with a gas-tight horizontal membrane barrier above. ~~The Owner/Permittee shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements related to the design and construction of the vapor intrusion mitigation system have been met.~~

5.6.6.5 Issue 5: Aircraft Hazards

No significant impacts were identified; therefore, no mitigation is required.

5.6.7 Significance after Mitigation

5.6.7.1 Issue 1: Wildland Fire Risk

Less than Significant.

5.6.7.2 Issue 2: Hazardous Emissions and Materials

Impact 5.6-1, relating to hazardous emissions, would be potentially significant. However, implementation of Mitigation Measures **HS 5.6-1** and **HS 5.6-2** would reduce the potential for upset and accident conditions related to ACMs and LBP by requiring proper abatement prior to demolition and proper transportation and disposal. This impact would be **Less than Significant with Implementation of Mitigation Measures HS 5.6-1 and HS 5.6-2.**

5.6.7.3 Issue 3: Emergency Plan Consistency

Less than Significant.

5.6.7.4 Issue 4: Hazardous Materials Site

Impact 5.6-2, related to hazardous materials sites, would be potentially significant. However, remediation of a portion of the West Point Loma Dump within the Project disturbance area prior to or during construction of the Project, preparation and approval of a SMP and CHSP in accordance with applicable agency oversight, and implementation of Mitigation Measure **HS 5.6-3** would reduce the hazard to the public or environment from encountering known or unknown USTs during construction activities by requiring proper removal and disposal in accordance with applicable regulations. This impact would be **Less than Significant with Implementation of Mitigation Measure HS 5.6-3**.

Impact 5.6-3, related to the potential for exceedances of commercial and residential screening levels for VOCs in indoor air, would be potentially significant. However, additional soil vapor samples and preparation and implementation of a vapor intrusion mitigation system for buildings where necessary and in accordance with applicable agency oversight and Mitigation Measure **HS 5.6-4** would reduce the risk to future Project occupants. This impact would be **Less than Significant with Implementation of Mitigation Measure HS 5.6-4.**

5.6.7.5 Issue 5: Aircraft Hazards

Less than Significant.

C:\GIS\Projects\City of San Diego\Midway Rising\Map Docs\EIR\Section5

Source: SCS Engineers 2023.

N

0 250 500

Miles

Figure 5.6-1

Trench Locations

Midway Rising

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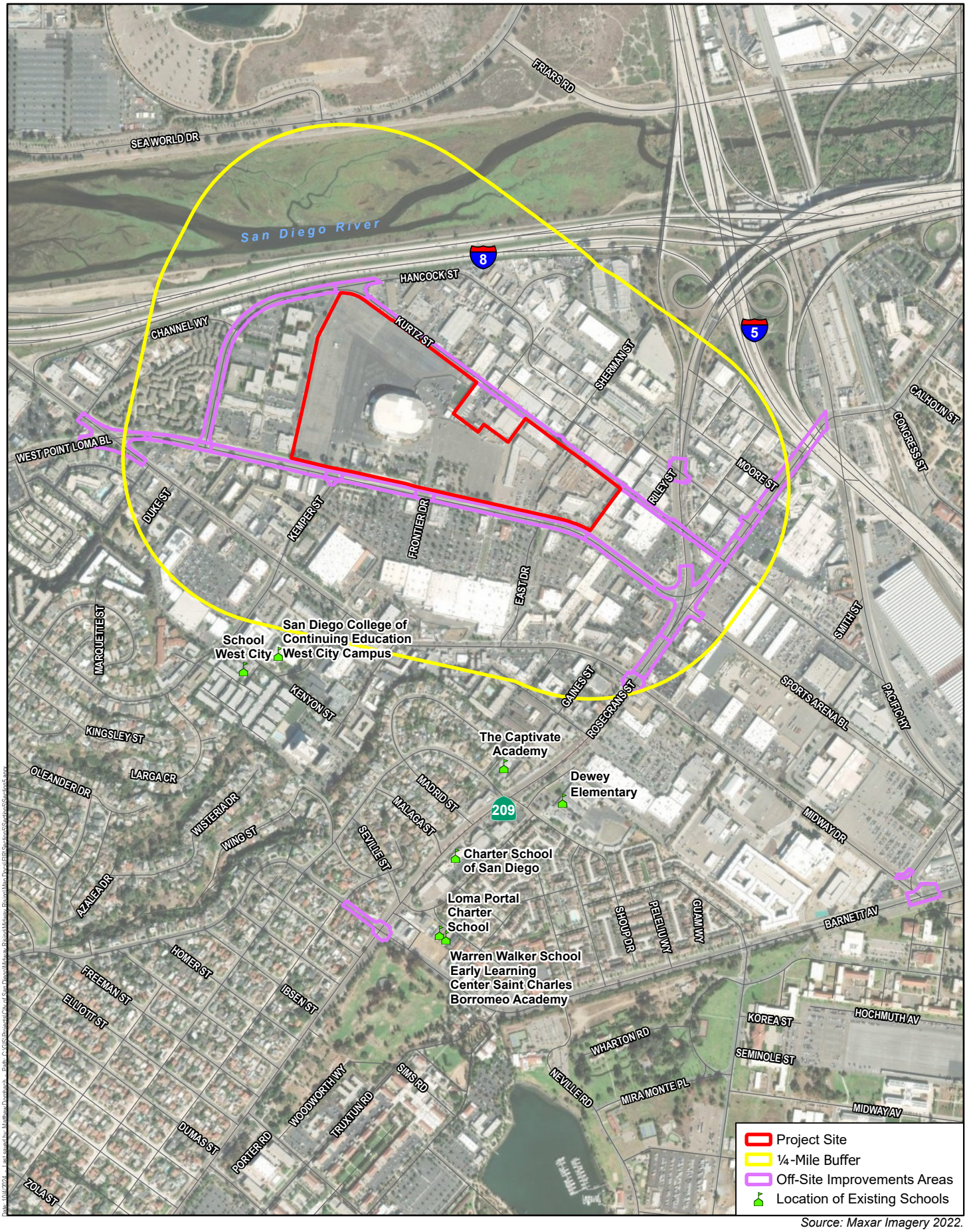

Source: Maxar Imagery 2022.

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0 500 1,000

Feet

Figure 5.6-2

Location of Existing Schools

Midway Rising

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5.7 Hydrology/Water Quality

This Subsequent Environmental Impact Report (SEIR) section describes existing hydrology and water quality conditions on the Midway Rising Project (Project) site and evaluates the potential for implementation of the Project to impact hydrology and water quality.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR), included as Appendix B of this SEIR
- Preliminary Drainage Report prepared by Project Design Consultants (2024), included as Appendix I1 of this SEIR
- Priority Development Project Storm Water Quality Management Plan prepared by Project Design Consultants (2024), included as Appendix I2 of this SEIR
- Water Supply Assessment and Verification Report (WSA and WSV Report) prepared by the City of San Diego (City), Public Utilities Department (PUD) (2024), included as Appendix M3 of this SEIR
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018)

5.7.1 Existing Conditions

5.7.1.1 Drainage

The Project site is within San Diego River Watershed, specifically within the Lower San Diego Hydrological Area (Hydrologic Unit 907.1). The Peñasquitos Watershed and San Diego Bay Watershed border the Project site immediately to the north and south, respectively. The San Diego River Watershed is the second largest in San Diego County (County), encompassing approximately 434 square miles. The major tributaries to the San Diego River include Boulder Creek, which empties into the San Diego River in the headwaters above El Capitan Reservoir, and San Vicente Creek, which empties into the San Diego River in Lakeside. There are numerous smaller tributaries as well, including Cedar Creek in the headwaters of the San Diego River; Forester Creek and Sycamore Creek in Santee; Oak Creek in Mission Trails Regional Park; and Alvarado Creek, Murphy Creek, and Murray Creek in Mission Valley (Project Clean Water 2024).

The Project site is developed with a variety of commercial and entertainment land uses and is developed with approximately 97 percent impermeable areas. An existing 42-inch public storm drain crosses the property diagonally in the northwestern corner (Figure 5.7-1, Conceptual Drainage Plan). Currently, stormwater sheet flows in three general directions to the surrounding streets and then enters the public storm drain system, connecting to the San Diego River flood control channel downstream. Approximately 40 percent of the site drains south to existing storm drains within Sports Arena Boulevard and is directed west, draining to the existing pump house north of Interstate (I-) 8 (Outfall 1). Approximately 50 percent of the site drains north into existing storm

drains in Kurtz Street (Outfall 2). The stormwater is then pumped into the San Diego River flood control channel. The remaining 10 percent of the site flows southeast toward Rosecrans Street and eventually outlets to the San Diego River flood control channel (Outfall 3). The San Diego River discharges into the Pacific Ocean north of Ocean Beach.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map identifies Special Flood Hazard Areas (SFHAs), which are defined as areas that would be inundated by a flood event having a 1 percent chance of being equaled or exceeded in any given year. The 1 percent annual chance flood is also referred to as the base flood or 100-year flood. No SFHAs are on the Project site. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.20 percent annual chance flood. A portion of the Project site is within an area of minimal flood hazard. The nearest SFHA is the San Diego River flood control channel north of I-8. However, the Project site and surrounding blocks are prone to localized flooding due to flat street slopes, a shallow storm drain system, and the undersized Pump Station H. Refer to Appendix I1 of this SEIR for a discussion of previous studies that analyzed Pump Station H's capacity.

5.7.1.2 Water Quality

The majority of the Project site is in the Mission San Diego Hydrologic Subarea 907.11, which includes the San Diego River. The southern portion of the Project site is within the Lindbergh Hydrologic Subarea 908.21 and Point Loma Hydrologic Subarea 908.10. Per the Water Quality Control Plan for the San Diego Basin (Basin Plan), the San Diego River Watershed (inland surface waters) has the following beneficial uses: municipal and domestic supply, agricultural supply, industrial service supply, industrial process supply, contact water recreation, non-contact water recreation, warm freshwater habitat, cold freshwater habitat, and wildlife habitat (RWQCB 2021).

The San Diego River is listed as an "impaired" body under Section 303(d) of the Clean Water Act (CWA) due to enterococcus, fecal coliform, low dissolved oxygen, manganese, nitrogen, phosphorus, total dissolved solids, and toxicity. According to the 2021 Water Quality Improvement Plan (WQIP) for the San Diego River Watershed Management Area (City of El Cajon et al. 2021), the highest priority pollutant is bacteria. Major impacts to this watershed include surface water quality degradation, habitat degradation and loss, sediment, invasive species, eutrophication, and flooding. Sources of impacts include urban runoff, agricultural runoff, mining operations, sewage spills, and sand mining.

5.7.1.3 Groundwater

Groundwater levels are closely related to the water surface elevation within the San Diego River, and are subject to tidal influences. Groundwater was measured on the Project site at depths ranging from 5 to 10 feet below grade (Appendix I2).

5.7.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address hydrology and water quality.

5.7.2.1 Federal

Clean Water Act

The CWA is the principal law governing pollution control and water quality of the nation's waterways, including lakes, rivers, aquifers, and coastal areas. The CWA's objective is to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 USC 1251). CWA Section 402 controls water pollution through the National Pollutant Discharge Elimination System (NPDES) by regulating point sources that discharge pollutants into waters of the United States. The U.S. Environmental Protection Agency is responsible for implementing the CWA and has delegated much of this authority to state and regional agencies.

Under CWA Section 303(d), states, territories, and authorized Tribes are required to develop lists of impaired waters, which are waters that are too polluted or otherwise degraded to meet the water quality standards set by states, territories, or authorized Tribes. The law requires that these jurisdictions establish priority rankings for listed waters and develop Total Maximum Daily Loads for these waters. A Total Maximum Daily Load is a calculation of the maximum amount of a pollutant that a waterbody can receive and still safely meet water quality standards.

Federal Emergency Management Agency

FEMA formed in 1979 as an independent agency and became part of the U.S. Department of Homeland Security in March 2003. The agency is tasked with responding to, planning for, recovering from, and mitigating against disasters. FEMA is responsible for determining flood elevations and floodplain boundaries based on U.S. Army Corps of Engineers studies and approved FEMA studies, as well as for coordinating the federal response to floods, earthquakes, hurricanes, and other natural or human-made disasters. Additionally, FEMA provides disaster assistance to states, communities, and individuals.

FEMA distributes Flood Insurance Rate Maps that identify the locations of SFHAs, including the 100-Year Flood Zone. Executive Order 11988 (Flood Plain Management) links the need to protect lives and property with the need to restore and preserve natural and beneficial floodplain values.

5.7.2.2 State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne) established the principal California legal and regulatory framework for water quality control. Porter-Cologne is embodied in the California Water Code, which authorizes the State Water Resources Control Board to implement the provisions of the federal CWA.

The state is divided into nine regions governed by the Regional Water Quality Control Boards (RWQCBs). The RWQCBs implement and enforce provisions of the California Water Code and the CWA under the oversight of the State Water Resources Control Board. The City of San Diego (City) is within the purview of the San Diego RWQCB (Region 9). Porter-Cologne also provides for the development and periodic review of basin-specific Water Quality Control Plans that designate beneficial uses of California's major rivers and groundwater basins and establish water quality objectives for those waters.

State Water Resources Control Board Construction General Permit

Construction activities that disturb more than 1 acre of land are subject to a Construction General Permit. To comply, an applicant for a Construction General Permit must file a complete and accurate Notice of Intent with the State Water Resources Control Board. Compliance requires conformance with applicable best management practices (BMPs) and implementation of a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP's purpose is to develop a strategy for construction projects to comply with stormwater regulations to minimize sedimentation, erosion, and point source and non-point source pollutants entering waterways. BMPs are designed to aid and guide on-site personnel to secure a site's stormwater discharges during rain events through prevention, action, and stabilization methods and techniques.

Municipal Separate Storm Sewer System Permit

The most current municipal separate storm sewer system (MS4) permit for Region 9, Order No. R9-2013-0001, was adopted on May 8, 2013, by the San Diego RWQCB. It became effective on June 27, 2013; was amended through the adoption of Order No. R9-2015-0001 on February 11, 2015, and Order No. R9-2015-0100 on November 18, 2015; and is an update to the 2007 MS4 permit, Order No. R9-2007-0001. The Project would be subject to the most current MS4 permit requirements.

The MS4 permit implements a regional strategy for water quality and related concerns and mandates a watershed-based approach that often encompasses multiple jurisdictions. The overall permit goals include (1) providing a consistent set of requirements for all co-permittees and (2) allowing the co-permittees to focus their efforts and resources on achieving identified goals and improving water quality rather than completing individual actions (which may not adequately reflect identified goals). Under this approach, the co-permittees prioritize their individual water quality concerns and provide implementation strategies and schedules to address those priorities. MS4 permit conformance includes considerations such as receiving water limitations, waste load allocations, and numeric water quality-based effluent limitations. Specific efforts to provide permit conformance and reduce runoff and pollutant discharges to the maximum extent practicable involve methods such as (1) using jurisdictional planning efforts to provide water quality protection; (2) requiring coordination between individual jurisdictions to provide watershed-based water quality protection; (3) implementing appropriate BMPs, including low-impact development (LID) measures, to avoid, minimize, and/or mitigate effects such as increased erosion and off-site sediment transport (sedimentation),

hydromodification, and pollutant discharge in urban runoff; and (4) using appropriate monitoring/assessment, reporting, and enforcement efforts to ensure proper implementation, documentation, and (as appropriate) modification of permit requirements. The City implements regulations to ensure conformance with these requirements, as outlined in Section 5.7.2.3, Local.

5.7.2.3 Local

2021 Water Quality Control Plan for the San Diego Basin

The San Diego Basin encompasses approximately 3,900 square miles, including most of San Diego County and portions of southwestern Riverside and Orange Counties. The basin comprises 11 major hydrologic units, 54 hydrologic areas, and 147 hydrologic subareas, extending from Laguna Beach south to the United States–Mexico border. Drainage from higher elevations in the east flows west and ultimately into the Pacific Ocean. The RWQCB prepared the Basin Plan, which defines existing and potential beneficial uses and water quality objectives for coastal waters, groundwater, surface waters, imported surface waters, and reclaimed waters in the basin. Water quality objectives seek to protect the most sensitive beneficial uses designated for a specific water body (RWQCB 2021).

2024 City of San Diego Jurisdictional Runoff Management Plan

The 2024 City of San Diego Jurisdictional Runoff Management Plan is a total account of how the City plans to protect and improve the water quality of rivers, bays, and the Pacific Ocean within the region in compliance with the RWQCB MS4 permit discussed previously. The San Diego Jurisdictional Runoff Management Plan describes how the City incorporates stormwater BMPs into land use planning, development review and permitting, City capital improvement program project planning and design, and execution of construction contracts (City of San Diego 2024).

2021 San Diego River Watershed Management Area Water Quality Improvement Plan

The San Diego River Watershed Management Area WQIP was approved in February 2016 and updated in August 2021. It is a requirement of updated stormwater regulations adopted by the RWQCB according to Order No. R9-2013-0001, as amended by Order Nos. R9-2015-0001 and R9-2015-0100. The ultimate goal of the WQIP is to protect, preserve, enhance, and restore water quality of receiving water bodies. These improvements in water quality will be accomplished through an adaptive planning and management process that identifies the highest priority water quality conditions within the watershed and implements strategies to address these conditions (City of El Cajon, et al. 2021).

2017 City of San Diego Drainage Design Manual

Pursuant to San Diego Municipal Code Chapter 14, Article 2, Division 2, Storm Water Runoff and Drainage Regulations, drainage regulations apply to all development in the City whether or not a permit or other approval is required.

Drainage design policies and procedures for the City are given in the City's Drainage Design Manual (City of San Diego 2017). The Drainage Design Manual guides drainage and drainage-related facilities design for developments in the City. Chapter 1 of the Drainage Design Manual outlines basic policies and objectives, and subsequent chapters provide design criteria. The Project would be required to adhere to applicable design criteria in the City's Drainage Design Manual.

The City is responsible for reviewing hydrologic and hydraulic studies and design features for conformance to criteria in the Drainage Design Manual for every map or permit for which development approval is sought from the City.

2021 City of San Diego Stormwater Standards Manual

The City updated its Stormwater Standards Manual in October 2018 and then in May 2021 to comply with the 2013 MS4 permit and its 2015 amendments. The Stormwater Standards Manual provides direction for associated regulatory compliance, including identification of construction and post-construction stormwater requirements for standard projects and priority development projects. Specifically, the Stormwater Standards Manual identifies regulatory requirements and provides detailed performance standards and monitoring/maintenance efforts for (1) construction BMPs, (2) overall stormwater management design, (3) site design and source control BMPs applicable to all projects, (4) pollutant or treatment control and hydromodification management BMPs applicable to priority development projects, (5) operation and maintenance requirements for applicable BMPs, and (6) specific direction and guidance to provide conformance with City and related NPDES stormwater standards (City of San Diego 2021).

The updated Stormwater Standards Manual pollutant control BMPs require priority development projects to implement LID BMPs that are designed to retain stormwater (i.e., intercept, store, infiltrate, evaporate, and evapotranspire). If retention BMPs are determined infeasible, then biofiltration BMPs may be allowed. Furthermore, if biofiltration BMPs are determined infeasible, then priority development projects may be allowed to use flow-through treatment control BMPs, provided that an off-site alternative compliance project is available.

LID BMPs require on-site areas to retain stormwater for infiltration, reuse, or evaporation. Although the footprint of LID BMPs can be incorporated into Project landscaping features, this requires early planning to ensure that features are located where they can intercept drainage and store water without adverse effects to adjacent slopes, structures, roadways, or other features.

2008 City of San Diego General Plan

The 2008 City of San Diego General Plan, as amended (2008 General Plan), provides goals and policies related to hydrology and water quality concerns in the Public Facilities, Services, and Safety Element and in the Conservation Element, as summarized below (City of San Diego 2008).

Public Facilities, Services, and Safety Element

This element includes goals and policies related to the provision of adequate public facilities and services for existing and proposed development. For stormwater, these involve efforts to provide appropriately designed and sized infrastructure, ensure adequate conveyance capacity, protect water quality, and provide conformance with applicable regulatory standards (such as the NPDES) (City of San Diego 2008).

Conservation Element

This element provides goals and policies related to preserving and protecting watersheds and natural drainage features, minimizing runoff and related pollutant generation during and after construction activities, and protecting drinking water resources (City of San Diego 2008).

City of San Diego Grading Ordinance

The City's Grading Ordinance (San Diego Municipal Code Section 142.0101 et seq.) incorporates requirements related to hydrology and water quality, including BMPs necessary to control stormwater pollution from sources such as erosion/sedimentation and construction materials during Project construction and operation. Specifically, these include elements related to slope design, erosion/sediment control, revegetation requirements, and material handling/control.

City of San Diego Municipal Code

San Diego Municipal Code Section 143.0145 regulates development in SFHAs. SFHAs within the City are established in accordance with the Flood Insurance Study for San Diego County, California, dated June 16, 1999, and the accompanying Flood Insurance Rate Maps, published by FEMA. Development regulations and other applicable FEMA requirements and regulations apply to development proposing to encroach into an SFHA, including both the floodway and flood fringe areas. No SFHAs are on the Project site or in the off-site improvement areas.

5.7.3 Significance Determination Thresholds

The thresholds used to evaluate potential hydrology and water quality impacts are generally based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU PEIR. A significant impact on hydrology and water quality could occur if implementation of the Project would:

- **Issue 1:** Result in flooding due to an increase in impervious surfaces, changes in absorption rates, drainage patterns, or the rate of surface runoff;
- **Issue 2:** Result in a substantial increase in pollutant discharge to receiving waters and increase discharge of identified pollutants to an already impaired water body; or
- **Issue 3:** Deplete groundwater supplies, degrade groundwater quality, or interfere with groundwater recharge.

5.7.4 Impact Analysis

5.7.4.1 Issue 1: Flooding and Drainage Patterns

Would the Project result in flooding due to an increase in impervious surfaces, changes in absorption rates, drainage patterns, or the rate of surface runoff?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that future development could have the potential to change surface runoff characteristics, including the volume of runoff, rate of runoff, and drainage patterns that could result in flooding and/or erosion. However, implementation of LID BMPs would improve surface drainage conditions or, at a minimum, not exacerbate flooding or cause erosion and would reduce impacts to a less than significant level. In addition, future development would be required to comply with NPDES permit requirements, which would result in a reduction in the volume and rate of surface runoff compared to existing conditions. Impacts would be **Less than Significant**.

Project-Specific Impact Analysis

The Project site is developed with a variety of commercial and entertainment uses (Figure 2-3, Existing Site Uses). Specifically, the western area of the Project site includes the San Diego International Sports Arena (currently named Pechanga Arena), a gas station, a car wash, fast food and sit-down restaurants, commercial uses, and paved surface parking areas. The eastern area of the site primarily includes commercial uses, including but not limited to a lumber and home store, a thrift store, a homeless shelter, an indoor music venue, a martial arts institute, a fitness center, an art institute, a freight forwarding service, and associated surface parking. The entire Project site is currently developed with 97 percent impervious areas.

After construction, the Project would consist of approximately 90 percent impervious surfaces due to the creation of over 14.54 acres of parks and public space. The Project would result in a 7 percent reduction in impervious surfaces (or 7 percent increase in pervious surfaces) compared to the existing condition (Appendix I2). The post-Project condition would maintain existing flow patterns throughout the site and continue to discharge runoff to downstream outfall locations. On-site runoff would be collected and conveyed through a series of new, underground, private storm drains collecting rooftop and surface drainage. Construction of the Project would include installation of new 24-inch public storm drains within the Kemper Street extension and Frontier Drive running east–west and a new 36-inch public storm drain within Frontier Drive running north–south (Figure 5.7-1).

Portions of the existing 42-inch storm drain that crosses the property diagonally in the northwestern corner would be realigned due to potential conflicts with future buildings and replaced with a 54-inch storm drain. The realignment would reduce the storm drain's slope, but the increased size would allow for more stormwater capacity. As such, a design modification from the City's Drainage

Design Manual would be requested because no feasible solution to increase the slope of the storm drain while tying into the existing system exists. As a result, additional stormwater flows would enter the new 54-inch storm drain, and fewer flows would sheet flow onto Kurtz Street, which currently occurs in the existing condition. This improvement would reduce the potential for flooding to occur along Kurtz Street. Project frontage improvements would involve replacing and installing storm drain inlets and cleanouts along Sports Arena Boulevard and Kurtz Street. The new on-site storm drain system would collect and treat stormwater through a combination of modular wetland units and private biofiltration planters before the stormwater discharges off site. Currently, there is no treatment of runoff from Kurtz Street and Sports Arena Boulevard. After construction, off-site and street frontage improvements would be addressed by the Project applicant via a priority development project-exempt City's Stormwater Standards Manual Green Streets approach, which may incorporate elements such as trees, noncontiguous sidewalk, or modular wetland system units (Figure 3-3, Parks and Public Space Framework).

Runoff was calculated for 100-year storm events using the Rational Method and determined from Table A-1 of the City's Drainage Design Manual. The Rational Method calculates peak flow rate (Q) as a function of runoff coefficient (C), rainfall intensity (I), and drainage area (A). Table 5.7-1, Summary of 100-Year Storm Event Peak Flow Rates, provides a comparison of the 100-year storm flow rates under the existing and proposed condition.

Table 5.7-1. Summary of 100-Year Storm Event Peak Flow Rates

Outfall	System	Existing Condition Q100 (cfs)	Proposed Condition Q100 (cfs)
To Outfall 1 (southwestern corner)	100	31.20	30.30
	120	25.30	18.20
	Subtotal	*56.50*	*48.50*
To Outfall 2 (northwestern corner)	200	93.30	120.40
	250	73	5.30
	280	43	45.90
	Subtotal	*209.30*	*171.60*
To Outfall 3 (southeastern corner)	300	38.40	11
	320	10.60	15.20
	Subtotal	*49*	*26.20*
	Total	**314.80**	**246.30**

Source: Appendix I1.

Notes: cfs = cubic feet per second

As shown in Table 5.7-1, the proposed 100-year flows would be less than pre-Project 100-year flows with an increase in landscaping, parks, and plazas. The Project's goal is to maintain existing flow patterns throughout the site, although site grading would require minor shifts in existing flow

patterns. In the post-Project condition, sheet flows to Kurtz Street would be reduced, and runoff would be directed into the larger of the two existing Kurtz Street storm drains to minimize potential flooding due to limited storm drain capacity.

The flow rate in the proposed condition would be reduced compared to existing conditions due to a combination of biofiltrations planters, dispersion of hardscape to landscape areas, and longer concentration time though infiltration in urban park areas and green paseos through the Project site. The Project would not result in a significant alteration of existing drainage patterns because the proposed improvements would discharge to the same locations as the existing condition. Runoff from the site would continue to discharge through City-operated stormwater pump stations to reach the San Diego River. As such, the Project would not result in the alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes. Impacts would be **Less than Significant**.

No FEMA-designated SFHAs are on the Project site. A portion of the Project site is within Flood Zone X, an area of minimal flood hazard. The nearest Special Flood Hazard Area is the San Diego River flood control channel north of I-8. The Project site is protected from flooding by an existing City pump and levee system immediately north of I-8. However, the Project site and surrounding streets are prone to large flooding events due to the flat street slopes and existing storm drain system. Although the Project would decrease peak flows compared to pre-Project conditions, which would reduce the potential for flooding on and off site, development of the Project site may be affected by the surrounding undersized capacity of existing storm drain infrastructure. The Project cannot be designed to eliminate these existing deficiencies. Therefore, the Project proposes to provide building pad elevations that would be above the existing surrounding streets, improve on-site and adjacent storm drain infrastructure, and reduce impervious areas as discussed previously and detailed in the Preliminary Drainage Report (Appendix I1) and the Priority Development Project Storm Water Quality Management Plan (Appendix I2). The areas on site that would be raised above the projected flooding levels are not anticipated to impact the surrounding area's flooding conditions because the relatively flat and open topography of the surrounding Midway area allows flooding to flow between multiple drainage basins through surrounding streets and multiple storm drain systems that drain to San Diego Bay and the San Diego River. Because the surrounding areas are not confined to a single drainage basin, the placement of fill would not increase the flooding of the surrounding areas. Impacts would be **Less than Significant**.

5.7.4.2 Issue 2: Water Quality

Would the Project result in a substantial increase in pollutant discharge to receiving waters and increase discharge of identified pollutants to an already impaired water body?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that future development in the Midway-Pacific Highway Community planning area would have the potential to increase pollutant discharges.

However, with the incorporation of LID BMPs and adherence to the MS4 permit and the City's Stormwater Standards Manual, impacts would be reduced to a **Less than Significant** level.

Project-Specific Impact Analysis

Construction

Construction of the Project would require grading and excavation of soils, which would loosen sediment, creating the potential for it to mix with surface water runoff and degrade water quality. Additionally, construction would require the use of heavy equipment and construction-related chemicals, such as concrete, cement, asphalt, fuels, oils, antifreeze, transmission fluid, grease, solvents, and paints. These potentially harmful materials could be accidentally spilled or improperly disposed of during construction and, if mixed with surface water runoff, could pollute receiving waters. Consistent with the Midway-Pacific Highway CPU PEIR, pollutants generated from the Project during its construction period would be temporary and addressed through preparation of a Project-specific SWPPP in accordance with the City's Stormwater Standards Manual and the City's Grading Ordinance. The SWPPP would include BMPs to control site runoff volumes and reduce the potential for contaminated runoff. BMPs would include but not be limited to solid waste management, spill prevention and control, concrete waste management, water conservation practices, paving and grinding operations, and the designation of material storage and stockpile areas. Runoff controls would include but not be limited to the use of silt fences, fiber rolls, gravel bag berms, sandbag barriers, storm drain inlet protection, stabilized construction entrances, frequent street sweeping, and/or protection of disturbed areas. Adherence to applicable requirements and implementation of appropriate BMPs would ensure that pollutant discharges associated with construction activities would be minimized, and impacts would be **Less than Significant**.

Operation

The Project would have the potential to result in long-term operational pollutants associated with residential, commercial, entertainment, and recreational uses that would introduce potential pollutants, such as chemicals from household cleaners, pathogens from pet waste, nutrients from fertilizers, pesticides and sediments from landscaping, trash and debris, and oil and grease from vehicles. These pollutants could potentially discharge into surface waters and result in degradation of water quality. The San Diego River, to which the Project site ultimately drains, is listed as an impaired water body on the U.S. Environmental Protection Agency's CWA Section 303(d) list. Therefore, operation of the Project could increase the discharge of identified pollutants to an already impaired water body, which would result in a water quality impact.

However, in accordance with the City's Stormwater Standards Manual (City of San Diego 2021), the Project is a priority development project that is required to incorporate post-construction (or permanent) site design, source control, and treatment control BMPs. Stormwater BMPs would reduce the amount of pollutants transported to receiving waters. Site design BMPs include minimizing

impervious areas and soil compaction, dispersing impervious areas on the site, and using native or drought-tolerant species for landscaping purposes. Source control BMPs include the prevention of illicit discharges into the MS4; storm drain stenciling or signage; on-site storm drain inlets; protection of trash and storage areas; interior floor drains and elevator shaft sump pumps; interior parking; and future integrated pest management techniques for indoor and structural pest control. The proposed source control BMPs would improve long-term water quality on and downstream from the Project site by avoiding or minimizing pollutant generation and exposure to storm flows at the source.

In addition to the site design and source control BMPs, the Project would install treatment control BMPs that would include an on-site storm drain system to collect and treat stormwater before it discharges off site. Currently, no such treatment systems exist for on-site storm drains. Walled biofiltration planters would be installed throughout the development areas, including surrounding the buildings at various locations, to match the roof plan and downspout locations. Modular wetland system units would be incorporated into the Project design of each building along with required dispersion areas when biofiltration planters are not feasible. Modular wetland system units are also proposed for street areas and plazas where walled biofiltration planters are not feasible. Currently, there is no treatment of runoff from Kurtz Street and Sports Arena Boulevard. After construction, off-site and street frontage improvements would be addressed via a priority development project-exempt City's Stormwater Standards Manual Green Streets approach, which may incorporate elements such as trees and noncontiguous sidewalk and/or modular wetland system units (refer to the Vesting Tentative Map [PDC 2025~~2024~~] and Figure 3-3).

The post-Project condition would maintain existing flow patterns throughout the site. On-site runoff would be collected and conveyed through a series of new, underground, private storm drains collecting rooftop and surface drainage. Once treated, flows would be directed to the existing storm drain system adjacent to the Project site in various locations before ultimately discharging into the San Diego River flood control channel and the Pacific Ocean.

With implementation of post-construction site design, source control, and treatment control BMPs that would be required by the City's Grading Ordinance and Stormwater Standards Manual, the discharge of potential pollutants would be reduced to the maximum extent feasible, and impacts would be **Less than Significant**.

5.7.4.3 Issue 3: Groundwater

Would the Project deplete groundwater supplies, degrade groundwater quality, or interfere with groundwater recharge?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that stormwater regulations that encourage infiltration of stormwater runoff and protection of water quality, including the City's Drainage Design Manual, City's Stormwater Standards Manual, MS4 permit for the San Diego region, and NPDES

permit requirements, would protect the quality of groundwater resources and support infiltration where appropriate. Impacts would be **Less than Significant**.

Project-Specific Impact Analysis

Construction dewatering could be required during Project construction (e.g., associated with locally perched groundwater aquifers). Disposal of groundwater extracted during construction activities into local drainages and/or storm drain facilities could potentially generate significant water quality impacts through erosion/sedimentation or the possible occurrence of pollutants in local aquifers. Project construction would require conformance with NPDES permit criteria prior to disposal of extracted groundwater including the use of BMPs. In addition, construction BMPs would be implemented to clean up any potential contaminant spills in accordance with the construction SWPPP, and any such potential contamination would be unlikely to affect groundwater through infiltration.

The Project would not use groundwater resources. Water supply for the Project would be provided by the City, which has adequate water supplies to serve the Project (Appendix M3). No on-site groundwater wells would be installed. Therefore, groundwater resources would not be depleted, and pollutants within the groundwater would not be concentrated due to groundwater extraction. The Project would have a less than significant impact on groundwater supplies. In addition, the Project would result in a 7 percent reduction in the amount of impervious surface area compared to the existing conditions (Appendix I2), increasing the rate of stormwater infiltration. Therefore, the Project would not substantially interfere with groundwater recharge. Impacts would be **Less than Significant**.

5.7.5 Significance of Impacts

5.7.5.1 Issue 1: Flooding and Drainage Patterns

The Project would not result in substantial changes to drainage patterns. The volume and rate of overall surface runoff on the Project site would be reduced compared to existing conditions. Therefore, the Project would not result in flooding due to an increase in impervious surfaces or changes in absorption rates, drainage patterns, or the rate of surface runoff. Impacts would be **Less than Significant**.

5.7.5.2 Issue 2: Water Quality

Pollutants generated from the Project during its construction period would be temporary and be addressed through preparation of a SWPPP and implementation of construction BMPs. The potential long-term pollutants associated with the Project would be addressed through the implementation of post-construction (or permanent) site design, source control, and treatment control BMPs as defined in the City's Stormwater Standards Manual. Stormwater BMPs would reduce the amount of pollutants transported to receiving waters. Impacts would be **Less than Significant**.

5.7.5.3 Issue 3: Groundwater

The Project would not require the use of groundwater supplies. No groundwater wells would be drilled to support the Project. Project components would result in a reduction in impervious surfaces and would not impede groundwater recharge or degrade groundwater quality. Therefore, the Project would not deplete groundwater supplies, degrade groundwater quality, or interfere with groundwater recharge. Impacts would be **Less than Significant**.

5.7.6 Mitigation

No significant impacts were identified; therefore, no mitigation is required.

5.7.7 Significance of Impacts after Mitigation

5.7.7.1 Issue 1: Flooding and Drainage Patterns

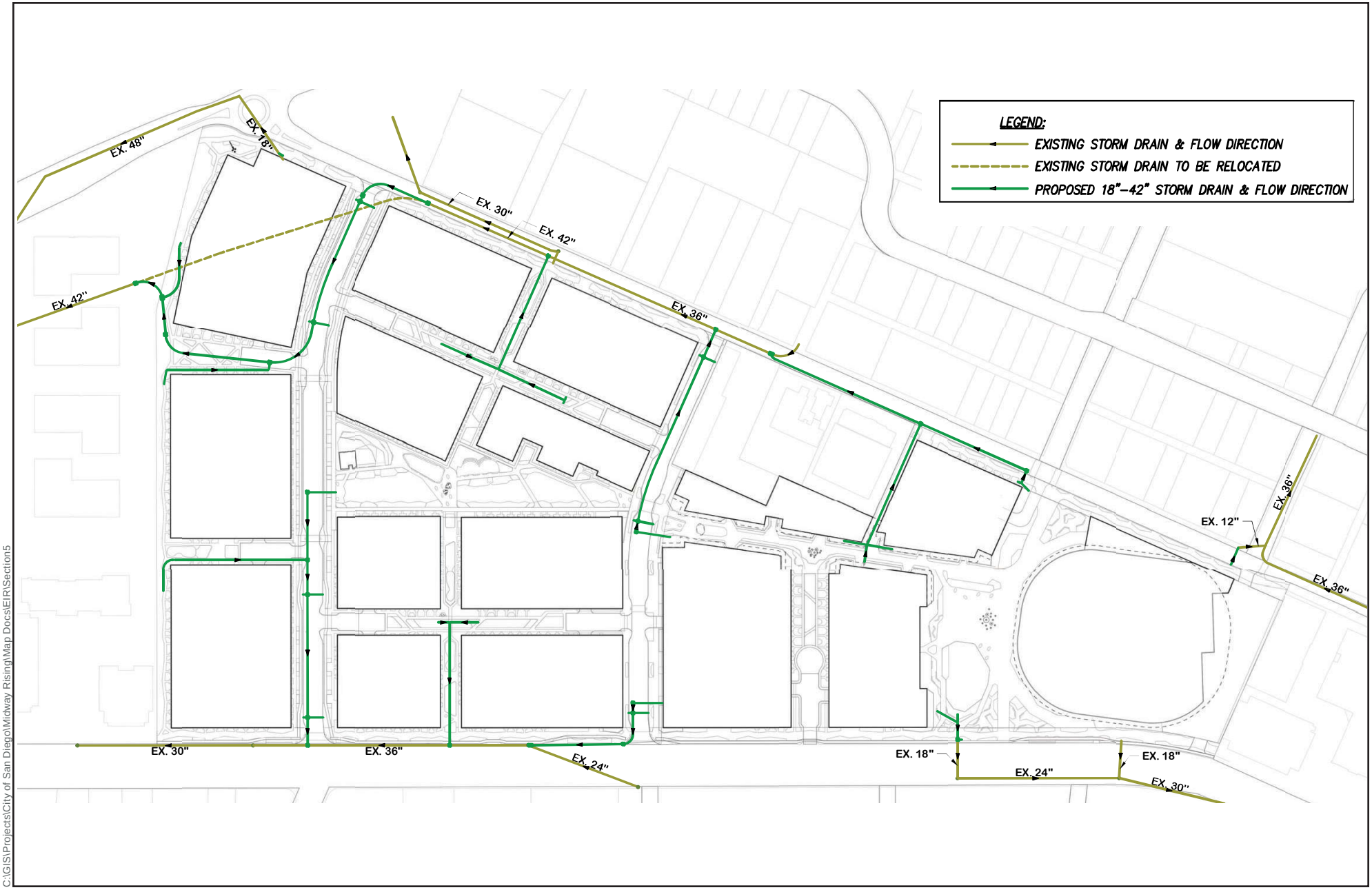
Less than Significant.

5.7.7.2 Issue 2: Water Quality

Less than Significant.

5.7.7.3 Issue 3: Groundwater

Less than Significant.



C:\GIS\Projects\City of San Diego\Midway Rising\Map Docs\EIR\Section5

Source: CityThinkers 2024.

Figure 5.7-1

Conceptual Drainage Plan

Midway Rising

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5.8 Visual Effects and Neighborhood Character

This Subsequent Environmental Impact Report (SEIR) section describes the existing visual and neighborhood character conditions on the Midway Rising Project (Project) site and evaluates the potential for implementation of the Project to impact visual and neighborhood character (i.e., a change in views).

In September 2013, the Governor signed Senate Bill (SB) 743, which became effective on January 1, 2014. Among other provisions, SB 743 added California Public Resources Code Section 21099, which provides that "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area [TPA] shall not be considered significant impacts on the environment." California Public Resources Code Section 21099 defines a TPA as an area within 0.5 mile of a major transit stop that is "existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations."

The Project would meet the criteria set forth in SB 743 because it would be located on an infill site in a City-designated TPA based on the adopted San Diego Association of Governments San Diego Forward Regional Plan (2021) (refer to Figure 2-10, Transit Priority Areas). The Project is also within 1 mile of the Old Town Transit Center. The Project proposes mixed-use development in a TPA (City of San Diego 2024). California Public Resources Code Section 21099(d)(1) states that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a TPA shall not be considered significant impacts on the environment. Consistent with SB 743, the potential aesthetic or visual impacts of the Project are not considered significant impacts on the environment for the purposes of compliance with the California Environmental Quality Act (CEQA).

The analysis in this section is based on a site visit and the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- Visual Analysis prepared by Harris & Associates (2024) with visual simulations prepared by CityThinkers (2024), included as Appendix J of this SEIR
- Shadow Model prepared by Safdie Rabines Architects (2024), included as SEIR figures
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018)

5.8.1 Existing Conditions

5.8.1.1 Landform and Site Features

The Project site encompasses approximately 49.23 acres of relatively flat (10 to 15 feet above mean sea level), developed land owned by the City of San Diego (City) and is generally characterized as a mix of commercial and entertainment uses. The Project site is bounded by Kurtz Street to the north, Sports Arena Boulevard to the south, Hancock Street in the northwestern corner, and commercial

properties to the west and east, approximately aligned east of Greenwood Street. Interstate (I-) 8 extends in an east–west direction north of the site and separates the site from the San Diego River and Mission Bay to the north.

The western area of the Project site includes the San Diego International Sports Arena (currently named Pechanga Arena), a gas station, a car wash, fast food and sit-down restaurants, and paved surface parking areas. The eastern area of the site primarily includes commercial and industrial uses including but not limited to a lumber and home store, a thrift store, a homeless shelter, an indoor music venue, a martial arts institute, a fitness center, an art institute, a freight forwarding service, and associated surface parking. The tallest existing structure on the Project site is the San Diego International Sports Arena at approximately 70 feet above grade (City of San Diego 2022a). The maximum height limit in the Community Commercial (CC-3-6) zone is 65 feet. Refer to Chapter 2.0, Environmental Setting, for more detailed information.

The developed Project site includes existing trees, including eucalyptus and palm species, along Sports Arena Boulevard. Trees found on the Project site are non-native, ornamental species used for landscaping (Appendix N). No distinctive or landmark trees or stands of mature native trees are known to occur on the Project site. Further, no trees with historical importance were identified in the Midway-Pacific Highway Community planning area in the Midway-Pacific Highway CPU PEIR (Appendix B).

5.8.1.2 Community Planning Area and Neighborhood Character

The Project site is in the Midway-Pacific Highway Community planning area, which is urbanized and generally characterized as a mix of commercial and industrial areas, with some residential areas. The Midway-Pacific Highway Community planning area consists of an urbanized commercial core with neighborhood, community, and region-serving retail centers; limited stay and business motels; institutional facilities; and military installations. The area is made up of wide streets, flat topography, and a mixture of large and small commercial buildings. Residential buildings are concentrated in a portion of the Midway-Pacific Highway Community planning area northwest of Rosecrans Street, near Lytton Street. Several large multi-family complexes are located throughout the Midway-Pacific Highway Community planning area. Commercial development in the Midway-Pacific Highway Community planning area is mostly concentrated in the Midway area. Approximately 1,009 acres (76 percent) of the Midway-Pacific Highway Community planning area is in a TPA, which is defined as an area within 0.5 mile of a major transit stop that is existing or planned.

The Midway-Pacific Highway Community planning area is divided into several districts and villages that have been identified in the adopted 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) as opportunities for infill development and larger scale sites with a mix of cohesive land uses. The Project site is located within Sports Arena Community Village of the Midway-Pacific Highway Community planning area.

The San Diego International Sports Arena opened in 1966 as a sports and concert venue along Sports Arena Boulevard. The arena quickly became a focal point in the community and prompted an increase in restaurants opening in the surrounding area. The Historic Resources Technical Report for the San Diego International Sports Arena (Appendix E3) determined that the San Diego Arena is considered a historic resource for the purposes of CEQA.

Historically, the Midway-Pacific Highway Community planning area did not have urban design requirements. Various development eras have resulted in an inconsistent visual character across the community planning area.

5.8.1.3 Light, Glare, and Shade

There are two common types of light intrusion: (1) light that emanates from the interior of structures and passes out through windows and (2) light that projects from exterior sources, such as street, security, and landscape lighting. Light spillover is typically defined as the presence of unwanted or misdirected light on properties adjacent to a subject property being illuminated. Light spillover can be a nuisance to adjacent areas and can diminish views of the clear night sky.

Glare is described as the distraction, discomfort, or impairment of vision caused by extreme contrasts in the field of vision where light sources such as sunlight, lamps, luminaries, or reflecting surfaces are excessively bright in relation to the general brightness of surroundings. Glare also results from sunlight reflecting off flat building surfaces, with glass typically contributing the highest degree of reflectivity. In its simplest form, glare is a consequence of the normally helpful capability of the human eye to adapt to different light levels.

The Project site is currently developed with existing sources of light and glare from the San Diego International Sports Arena, commercial uses, restaurants, and parking areas. The Project site is surrounded by mostly commercial uses, which are not considered sensitive to light and glare. There is existing night lighting from surrounding roadway lights and commercial signs that is visible from the Project site and surrounding area.

The existing buildings and some of the existing trees on the Project site cast shadows onto surrounding parking areas within and adjacent to the Project site during different times of the day.

5.8.1.4 Views and Vistas

Due to its relatively flat, low-lying topography, the Project site does not have prominent view corridors or scenic vistas. The 2018 Community Plan does not identify any scenic vistas, views, or prominent view corridors on or over the Project site. Due to the Midway-Pacific Highway Community planning area's topography and the physical and visual barriers constituted by I-5, I-8, rail infrastructure, and the San Diego International Airport, the possibilities for vistas and scenic views

from public viewing areas within the planning area are limited to certain locations within the public right-of-way at the southeastern corner of the community and in the area north of I-8.

5.8.1.5 Key Viewpoints

Visual sensitivity can be described as viewer awareness of visual changes in the environment and is based on viewers' activities from public areas near a particular site, in this case, the Project site. This analysis focuses on changes from public vantage points. Private views are not included, as they are not protected by state or local laws. Sensitivity is based on the overall visual character and visibility of the existing Project site. To define the visual quality of the Project site, views that include the Project site have been identified as key viewpoints (KVPs) (Figure 5.8-1, Key Map). These KVPs are public viewing areas and include street viewsheds, public viewpoints, and park views. Because it is not feasible to analyze all locations from which the Project would be seen, it is necessary to select a number of public KVPs that would most clearly display the visual effects of the Project.

Fifteen representative KVPs were identified to demonstrate the change in public views from Project development. The identified KVPs are locations accessible to the public (including roadway overpasses, sidewalks, public space, and parks/trails) and have the highest potential to be affected by the Project. Each KVP is described below, based on the Visual Analysis (Appendix J) prepared for the Project.

Key Viewpoint 1: View South from Sea World Drive Overpass

KVP 1 (Figure 5.8-2) represents the scene that is viewed looking south from the Sea World Drive overpass where it crosses I-5 toward the Project site. The foreground consists of the eastbound lanes of the Sea World Drive Bridge, the bridge guardrail, traffic on I-5 driving southbound under the Sea World Drive Bridge, and landscaping along the freeway and freeway on-ramp. Portions of sandy dune areas of Mission Bay and a small portion of Fiesta Island are visible in the center of the view in the midground. Buildings in the Midway-Pacific Highway Community planning area are visible in the left and center background view along with a glimpse of Mission Bay in the right background view. The horizon slopes gently west due to elevated areas of Point Loma in the Peninsula Community Plan.

Key Viewpoint 2: View South from Fiesta Island Road

KVP 2 (Figure 5.8-3) represents the scene that is viewed looking south from the southern edge of Fiesta Island Road in Mission Bay toward the Project site. The foreground consists of sandy shoreline on Fiesta Island. The midground consists of water in Mission Bay. The background view includes landscaping across the water at South Shores Park, I-8, and palm trees along Sea World Drive. Buildings, including the San Diego International Sports Arena, are visible in the background view, although they are partially obstructed by palm trees/vegetation.

Key Viewpoint 3: View Southeast from Old Sea World Drive

KVP 3 (Figure 5.8-4) represents the scene that is viewed from Old Sea World Drive looking southwest toward the Project site. Views include the San Diego River Estuary Dune Habitat and San Diego River in the foreground. In the midground, low-rise buildings directly across from the San Diego River, the San Diego International Sports Arena, and surrounding landscaping are visible. In the background, residential buildings at higher elevations in the Old Town and Uptown Community planning areas are visible to the left of the KVP. The skyline of Downtown San Diego can be seen farther in the distance toward the southeast, camouflaged by existing development, trees/landscaping, and haze.

Key Viewpoint 4: View East from Robb Athletic Field

KVP 4 (Figure 5.8-5) represents the scene that is viewed eastward toward the Project site from Robb Athletic Field in the Ocean Beach Community planning area. Foreground views at this KVP are open public space consisting of open lawn, landscaping, Robb Field Skate Park concrete and fencing, and vehicles and palm trees along Sunset Cliffs Boulevard. Midground and background views consist primarily of mature vegetation that hides existing buildings to the east. The Project site is in the center background view beyond the tree line and is not visible.

Key Viewpoint 5: View Southeast from San Diego River Trail

KVP 5 (Figure 5.8-6) represents the view from the pedestrian/bicycle San Diego River Trail that runs along I-8 to the north of the Project site. Landscaping along the northern side of I-8 is shown in the foreground. I-8 in the midground is slightly elevated between the trail to the north and the Project site to the south. Existing midground views south of I-8 include commercial buildings, aboveground utility lines, landscaping/palm trees, and the San Diego International Sports Arena, which is the tallest existing building in the center midground view. High-rise buildings in Downtown San Diego are visible in the background view east of the arena.

Key Viewpoint 6: View West from Presidio Park

KVP 6 (Figure 5.8-7) represents the view from Presidio Park in the Old Town San Diego Community planning area looking west toward the Project site. The park is atop a hill at a higher elevation than the Project site. The foreground view consists of mature vegetation within the park premises. The midground view includes Taylor Street, California Department of Transportation District 11 headquarters, I-5, the San Diego International Sports Arena, landscaping and trees, and commercial development within the Midway-Pacific Highway Community planning area. Distant views of lower-lying development are visible in the background, including the Peninsula and Ocean Beach Community planning areas in the left background; San Diego River and bridges in the center background; and Mission Beach Community planning area, Mission Bay Park, Hyatt Hotel, and above ground structures at the SeaWorld San Diego theme park in the right background. The Pacific Ocean establishes the horizon in this view.

Key Viewpoint 7: View West from I-5/I-8 Interchange

KVP 7 (Figure 5.8-8) represents the view looking southwest from the I-8 off-ramp as it exits to Camino Del Rio West/Rosecrans Street and I-5 South. The existing view includes roadway, light poles, and freeway signage in the foreground, with vegetation, roadways, bridges, and low-lying buildings in the Midway-Pacific Highway Community planning area in the midground. The San Diego International Sports Arena is visible in the midground in the center-right of the view. The Peninsula Community planning area and Point Loma create the horizon in the left and center background view. The right background view includes a peek view of the San Diego River along with distant development and mature vegetation/trees in the Mission Beach Community planning area and Mission Bay Park, including the Hyatt Hotel.

Key Viewpoint 8: View Northeast from Sports Arena Boulevard

KVP 8 (Figure 5.8-9) represents the view looking east along Sports Arena Boulevard. The Project site is along the northern side of Sports Arena Boulevard, and the existing view of the San Diego International Sports Arena is partially obstructed by eucalyptus trees. The foreground view consists of the roadway. From left to right, the midground view along the northern side of Sports Arena Boulevard consists of the roadway, commercial development, roadway bollards and landscaping, the San Diego International Sports Arena and surrounding parking areas, signage, and additional commercial development with signage. The midground view along the southern side of Sports Arena Boulevard consists of parked cars, commercial development, landscaping and street trees, signage, and billboards. Distant background views of the Linda Vista and Clairemont (Bay Park) Community planning areas are between the existing commercial building and the San Diego International Sports Arena to the left of the view. In the right of the background view, distant views of developed areas at higher elevations in the Old Town and Uptown Community planning areas are visible.

Key Viewpoint 9: View Northwest from Sports Arena Boulevard

KVP 9 (Figure 5.8-10) represents the view looking northwest along Sports Arena Boulevard near the intersection with Rosecrans Street. The Project site is along the northern side of Sports Arena Boulevard in the right of the view. Existing views of the developed area include the roadway, commercial buildings, street lighting, landscaping, billboards, and shopping center signage on the northern and southern sides of Sports Arena Boulevard. The San Diego International Sports Arena is slightly visible in the center left background view. An existing four-story parking structure is partially visible in the right of the view.

Key Viewpoint 10: View West from 3253 Kurtz Street

KVP 10 (Figure 5.8-11) represents the view from Kurtz Steet looking west toward the Project site. The Project site is adjacent to Kurtz Street on the southern side. Existing foreground views include commercial buildings generally lacking architectural detail; the roadway; parked cars; driveways;

sidewalks; overhead utility lines; and landscaping, including street trees. Midground and background views are partially obstructed by existing development.

Key Viewpoint 11: View Southeast from Kurtz Street/Hancock Street Intersection

KVP 11 (Figure 5.8-12) represents the view from Kurtz Steet looking west toward the Project site. The Project site is adjacent to Kurtz Street on the southern side. Existing foreground views include commercial buildings generally lacking architectural detail; the roadway; parked cars; driveways; sidewalks; overhead utility lines; and landscaping, including street trees. Midground and background views are partially obstructed by existing development.

Key Viewpoint 12: View Northwest from Old Town Avenue Bridge

KVP 12 (Figure 5.8-13) represents the elevated view from the Old Town Avenue Bridge over I-5 looking northwest toward the Project site. The existing view includes the Old Town Avenue Bridge in the foreground, including the back of a freeway sign attached to the northern side of the bridge (left view). The midground view consists of Naval Information Warfare Systems Command buildings stretching across the view from left to right, freeway landscaping and trees, overhead utility lines, and I-5 northbound and southbound lanes (right view). The Naval Information Warfare Systems Command buildings create most of the horizon line in this view. The Project site is in the background, behind the existing buildings, and is not visible in the existing condition.

Key Viewpoint 13: View North from Rosecrans Street/Lytton Street Intersection

KVP 13 (Figure 5.8-14) represents the view from the intersection of Rosecrans Street and Lytton Street looking northeast along Rosecrans Street in front of the Loma Club golf course. The existing view includes the roadway intersection with a pedestrian striped crossing and overhead lights; low-rise residential buildings; fencing and landscaping along the western side of Rosecrans Street; and a gas station, commercial buildings, and vegetation/trees along the eastern side of Rosecrans Street in the foreground and midground views. Views of the background and horizon are limited to distant trees and buildings (center view).

Key Viewpoint 14: View Northeast from Kemper Street/Kenyon Street Intersection

KVP 14 (Figure 5.8-15) represents the view from the intersection of Kemper Street and Kenyon Street looking northeast toward the Project site. The existing foreground view includes the roadway intersection with pedestrian striped crossings; commercial buildings, parking lots, trees, and landscaping along the western side of Kemper Street; and overhead utility lines, trees, landscaping, and low-rise residential buildings along the eastern side of Kemper Street. The San Diego

International Sports Arena is partially visible in the midground view screened by the existing built environment and trees. The horizon consists of tall trees, light poles, and the tops of buildings, including the San Diego International Sports Arena.

Key Viewpoint 15: View East from Famosa Slough at Rialto Street/ Famosa Boulevard Intersection

KVP 15 (Figure 5.8-16) represents the view from Famosa Slough State Marine Conservation Area at the Rialto Street/Famosa Boulevard intersection in the Peninsula Community planning area looking east toward the Project site. Famosa Slough State Marine Conservation Area, including wetlands, water, and vegetation, dominates the foreground view. The midground view, between the slough and the Project site in the background, is built out with low-rise residential and commercial buildings, trees, overhead utility lines, and higher elevations of the Peninsula Community planning area in the right of the view.

5.8.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address visual effects and neighborhood character.

5.8.2.1 Federal

No federal regulations related to visual effects and neighborhood character are applicable to the Project.

5.8.2.2 State

California Scenic Highway Program

Recognizing the value of scenic areas and views from roads in such scenic areas, the California Legislature established the California Scenic Highway Program in 1963. This legislation (SB 1467 [Farr]) sees scenic highways as "a vital part of the all-encompassing effort . . . to protect and enhance California's beauty, amenity and quality of life." Under this program, a number of state highways have been designated as eligible for inclusion as scenic routes.

No designated state scenic highways are in the Midway-Pacific Highway Community planning area or near the Project site. The closest designated scenic highway is the 1-mile portion of State Route 163 (known as the Cabrillo Freeway), between the northern and southern boundaries of Balboa Park, located approximately 3 miles southeast of the Project site. Portions of I-8 and I-5 that are eligible state scenic highways, although not officially designated, are located 0.9 mile northwest and 0.4 mile west of the Project site, respectively.

California State Housing Law Program

The California State Housing Law Program was established to ensure the availability of affordable housing and uniform statewide code enforcement to protect the health, safety, and general welfare of the public and occupants of housing and accessory buildings. To fulfill this obligation, the program may propose legislation and regulations. The program oversees the application of state laws, regulations, and code enforcement by a city, county, or city and county building, housing, health, and fire department or fire district (California Department of Housing and Community Development 2022).

Senate Bill 743/California Environmental Quality Act (California Public Resources Code Section 21099[d][1])

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and started a process intended to fundamentally change CEQA analyses. While the thrust of SB 743 addressed a major overhaul on how transportation impacts are evaluated under CEQA, it also limited the extent to which aesthetics and parking are defined as impacts under CEQA. Specifically, California Public Resources Code Section 21099(d)(1) states that a project's aesthetic and parking impacts shall not be considered a significant impact on the environment if:

- The project is a residential, mixed-use residential, or employment center project, and
- The project is located on an infill site within a TPA.

California Public Resources Code Section 21099(a) defines the following terms:

- "Infill site" means a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.
- "Transit Priority Area" means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan.

California Public Resources Code Section 21064.3 defines a "major transit stop" as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit, or an intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

The City has designated the majority of the Midway-Pacific Highway Community planning area, including the Project site, as a TPA based on the adopted San Diego Association of Governments San Diego Forward Regional Plan refer to Figure 2-10).

5.8.2.3 Local

2008 City of San Diego General Plan

The 2008 City of San Diego General Plan, as amended (2008 General Plan), includes a Citywide urban design strategy, goals, and policies regarding the physical features that define the character of a neighborhood or community. These goals complement the goals for pedestrian-oriented and walkable villages articulated in the City of Villages strategy. The 2008 General Plan land use map designates the Project site as Multiple Use. Recent amendments to the 2008 General Plan were adopted in July 2024 as a part of a refresh to the 2008 General Plan (Blueprint SD). The most recent 2024 amendments were adopted after the issuance of the Notice of Preparation for the Project (December 2023) and are noted for information only.

The 2008 General Plan Urban Design Element establishes a set of design principles on which its policies are based and on which future public and private development physical design decisions can be based.

The 2008 General Plan Urban Design Element provides the following policies on views pertinent to the Project (City of San Diego 2008):

- **Policy UD-A.1:** Preserve and protect natural landforms and features.
  a. Protect the integrity of community plan designated open spaces (see also Conservation Element, Policy CE-B.1).
  b. Continue to implement the Multiple Species Conservation Program (MSCP) to conserve San Diego's natural environment and create a linked open space system. Preserve and enhance remaining naturally occurring features such as wetlands, riparian zones, canyons, and ridge lines.
- **Policy UD-A.2:** Use open space and landscape to define and link communities.
  a. Link villages, public attractions, canyons, open space and other destinations together by connecting them with trail systems, bikeways, landscaped boulevards, formalized parks, and/or natural open space, as appropriate.
  b. Preserve and encourage preservation of physical connectivity and access to open space.
  c. Recognize that sometimes open spaces prevent the continuation of transportation corridors and inhibit mobility between communities. Where conflicts exist between mobility and open space goals, site-specific solutions may be addressed in community plans.
- **UD-A.3. I.** Protect views from public roadways and parklands to natural canyons, resource areas, and scenic vistas
- **Policy UD-A.4:** Use sustainable building methods in accordance with the sustainable development policies in the Conservation Element.

- **Policy UD-A.8:** Landscape materials and design should enhance structures, create and define public and private spaces, and provide shade, aesthetic appeal, and environmental benefits.
    a. Maximize the planting of new trees, street trees and other plants for their shading, air quality, and livability benefits (see also Conservation Element, Policies CE-A.11, CE-A.12, and Section J).
    b. Use water conservation through the use of drought-tolerant landscape, porous materials, and reclaimed water where available.
    c. Use landscape to support storm water management goals for filtration, percolation and erosion control.
    d. Use landscape to provide unique identities within neighborhoods, villages and other developed areas.
    e. Landscape materials and design should complement and build upon the existing character of the neighborhood.
    f. Design landscape bordering the pedestrian network with new elements, such as a new plant form or material, at a scale and intervals appropriate to the site. This is not intended to discourage a uniform street tree or landscape theme, but to add interest to the streetscape and enhance the pedestrian experience.
    g. Establish or maintain tree-lined residential and commercial streets. Neighborhoods and commercial corridors in the City that contain tree-lined streets present a streetscape that creates a distinctive character.
        1. Identify and plant trees that complement and expand on the surrounding street tree fabric.
        2. Unify communities by using street trees to link residential areas.
        3. Locate street trees in a manner that does not obstruct ground illumination from streetlights.
    h. Shade paved areas, especially parking lots.
    i. Demarcate public, semi-public/private, and private spaces clearly through the use of landscape, walls, fences, gates, pavement treatment, signs, and other methods to denote boundaries and/or buffers.
    j. Use landscaped walkways to direct people to proper entrances and away from private areas.
    e. Reduce barriers to views or light by selecting appropriate tree types, pruning thick hedges, and large overhanging tree canopies.
    f. Utilize landscape adjacent to natural features to soften the visual appearance of a development and provide a natural buffer between the development and open space areas.
- **Policy UD-A.10:** Design or retrofit streets to improve walkability, bicycling, and transit integration; to strengthen connectivity; and to enhance community identity. Streets are

an important aspect of Urban Design as referenced in the Mobility Element (see also Mobility Element, Sections A, B, C, and F).

- **Policy UD-A.11:** Encourage the use of underground or above-ground parking structures, rather than surface parking lots, to reduce land area devoted to parking (see also Mobility Element, Section G).
  a. Design safe, functional, and aesthetically pleasing parking structures.
  b. Design structures to be of a height and mass that are compatible with the surrounding area.
  c. Use building materials, detailing, and landscape that complement the surrounding neighborhood.
  d. Provide well-defined, dedicated pedestrian entrances.
  e. Use appropriate screening mechanisms to screen views of parked vehicles from pedestrian areas, and headlights from adjacent buildings.
  f. Pursue development of parking structures that are wrapped on their exterior with other uses to conceal the parking structure and create an active streetscape. Where ground floor commercial is proposed, provide a tall, largely transparent ground floor along pedestrian active streets.
  g. Encourage the use of attendants, gates, natural lighting, or surveillance equipment in parking structures to promote safety and security.
- **Policy UD-A.13:** Provide lighting from a variety of sources at appropriate intensities and qualities for safety.
- **Goal B:** Distinctive Neighborhoods and Residential Design
  - Development that protects and improves upon the desirable features of San Diego's neighborhoods.
  - Architectural design that contributes to the creation and preservation of neighborhood character and vitality.
  - Innovative design for a variety of housing types to meet the needs of the population.
  - Infill housing, roadways and new construction that are sensitive to the character and quality of existing neighborhoods.
  - Pedestrian connections linking residential areas, commercial areas, parks and open spaces.
- **Policy UD-B.2:** Achieve a mix of housing types within single developments (see also Land Use and Community Planning Element, Section H, and Housing Element).
  a. Incorporate a variety of unit types in multifamily projects.
  b. Incorporate a variety of single-family housing types in single-family projects/ subdivisions.
  c. Provide transitions of scale between higher-density development and lower-density neighborhoods.
  d. Identify sites for revitalization and additional housing opportunities in neighborhoods.

- **Policy UD-B.5:** Design or retrofit streets to improve walkability, strengthen connectivity, and enhance community identity.
    a. Design or retrofit street systems to achieve high levels of connectivity within the neighborhood street network that link individual subdivisions/projects to each other and the community.
    b. Avoid closed loop subdivisions and extensive cul-de-sac systems, except where the street layout is dictated by the topography or the need to avoid sensitive environmental resources.
    c. Design open ended cul-de-sacs to accommodate visibility and pedestrian connectivity, when development of cul-de-sacs is necessary.
    d. Emphasize the provision of high quality pedestrian and bikeway connections to transit stops/stations, village centers, and local schools.
    e. Design new streets and consider traffic calming where necessary, to reduce neighborhood speeding (see also Mobility Element, Policy ME-C.5).
    f. Enhance community gateways to demonstrate neighborhood pride and delineate boundaries.
    g. Clarify neighborhood roadway intersections through the use of special paving and landscape.
    h. Develop a hierarchy of walkways that delineate village pathways and link to regional trails.
    i. Discourage use of walls, gates and other barriers that separate residential neighborhoods from the surrounding community and commercial areas.
- **Policy UD-B.8:** Provide useable open space for play, recreation, and social or cultural activities in multifamily as well as single-family projects.
    a. Design attractive recreational facilities, common facilities, and open space that can be easily accessed by everyone in the development it serves.
    b. Design outdoor space as “outdoor rooms” and avoid undifferentiated, empty spaces.
    c. Locate small parks and play areas in central accessible locations
- **Goal C:** Mixed-Use Villages and Commercial Areas
    a. Mixed-use villages that achieve an integration of uses and serve as focal points for public gathering as a result of their outstanding public spaces.
    b. Vibrant, mixed-use main streets that serve as neighborhood destinations, community resources, and conduits to the regional transit system.
    c. Neighborhood commercial shopping areas that serve as walkable centers of activity.
    d. Attractive and functional commercial corridors which link communities and provide goods and services.
- **Policy UD-C.2:** Design village centers to be integrated into existing neighborhoods through pedestrian-friendly site design and building orientation, and the provision of multiple pedestrian access points.

- **Policy UD-C.4:** Create pedestrian-friendly village centers (see also Mobility Element, Sections A and C).
    a. Respect pedestrian-orientation by creating entries directly to the street and active uses at street level.
    b. Design or redesign buildings to include pedestrian-friendly entrances, outdoor dining areas, plazas, transparent windows, public art, and a variety of other elements to encourage pedestrian activity and interest at the ground floor level.
    c. Orient buildings in village centers to commercial local streets, or to internal project drives that are designed to function like a public street, in order to create a pedestrian oriented shopping experience, including provision of on-street parking.
    d. Provide pathways that offer direct connections from the street to building entrances.
    e. Break up the exterior facades of large retail establishment structures into distinct building masses distinguished by offsetting planes, rooflines and overhangs or other means.
    f. Where feasible, use small buildings in key locations to create a human scale environment in large retail centers. Incorporate separate individual main entrances directly leading to the outside from individual stores.
- **Policy UD-C.6:** Design project circulation systems for walkability.
    a. Extend existing street grid patterns into development within existing fine-grained neighborhoods.
    b. Design a grid or modified-grid internal project street system, with sidewalks and curbs, as the organizing framework for development in village centers.
    c. Diagonal or "on-street" parallel parking may be appropriate along driveways in order to contribute to a "main street" appearance.
    d. Provide pedestrian shortcuts through the developments to connect destinations where the existing street system has long blocks or circuitous street patterns.
    e. Use pedestrian amenities, such as curb extensions and textured paving, to delineate key pedestrian crossings.
    f. Design new connections, and remove any barriers to pedestrian and bicycle circulation in order to enable people to walk or bike, rather than drive, to neighboring destinations (see also Mobility Element, Sections A and F).
    g. Lay out streets to take advantage of and maximize vistas into public view sheds.
    h. Share and manage commercial, residential, and public parking facilities where possible to manage parking for greater efficiency (see also Mobility Element, Section G).
    i. Incorporate design features that facilitate transit service along existing or proposed routes, such as bus pullout areas, covered transit stops, and multi-modal pathways through projects to transit stops.
- **Policy UD-C.8:** Retrofit existing large-scale development patterns, such as "superblocks" or "campus-style" developments, to provide more and improved linkages among uses in the superblock, neighboring developments, and the public street system.

a. Coordinate the redesign of roads, sidewalks, and open spaces of adjacent developments.
b. Locate new infill buildings in a manner that will promote increased pedestrian activity along streets and in public common areas.
c. Implement exterior improvements such as public art, pedestrian-scale windows and entrances, signs, and street furniture.

2018 Midway-Pacific Highway Community Plan

The 2018 Community Plan establishes a vision with policies to guide development in the Midway-Pacific Highway Community planning area; provides strategies and implementing actions to accomplish the vision; provides guidance to design and evaluate development proposals and improvement projects; and provides the basis for plan implementation, including zoning, development regulations, and a public facilities financing plan.

The following policies that influence visual effects and neighborhood character are identified in the 2018 Community Plan and apply to the Project (City of San Diego 2018):

- **LU-4.1.** Prepare a specific plan or a development plan with a Master Planned Development Permit that is consistent with the Community Plan vision and General Plan's City of Villages strategy to comprehensively guide the transformation of the City-owned property within Sports Arena Community Village.
- **ME-2.9.** Install adequate street lighting along pedestrian routes throughout the community with priority on higher pedestrian/vehicle conflict areas.
- **UD-2.1.** Incorporate public spaces (e.g. plazas, pocket parks, or greens) as an integral aspect of site and building design within villages and where feasible within residential/commercial mixed-used districts.
- **UD-2.4.** Provide streetscapes that incorporate a frontage area, a pedestrian walkway with non-contiguous sidewalks, and a furnishing area with street trees between the street curb and sidewalk within villages and where feasible within districts.
- **UD-3.5.** Maximize the use of landscaping to provide shade and passive cooling to buildings, outdoor recreational spaces, and paved surfaces.
- **UD-7.5.** Utilize landscaping such as trees and shrubs to block light spillage, where appropriate.
- **UD-7.7.** Encourage project lighting plans and specifications to be energy-efficient, incorporating technology such as energy efficient lighting types, solar-powered lights, removal of existing but unneeded lighting, use of automatic light turn-off systems, and use of non-lighting alternatives such as clear signage and clearly painted roadway lines.

The 2018 Community Plan designates the Project site and surrounding area as Community Commercial – Residential Permitted, with a maximum residential density of 44 dwelling units per acre. The Project proposes a land use designation of Community Village (zero to 72 dwelling units per acre). The 2018 Community Plan envisions the Sports Arena Community Village as a vibrant pedestrian- and

transit-oriented entertainment area that is a landmark attraction for the Midway-Pacific Highway Community and surrounding communities.

San Diego Municipal Code

The San Diego Municipal Code (SDMC) implements the 2018 Community Plan policies through zoning, development regulations, and other controls pertaining to land use density and intensity, building massing, landscape, streetscape, and other development characteristics. Chapters 11 through 14 of the SDMC contain the City's planning, zoning, subdivision, and building regulations that dictate how land is to be developed and used within the City. Applicable SDMC sections are described below.

Chapter 13, Zones

Development regulations for underlying base zones are in Chapter 13, Article 1, Base Zones. The base zone on the Project site is Community Commercial (CC-3-6). In addition to the base zones, Community Plan Implementation Overlay Zone Type B is applied to the entire Project site to provide supplemental development regulations that implement the vision and policies of the 2018 Community Plan. Projects within the Community Plan Implementation Overlay Zone Type B require a Neighborhood Development Permit to develop within this overlay zone.

The Project site is within the geographic boundaries of a 1972 citizens' initiative ballot measure that generally limited the height of buildings to 30 feet (Proposition D) in a defined coastal area. On November 3, 2020, City residents voted in favor of Ballot Measure E to amend the SDMC to remove the Midway-Pacific Highway Community planning area from the existing 30-foot height limit. The Supplemental EIR for the Removal of the Midway-Pacific Highway Community planning area from the Coastal Height Limit was certified by the San Diego City Council in 2022 (City of San Diego 2022b). The measure was voted on again in 2022. On November 8, 2022, City residents voted in favor of Measure C to amend the SDMC to remove the 30-foot height limit in the Midway-Pacific Highway Community planning area (City of San Diego 2022c).

Chapter 14, General Regulations

Chapter 14, Article 2, Division 7, Off-Site Development Impact Regulations, establishes regulations to minimize negative glare and outdoor lighting impacts from development to surrounding property.

Chapter 14, Article 2, Division 7, Section 30, Glare Regulations, defines the following terms (SDMC Section 142.0730):

a. A maximum of 50 percent of the exterior of a building may be comprised of reflective material that has a light reflectivity factor greater than 30 percent.
b. Reflective building materials shall not be permitted where the City Manager determines that their use would contribute to potential traffic hazards, diminished quality of riparian habitat, or reduced enjoyment of public open space.

Chapter 14, Article 2, Division 7, Section 40, Outdoor Lighting Regulations, requires, among other things, that outdoor lighting fixtures shall be installed and operated in compliance with the following regulations (SDMC Section 142.0740):

- California Energy Code, California Code of Regulations, Title 24, Part 6;
- Green Building Regulations (Chapter 14, Article 10); and
- Electrical Regulations (Chapter 14, Article 6).

2014 San Diego International Airport Land Use Compatibility Plan

The San Diego International Airport's Airport Land Use Compatibility Plan (ALUCP) includes policies and standards that provide guidance on future development and redevelopment in the area surrounding the San Diego International Airport to promote compatibility between the airport and surrounding future land uses. Airspace protection policies and standards address height standards, and the ALUCP requires Federal Aviation Administration (FAA) notification for structures taller than 200 feet above ground level that could potentially create a hazard or obstruction to air navigation (SDCRAA 2014).

Pertinent to this analysis, specific height limitations apply to areas at the ends of the airport runway with threshold siting surfaces. The Project site is 1.8 miles north of the San Diego International Airport within the designated Airport Influence Area (AIA). The southern half of the Project site is within Review Area 1, and the northern half of the Project site is within Review Area 2 of the AIA, which requires Airport Land Use Commission review for land use plans and regulations proposing increased height limits.

2020 North Island Air Station Airport Land Use Compatibility Plan

The Project site is 2.8 miles north of the Naval Air Station North Island (NASNI) within the NASNI AIA and the Airspace Protection Boundary. The ALUCP contains policies and criteria for guiding new developments and redevelopments within the AIA to protect the public health, safety, and welfare. The ALUCP promotes compatibility between NASNI and surrounding land uses to protect public health, safety, and welfare in areas around the airport to the extent that these areas are not already devoted to incompatible use (SDCRAA 2020).

5.8.3 Significance Determination Thresholds

The thresholds used to evaluate potential visual effects and neighborhood character impacts are generally based on the City's CEQA Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU EIR. A significant impact on visual effects and neighborhood character could occur if implementation of the Project would:

- **Issue 1:** Result in a substantial obstruction of a vista or scenic view from a public viewing area as identified in the community plan;
- **Issue 2:** Result in a substantial adverse alteration (e.g., bulk, scale, materials, or style) to the existing or planned (adopted) character of the area;

- **Issue 3:** Result in the loss of any distinctive or landmark tree(s), or stand of mature trees as identified in the community plan;
- **Issue 4:** Result in a substantial change in the existing landform; or
- **Issue 5:** Create substantial light or glare which would adversely affect daytime and nighttime views in the area.

5.8.4 Impact Analysis

Visual impacts are associated with changes in either the human-made or natural environment, can be short or long term in duration, and can be beneficial or detrimental. Changes to views and neighborhood character during construction of the Project are considered short-term visual impacts. Phase 1 of construction would include the demolition of eight structures and asphalt parking lots east of the proposed Frontier Drive and construction of a new entertainment center. The San Diego International Sports Arena would remain in place and operational during Phase 1 of construction and would be demolished in Phase 2. Short-term construction-related visual impacts would be temporary and would cease once construction is complete. Long-term changes are associated with altering the natural topography, building permanent structures (e.g., buildings, bridges, walls), and removing vegetation, including mature trees. The focus of this analysis is on physical changes that could result in a visual impact to the environment.

The evaluation of visual effects is largely subjective and depends on the degree of alteration, scenic quality of the area disturbed, and sensitivity of the viewers, which are defined as follows:

- "Degree of alteration" refers to the extent of change to the natural landform and the introduction of urban elements into an existing natural environment while acknowledging any unique topographical formations or natural landmarks.
- "Sensitive viewers" are those who use the outdoor environment or value a scenic viewpoint to enhance their daily activity and are typically residents, recreational users, or motorists in scenic areas.

The analysis presented below is based on the Visual Analysis prepared for the Project (Appendix J).

5.8.4.1 Issue 1: Scenic Vistas or Views

Would the Project result in a substantial obstruction of a vista or scenic view from a public viewing area as identified in the community plan?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR (Appendix B) concluded that implementation of the 2018 Community Plan would not result in a substantial alteration or blockage of public views from critical view corridors, designated public space areas, public roads, or public parks; new development in the community would take place within the constraints of the existing urban framework and

development pattern. Thus, the Midway-Pacific Highway CPU PEIR determined that impacts to public views would be **Less than Significant**.

Project-Specific Impact Analysis

The Project viewshed generally includes the Midway-Pacific Highway Community planning area where the Project site is located and portions of the following surrounding Community planning areas: Old Town, Ocean Beach, Peninsula, Uptown, and Mission Bay Park. The 2018 Community Plan does not identify any scenic vistas, scenic views, or prominent view corridors on the Project site. The quality of views from surrounding areas toward the Project site varies from one location to another within the viewshed for many reasons: undulating terrain, urbanized level of development, mature vegetation growth, and elevation of roadways.

A scenic vista is generally defined as a viewpoint that provides expansive views of a highly valued landscape for the public's benefit (City of San Diego 2022b). In addition, some scenic vistas are officially designated by public agencies. A degradation of the view from such a designated viewshed would be a substantial adverse effect on a scenic vista. Public views refer to those that are accessible from public vantage points, such as public rights-of-way, parks, and landmarks. Public views in the community consist of viewsheds, which are generally unobstructed panoramic views from a public vantage point, and view corridors, which are views along public rights-of-way framed by permitted development.

The Project's potential to result in changes to public views was determined based on the degree of change to the existing setting that would occur from the increased height of buildings in the view; the degree to which these features would obstruct, diminish, or dominate existing view qualities; and the sensitivity of the viewer.

The degree of change is described as none, low, moderate, or high using the following criteria:

- **None.** No perceivable change in visual quality caused by the Project.
- **Low.** Minor change in visual quality caused by the Project.
- **Moderate.** Moderate change in visual quality caused by the Project.
- **High.** Major change in visual quality caused by the Project.

In addition, sight distance is defined as foreground (zero to 0.25 mile), midground (0.25 to 3 miles), and background (3 miles and farther). The final determination of significance considers the existing visual quality and the anticipated viewer response.

As discussed in Section 5.8.1.5, Key Viewpoints, 15 representative KVPs were identified to demonstrate the potential change in public views from Project development. The level of change to the existing condition is based on the height and mass of proposed buildings that would be implemented as a result of the Project.

Visual impacts resulting from Project development were evaluated by considering the existing visual character of the landscape from each KVP and assessing the degree of change (none, low, moderate, high) from Project development and compatibility with the surrounding development. The assessment considers the bulk, scale, materials, and style of building development and assumes for purposes of this analysis that buildings would be constructed at maximum height limits. An evaluation of each KVP is provided below.

Key Viewpoint 1: View South from Sea World Drive Overpass

KVP 1 represents a typical view from motorists traveling westbound on Sea World Drive and southbound on I-5. Visual changes would generally occur in the background view. Foreground and midground views would not change. The Project would be visible along the horizon to the southwest. The distant views of Point Loma would be partially obstructed by the proposed development. A portion of the 165-foot entertainment center, the 105-foot mid-rise mixed-use buildings, and the 250-foot high-rise building in the center background view would be visible from KVP 1. Viewers would notice a minor change in the view; however, the level of impact on view quality would depend on distance from their vantage point and the density and flow (speed) of traffic. There would be an increase in sense of direction and destination given the concentrated presence of taller buildings in the direction travelers would be headed. The overall viewer response would be **low** because the new buildings would be in the background, the proposed development heights would primarily coincide with the existing horizon from this view, and views would be fleeting while driving.

Key Viewpoint 2: View South from Fiesta Island Road

KVP 2 represents a typical view from recreational users (bicyclists and pedestrians) and motorists on Fiesta Island Road and visitors at the shoreline. Visual changes would occur in the background view due to taller buildings. Foreground and midground views would not change. The most noticeable change would be the 250-foot high-rise building in the center background view. The proposed 165-foot entertainment center and 105-foot mid-rise mixed-use buildings would also be visible from this KVP. However, only the proposed high-rise building would exceed the horizon and change the view of the horizon. Despite the minor to moderate change in horizon, the development would neither obstruct views beyond the Project site due to the distance of the vantage point nor change the views in the foreground and midground, which attract recreational users to the area. The remainder of the proposed development would be generally consistent with existing building heights to the west, although the development density would increase. The proposed development would be partially obstructed by intervening landscaping and trees. The Project would not obstruct views beyond the Project site due to the vantage point's distance from the site. In addition, the proposed development would be primarily in line with the hills of Point Loma to the west from this view. The overall viewer response would be **low to moderate** due to the majority of the increased density of the development being consistent with the tree line and only the high-rise building exceeding the existing horizon.

Key Viewpoint 3: View Southeast from Old Sea World Drive

KVP 3 represents a typical view from recreational users and motorists on Old Sea World Drive. Visual changes would occur in the midground view where the proposed development would exceed the existing horizon. The proposed 250-foot high-rise building and 105-foot mid-rise mixed-use buildings would partially obstruct distant views of Downtown San Diego and a portion of the higher elevation neighborhoods in the Old Town and Uptown Community planning areas. The 165-foot entertainment center would not be visible from this KVP. No changes to the foreground view would occur at KVP 3. Viewers would notice a minor to moderate change in the midground view and horizon due to the proximity and heights of the proposed development and lack of obstructions in the foreground. The overall viewer response would be **low to moderate** because recreational users and motorists are considered transient, and views can be fleeting when traveling along the roadway and paying attention to other vehicles.

Key Viewpoint 4: View East from Robb Athletic Field

KVP 4 represents a typical view from recreational users at Robb Athletic Field. Visual changes would occur in the background view, with a slight view of the upper floors of the 250-foot high-rise building visible in the center background view. A combination of intervening mature vegetation and existing development would obstruct the majority of the proposed development associated with the Project and minimize potential visual changes to the skyline. Views within the vicinity would not majorly change, as only the proposed high-rise building is slightly visible above the horizon. Views of Project development in the background would not be noticeable due to distance, intervening mature vegetation, and existing development blocking the majority of the Project development. Therefore, the overall viewer response would be **low**.

Key Viewpoint 5: View Southeast from San Diego River Trail

KVP 5 represents a typical view from recreational users on the San Diego River Trail. Visual changes would occur in the midground view. The view of the San Diego International Sports Arena would be replaced with Project development, including the 250-foot high-rise building and 105-foot mid-rise mixed-use buildings south of I-8. The horizon would be altered, and distant views of Downtown San Diego high-rise buildings would be blocked. Viewers would notice a major change in the view due to the proximity of Project development and the additional height and density of the proposed development. Therefore, the overall viewer response would be **high**.

Key Viewpoint 6: View West from Presidio Park

KVP 6 represents a typical westward view from recreational users at Presidio Park. Visual changes would occur to the left and center midground view. From left to right, the view would consist of the 165-foot entertainment center, 105-foot mid-rise mixed-use buildings, and 250-foot high-rise building. No change to the foreground view would occur. Little change would occur to the

background view and horizon, with the exception of the 250-foot high-rise building, which would block a very small portion of the San Diego River view and slightly exceed the horizon. However, the proposed high-rise building is similar in height to the Hyatt Hotel and aboveground structures at the SeaWorld San Diego theme park, which are visible behind the tree to the right of the background view. Park users would notice a change in the view, but it is not considered a major change due to the distance, mature landscaping, and existing developed environment below and west of the park and on both sides of I-8. The overall viewer response would be **moderate** because of the visual changes to the midground and because the high-rise building would exceed the horizon line.

Key Viewpoint 7: View West from I-5/I-8 Interchange

KVP 7 represents a typical view from a motorist looking southwest toward the Project site. Visual changes would occur primarily in the midground view where, from left to right, the 165-foot entertainment center, 105-foot mid-rise mixed-use buildings, and 250-foot high-rise building would be visible beyond the freeway signage and mature trees/landscaping. No change to the foreground view would occur, and a minimal change to the horizon would occur, with the exception of the 250-foot high-rise building, which would exceed the existing horizon. The majority of Project development, including the entertainment center and western mid-rise mixed-use buildings, would be at or below the horizon. The dense and mature foliage would provide partial coverage of the Project. The majority of the development, including the entertainment center and mid-rise mixed-use buildings, would generally not be visible above the horizon line, with the exception of the proposed high-rise building. The overall viewers would not notice a major change in the view due to the distance, mature landscaping, and speed at which motorists would be passing by. The overall viewer response would be **low to moderate** because the Project would be partially visible above the horizon line, and the Project would be visible in the center/middle of the view but mostly screened by vegetation.

Key Viewpoint 8: View Northeast from Sports Arena Boulevard

KVP 8 represents a typical view from motorists, bicyclists, and pedestrians on Sports Arena Boulevard. Due to the proximity of the Project site to this view location, visual changes would occur to most of the foreground, midground, and background views. Current views would be replaced by the proposed 105-foot mid-rise mixed-use buildings, which would obstruct some of the horizon and view of the open sky. The distant background views of Linda Vista and Clairemont (Bay Park) Community planning areas would no longer be visible. The Project proposes bicycle and pedestrian pathways and landscaping, including street trees, that would soften views of the residential buildings. The distant views of developed areas at higher elevations in the Old Town and Uptown Community planning areas would remain unobstructed. The midground views traveling east on the south side of Sports Arena Boulevard would also remain unobstructed. Although the change to background views of neighboring community planning areas would be minor as these areas were already primarily blocked by existing development and mature trees, viewers would notice a major change in the foreground and

midground views due to the proximity, height, bulk, and scale of the Project development along Sports Arena Boulevard. Therefore, the overall viewer response would be **high**.

Key Viewpoint 9: View Northwest from Sports Arena Boulevard

KVP 9 represents a typical view from motorists, bicyclists, and pedestrians on Sports Arena Boulevard. Due to the proximity of the Project site to this view location, visual changes would occur in the foreground, midground, and background views along the northern side of Sports Arena Boulevard. Specifically, the type of development would change from predominately single-story buildings to multi-story structures. At their maximum heights, the 105-foot mid-rise mixed-use buildings and 165-foot entertainment center would obstruct some of the horizon and views of the open sky. The Project proposes bicycle and pedestrian pathways and landscaping, including street trees that would soften views of the on-site buildings and entertainment center. Views along the southern side of Sports Arena Boulevard and of the roadway would remain unchanged. However, viewers would notice a major change in the foreground and midground views due to the proximity, height, bulk, and scale of the Project development along Sports Arena Boulevard. Therefore, the overall viewer response would be **high**.

Key Viewpoint 10: View West from 3253 Kurtz Street

KVP 10 represents a typical view from motorists, bicyclists, and pedestrians on Kurtz Street. Visual changes would occur in the foreground and midground views toward the northwest. Specifically, the type of development would change from predominately single-story buildings to multi-story structures. The proposed 165-foot entertainment center in the foreground view and 105-foot mid-rise mixed-use buildings in the midground would obstruct part of the horizon and partially intrude on views of the open sky. The existing commercial and office buildings are barely visible in the midground along Kurtz Street. The 250-foot high-rise building would be visible in the distant midground view. The Project would include a multi-use path and landscaping, including street trees, along the southern side of Kurtz Street that would partially obstruct and soften views of the entertainment center and residential buildings. However, viewers would notice a major change in the foreground and midground views due to the proximity and height of the Project development along Kurtz Street. Therefore, the overall viewer response would be **high**.

Key Viewpoint 11: View Southeast from Kurtz Street/Hancock Street Intersection

KVP 11 represents a typical view from a motorist or bicyclist on Hancock Street looking southeast toward the Project site. Visual changes would occur in the foreground and midground views along the southern side of Kurtz Street from the proposed development. The proposed 250-foot high-rise building, 105-foot mid-rise mixed-use buildings, and a small portion of the 165-foot entertainment center would obstruct the horizon and open sky visible along the southern side of Kurtz Street. The Project would implement landscaping, including street trees, that would soften ground level views of

the proposed high-rise and residential buildings. The existing overhead utility lines on Hancock Street would remain in place. Viewers would notice a major change on the Project site due to the proximity, height, bulk, and scale of the proposed 250-foot high-rise building and 105-foot mid-rise mixed-use buildings. Therefore, the overall viewer response would be **high**.

Key Viewpoint 12: View Northwest from Old Town Avenue Bridge

KVP 12 represents a typical view from motorists and pedestrians on the bridge looking northwest toward the Project site. Visual changes would occur in the background view, where the upper portions of the Project development would be visible behind the existing Naval Information Warfare Systems Command buildings and trees. Specifically, the 165-foot entertainment center and 250-foot high-rise building would be visible from this view. A change to the horizon due to Project development within the center of the view would occur. Viewers would not notice a major change in the view due to distance, obstruction from the existing built environment (Naval Information Warfare Systems Command buildings), and fleeting views because motorists and bicyclists would be focused on driving and traffic. The overall viewer response would be **low**.

Key Viewpoint 13: View North from Rosecrans Street/Lytton Street Intersection

KVP 13 represents a typical view from motorists, bicyclists, and pedestrians at the Rosecrans Street/Lytton Street intersection. Visual changes would be limited to the background view, primarily to the horizon in the center background view. The top of the 165-foot entertainment center would be partially visible in the background but would not substantially change the view quality. Viewers would only notice a minor change along the horizon in the center background view. Due to distance, existing vegetation, and the built environment between this view location and the Project site, overall viewer response would be **low**.

Key Viewpoint 14: View Northeast from Kemper Street/Kenyon Street Intersection

KVP 14 represents a typical view from motorists, bicyclists, and pedestrians at the intersection of Kemper Street and Kenyon Street looking northwest toward the Project site. Visual changes would occur in the midground view primarily to the horizon in the center of the view. The tops of the proposed 105-foot mid-rise mixed-use buildings and the 250-foot high-rise building would be partially visible in the background but would not majorly change the view quality. The view of the San Diego International Sports Arena would be replaced with the proposed development that would be partially screened by existing trees. Viewers would not notice a major change in the background view with the development of Project buildings. Due to distance, existing vegetation, and the built environment between this view location and the Project site, the overall viewer response would be **low to moderate**.

Key Viewpoint 15: View East from Famosa Slough at Rialto Street/ Famosa Boulevard Intersection

KVP 15 represents a typical view from recreational users of Famosa Slough State Marine Conservation Area and from bicyclists, pedestrians, and motorists within the vicinity of Famosa Boulevard. Visual changes would occur in the background center view. The upper floors of the proposed 250-foot high-rise building and 105-foot mid-rise mixed-use buildings would be visible in the center background view but would not substantially change the view quality. Elevated areas in the Peninsula Community planning area toward the southeast and overhead utility lines and trees would partially obstruct views of the Project buildings. The high-rise building height would align with the tops of existing trees and the horizon to the right of the view. Viewers would not notice a major change in the background view from the Project buildings. The elevated terrain of the Peninsula Community planning area, existing built environment, and trees/vegetation would partially obstruct the Project buildings from this view. The overall viewer response would be **low to moderate**.

Summary

The analysis of KVPs 1–15 compares the existing conditions and anticipated visual changes that would occur under the hypothetical yet reasonably probable buildout of the Project with structures built to the maximum allowable height. The assessment considers the degree of change; bulk, scale, materials, and style of building development; and compatibility with surrounding development. Project buildings (including a 250-foot high-rise building, 105-foot mid-rise mixed-use buildings, and 165-foot entertainment center) would be constructed on relatively low ground (10 to 15 feet above mean sea level) and would have an effect on the scenic quality of the surrounding area, including views from public areas. Nevertheless, in accordance with SB 743, the potential aesthetic or visual impacts on scenic vistas and views from Project implementation would not be considered a significant impact on the environment because the Project is a residential and mixed-use development in a TPA (as described in the introduction to this SEIR section and in Section 5.8.2.2) (refer to Figure 2-10). In addition, the 2018 Community Plan does not identify any scenic vistas, scenic views, or prominent view corridors on the Project site. Therefore, the Project would not result in a substantial obstruction of a vista or scenic view from a public viewing area as identified in the 2018 Community Plan. Impacts would be **Less than Significant**.

5.8.4.2 Issue 2: Neighborhood Character

Would the Project substantial adverse alteration (e.g., bulk, scale, materials, or style) to the existing or planned (adopted) character of the area?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR concluded that, with implementation of the 2018 Community Plan Urban Design Element and Land Use, Villages, and Districts Element policies, zoning, and the SDMC

regulations, future development would be consistent with and even improve the existing neighborhood character. The Midway-Pacific Highway CPU PEIR determined that impacts related to substantial alterations on the existing or planned character of the area would be **Less than Significant**.

Project-Specific Impact Analysis

The Project proposes a change to the Project site's base zone to Residential Mixed Use-2 (RMX-2) to implement the Community Village land use designation (zero to 72 dwelling units per acre). The purpose of the mixed-use zone is to provide housing and jobs near commercial centers and corridors, to promote access to transit and multimodal corridors, and to offer a walkable pedestrian-oriented setting, including infill of existing development. Development on the Project site is subject to the development regulations identified in the Midway Rising Specific Plan (Specific Plan). The maximum allowable building height in the proposed Midway Rising Specific Plan Area is 105 feet with the following two exceptions: (1) the entertainment center may be up to 165 feet, and (2) up to 10 percent of the Project site may be built up to 250 feet. For the purposes of this analysis, the Project is analyzed with an entertainment center height of 165 feet and a high-rise residential building up to 250 feet in height up to 10 percent of the Project site in the northwestern portion of the Project site.

Development at this height, bulk, and scale on the Project site could be perceived as a substantial alteration to the existing character of the area. However, the Project would be consistent with the planned character of the Midway-Pacific Highway Community planning area as presented in the 2018 Community Plan. The 2018 Community Plan envisions the Sports Arena Community Village as a vibrant, pedestrian- and transit-oriented entertainment area that is a landmark and attraction for the Midway-Pacific Highway Community and surrounding neighborhoods.

The Project would be designed in accordance with the Urban Design Element Goals and Policies in the 2018 Community Plan as laid out in the proposed Specific Plan, which includes an overarching goal to create a community with an enhanced sense of place and improved building, site, and streetscape design focused on walkability and livability. The Project would achieve this goal by planning for a pedestrian-focused, walkable environment where all uses, buildings, public spaces, and amenities on site are easily accessible and continuously connected by a network of paths, promenades, paseo greens, and paseo greenways. Public spaces would further break up the bulk and scale of the Project, avoiding a solid massed appearance along roadways or from vantage points. The element contains a robust Urban Design Framework that contains policies to: develop a pedestrian-oriented urban framework within villages as well as in districts that contain superblocks (UD-1.3); incorporate public spaces (e.g., plazas, pocket parks, or greens) as an integral aspect of site and building design within villages and where feasible within residential/commercial mixed-used districts (UD-2.1); incorporate street trees consistent with the street tree palettes to create strong, recognizable themes (UD-3.10); and design buildings with a pedestrian-oriented sense of scale by differentiating the mass and scale of buildings, varying rooflines, incorporating vertical and horizontal modulations, and using color or architectural elements (UD-6.11). The Project would be

consistent with these policies because it would establish a pedestrian- and transit-oriented village with multimodal access through a network of streets, pedestrian paths, bicycle facilities, and transit services and amenities that provide greater and enhanced access to and across the site, as well as improved north–south connections. See Section 5.1, Land Use, for a complete table detailing the Project's consistency with the 2018 Community Plan.

Consistent with the 2018 Community Plan goals and policies, the Project would redevelop the Sports Arena Community Village in the Midway District in the City and the Project site with entertainment, retail, restaurant, residential, public, and park uses. Implementation of these policies would ensure that the bulk and scale of development is not out of character with the existing environment. The Project improvements would be considered a benefit by implementing the vision of the 2018 Community Plan and enhancing the overall character of the Project site and surrounding neighborhood.

Additionally, in accordance with SB 743, the potential aesthetic or visual impacts on neighborhood character from Project implementation would not be considered a significant impact on the environment, because the Project is a residential and mixed-use development in a TPA (as described in the introduction to this SEIR section and in Section 5.8.2.1) (refer to Figure 2-10). Therefore, the impact would be **Less than Significant**.

5.8.4.3 Issue 3: Distinctive or Landmark Trees

Would the Project result in the loss of any distinctive or landmark tree(s), or stand of mature trees as identified in the community plan?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

One tree with historical importance was identified in the Midway-Pacific Highway Community planning area in the 2018 PEIR. The tree was identified as an olive tree west of the intersection of Midway Drive and Rosecrans Street. Although an olive tree was likely planted at this location when the San Diego Historical Society marked the trail in the 1930s, both Rosecrans Street and Midway Drive have been expanded multiple times since then. It is likely that the olive tree was removed as part of the street expansions. Future development would be subject to San Diego City Council Policy 900-19, which provides protection for public trees. As such, implementation of the Midway-Pacific Highway CPU PEIR would not result in the loss of any distinctive or landmark trees or any stand of mature trees. Impacts would be **Less than Significant**.

Project-Specific Impact Analysis

Existing trees, including eucalyptus and palm species, are present throughout the Project site and surrounding areas. Project implementation would result in the removal of existing eucalyptus and palm trees on the Project site, including street trees along Sports Arena Boulevard. However, as stated in Section 5.8.1.1, the trees on the Project site are non-native, ornamental species used for

landscaping (Appendix N). No distinctive or landmark trees, stand of mature native trees, or trees with historical importance are on the Project site that could be impacted by Project implementation (Appendix N; Appendix B).

As described in Chapter 3, Village Concept, of the Midway Rising Specific Plan, the proposed landscape plan for the Project identifies a continuous urban tree canopy to introduce shade to the area (Appendix C). In accordance with the Midway Rising Specific Plan Design Standard SDR-16 (Street Trees), two rows of street trees would be installed on Sports Arena Boulevard, Kurtz Street, and Kemper Street to provide shade to the multi-use path and a buffer from vehicular traffic.

The Project includes a comprehensive street tree and landscape plan consistent with the public space and urban canopy goals of the City's 2022 Climate Action Plan. Existing trees removed during Project implementation would be replaced at a minimum ratio of 1:1, with new trees that provide shade and aesthetic value to the community. The Project would provide trees at a minimum of two per 5,000 square feet of lot area, with a minimum of one tree per lot. The Vesting Tentative Map for the Project identifies tree coverage (currently 1,075 trees on the Project site and an additional 355 trees in roadway rights-of-way) that would exceed the currently calculated 858-tree requirement per the City's Landscape Regulations (Requirement E) (PDC 2025~~2024~~).

In summary, Project implementation would remove existing trees on the Project site, but they are non-native species used for ornamental landscaping and would be replaced at a minimum 1:1 ratio. The Project would not result in the loss of any distinctive or landmark trees or any stand of mature trees as identified in the community plan. Further, the Project includes a comprehensive street tree and landscape plan that would include more trees than are currently on the Project site. Therefore, this impact would be **Less than Significant**.

5.8.4.4 Issue 4: Landform Alteration

Would the Project result in a substantial change in the existing landform?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR concluded that the 2018 Community Plan would intensify some uses in the Midway-Pacific Highway Community planning area, which could result in landform alteration. The 2018 Community Plan policies require development projects to consider existing development and landform. New development and redevelopment would be required to comply with the 2018 Community Plan Conservation Element and Urban Design Element policies, which support conservation of existing landforms and public space and support the design of buildings that respect existing landforms and comply with the SDMC for grading. The Midway-Pacific Highway CPU PEIR determined that compliance with the 2018 Community Plan policies and the SDMC would reduce impacts to **Less than Significant**.

Project-Specific Impact Analysis

Implementation of the Project would not result in a substantial change in the existing landform because the Project site is relatively flat and developed with urban land uses. The Project site does not have any distinct landform or site features other than existing development. Project implementation would include earth movement (517,000 cubic yards of cut and 555,000 cubic yards of fill), and some import and export of construction materials, and add approximately 1 foot of elevation although the Project would seek to stockpile and re-use material on-site when possible. Although the site would alter more than 2,000 cubic yards of earth per graded acre by excavation and fill, the increased elevation (approximately 1 foot) would be level across the site and not result in any steep slopes. The Project does not contain, and would not disturb, steep hillsides and would not conflict with the City's Environmentally Sensitive Lands Regulations (SDMC Chapter 14, Article 3, Division 1). The Project would not create manufactured slopes steeper than 2:1 (50 percent). The Project would not result in a change in elevation of steep hillsides as defined by SDMC Section 113.0103, as there are no steep hillsides present on site. Project design does not include mass terracing of natural slopes with cut or fill slopes to construct flat-pad structures, as no natural slopes are present on site. Therefore, the Project would not result in a substantial change to the existing, relatively flat landform, and impacts would be **Less than Significant**.

5.8.4.5 Issue 5: Light and Glare

Would the Project create substantial light or glare which would adversely affect daytime and nighttime views in the area?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR concluded that future development may introduce new light sources and/or necessitate the use of additional light fixtures and may contribute to existing conditions of light and glare. In addition, the Midway-Pacific Highway CPU PEIR concluded that lighting impacts could occur at existing Multi-Habitat Planning Areas adjacent to the Midway-Pacific Highway Community planning area along the San Diego River. All new development and redevelopment would be required to comply with the 2018 Community Plan Urban Design Element policies that support pedestrian-oriented street lighting with appropriate shielding and low heights to minimize light spillage. The Midway-Pacific Highway CPU PEIR did not address effects related to shade and shadows. Impacts were determined to be **Less than Significant**.

Project-Specific Impact Analysis

Light

The Project would be constructed in a currently developed area with existing sources of light from the San Diego International Sports Arena, commercial development, restaurants, and parking areas.

Project development would result in new sources of light similar to existing sources of light such as exterior building illumination, parks and public space lighting, residential lighting, parking area lighting, new landscaped area lighting, new roadway lighting, and new mixed-use path lighting.

During the day, lighting has limited potential to impact views and neighborhood character. Nighttime lighting would be the primary source of new lighting from the Project. Project implementation would create substantial light that would alter nighttime views of the Project site from the surrounding area. However, the Project would be required to comply with several policies and regulations that would reduce adverse effects.

The Project would be required to comply with the 2018 Community Plan Urban Design Element policies (UD-7.3, UD-7.5, and UD-7.7) that support pedestrian-oriented street lighting with appropriate shielding and low heights to minimize light spillage. In addition, the policies require compliance with design measures for signage and materials that would reduce glare without negatively impacting visibility. Proposed parking structures would be wrapped by building habitable living space on the building structure perimeter to screen potential headlight spillover from adjacent uses.

The Project would also be required to comply with SDMC Section 142.0740, which includes regulations to minimize negative impacts from light pollution (e.g., light trespass, glare, and urban sky glow), and promote lighting design that provides public safety and conserves electrical energy. Additionally, the Project would be required to comply with SDMC Section 142.0730, which limits a maximum of 50 percent of the exterior of a building to be composed of reflective material that has a light reflectivity factor greater than 30 percent (City of San Diego 2021). Refer to Section 5.13, Biological Resources, for additional discussion regarding design features that the Project would implement to reduce bird strikes from light and glare.

With implementation of the required policies, regulations, and guidelines described above, the Project is not anticipated to create substantial light that would adversely affect daytime and nighttime views in the area. Impacts would be **Less than Significant**.

Glare

The Project would be constructed in a currently developed area with existing sources of glare from the sun reflecting off the San Diego International Sports Arena, commercial development, restaurants, and vehicles in the parking areas. Sources of daytime glare include direct beam sunlight and reflections from windows, architectural coatings, glass, and other reflective surfaces. Nighttime illumination and associated glare are generally divided into two sources: stationary and mobile. Stationary sources include structure lighting and decorative landscaping, lighted signs, solar panels, and streetlights. Mobile sources are primarily headlights from motor vehicles.

Project implementation would increase the number of buildings and level of activity on site and, thus, increase associated sources of glare. The Project would include photovoltaic cells (i.e., solar panels) on all

buildings except the entertainment center, which could result in potential glare impacts. However, solar panels face upward resulting in a small likelihood of directly affecting nearby land uses on the ground.

The Project would be required to comply with the policies, regulations, and guidelines described in the Light section (above), including the 2018 Community Plan Urban Design Element policies and the glare regulations outlined in SDMC Section 142.0730 to minimize glare. Therefore, the Project is not anticipated to create substantial glare that would adversely affect daytime and nighttime views in the area. Impacts would be **Less than Significant**.

Shade

The Project would be constructed in a developed area with buildings and existing trees that currently cast shadows and create shade onto adjacent uses during different times of the day. Project implementation would result in the construction of additional buildings, some of which would be taller and denser than the existing buildings, creating more shadows and shade within and around the Project site.

Shading can have both positive effects, such as cooling during warm weather, and negative effects, such as less natural light for solar panels and loss of warming influences during cool weather. The sun's position in the sky during each season influences the length and position of shadows. For example, during the summer, when the sun is higher in the sky, shadows are shorter and during winter, when the sun is lower in the sky, shadows are longer.

To assess the shadow effect of the Project on the Project site and surrounding area, a shadow model was developed to illustrate the predicted shadows from Project development at 9:00 a.m., 12:00 p.m., and 3:00 p.m. during spring (Figure 5.8-17, Spring Predicted Shadow Lengths), summer (Figure 5.8-18, Summer Predicted Shadow Lengths), fall (Figure 5.8-19, Fall Predicted Shadow Lengths), and winter (Figure 5.8-20, Winter Predicted Shadow Lengths), as discussed by season below.

Spring

Figure 5.8-17 displays predicted shadow lengths at 9:00 a.m., 12:00 p.m., and 3:00 p.m. during the spring season. At 9:00 a.m., the Project would cast shadows for a few hours off site toward surrounding commercial, mixed residential and commercial, and business park development to the west. The high-rise building in the northwestern corner would cast a shadow over Hancock Street and a portion of the I-8 east. On site, shadows would be cast over shadow-sensitive uses, including The Square and partially over The Plaza and The Green and portions of proposed Frontier Drive and Kemper Street. At 12:00 p.m., minimal shadows would be cast onto Kurtz Street and Hancock Street to the north. At 3:00 p.m., the Project would cast shadows for a few hours onto existing commercial development at the intersection of Hancock Street and Kurtz Street, existing Kurtz Street, The Green, and The Plaza.

Summer

Figure 5.8-18 displays predicted shadow lengths at 9:00 a.m., 12:00 p.m., and 3:00 p.m. during the summer season. At 9:00 a.m., the Project would cast slight shadows for a few hours off site toward off-site commercial and business park development to the west but would only shade the parking areas. On site, the eastern portion of The Square would be shaded for a few hours. Shadows are minimal at 12:00 p.m. At 3:00 p.m., the Project would cast shadows onto Kurtz Street.

Fall

Figure 5.8-19 displays predicted shadow lengths at 9:00 a.m., 12:00 p.m., and 3:00 p.m. during the fall season. At 9:00 a.m., the Project would cast mid-length shadows toward commercial and business park development to the west and a portion of Hancock Street for a few hours. On site, the Project would cast shadows over the majority of The Square (a shadow-sensitive use) and portions of the proposed Kemper Street and Frontier Drive for a few hours in the morning. Shadows are minimal at 12:00 p.m. but are cast partially onto Kurtz Street, The Green, and the northern portion of The Square. At 3:00 p.m., the Project would cast shadows for a few hours onto the commercial development at the intersection of Hancock Street and Kurtz Street, portions of Kurtz Street, The Green, and The Plaza until sunset.

Winter

Figure 5.8-20 displays predicted shadow lengths at 9:00 a.m., 12:00 p.m., and 3:00 p.m. during the winter season. Shadow lengths would be the longest during winter and shade the shadow-sensitive uses (parks) for several hours at various times throughout the day. At 9:00 a.m., the Project would cast shadows onto commercial and business park development to the west and portions of Hancock Street and Kurtz Street. The high-rise building shadow would extend across both eastbound and westbound of the I-8. On site, the Project would cast temporary shadows on the majority of The Green, The Plaza, The Square, paseo greens, and paseo greenways on the Project site. Shadows at 12:00 p.m. would be cast onto eastbound I-8 and portions of Kurtz Street and Hancock Street. On site, portions of The Green, The Plaza, and the northern portion of The Square would be shaded. At 3:00 p.m., the Project would cast shadows over the commercial development at the intersection of Hancock Street and Kurtz Street and along Kurtz Street, the majority of Kurtz Street, and commercial and office development adjacent to the Project site on Kurtz Street. On site, shadows would almost completely cover The Green and The Plaza, and portions of Kemper Street, Frontier Drive, and The Square for at least 6 hours.

Summary

During all four seasons, the Project would cast shadows toward surrounding commercial business park development and existing roadways in the northern and western directions. The Project would also cast shadows onto shadow-sensitive uses, including parks or public space areas on the Project site. The shadow effect is minor during the summer when the sun is higher in the sky and the shadows are shorter, and the shadow effect is moderate during the spring and fall. The shadow

effect is most prevalent during the winter when the sun is lower in the sky, and the shadows are longer. Because the Project would shade existing surrounding development, the Project could potentially affect solar panels, which have been installed or could be installed in the future. Solar panels are typically located on building rooftops to collect sunlight to supplement the energy used within the building. Most off-site development west and north of the Project site, where shadows would be cast during certain times of the day and year, consists of commercial/office buildings with multiple tenants and multi-family housing, which do not typically install solar panels because it would be difficult to determine who would receive the benefits. Therefore, the Project would not be expected to result in impacts to off-site solar panels.

Similar to surrounding development and typical of mid-rise urban development, the shadows or shade from Project buildings would change throughout the day with the movement of the sun. Most of the on-site parks would not be shaded for more than a few hours per day because the shadows would change throughout the day with the sun's movement. Only The Green and The Plaza would be shaded for at least 6 hours in winter. The adjacent land uses affected by shading from Project buildings are primarily commercial uses and roadways, which are not considered sensitive land uses. Therefore, impacts would be **Less than Significant**.

In summary, Project implementation would create light, glare, and shade, but it would not adversely affect daytime and nighttime views in the area. The Project would be required to comply with policies, regulations, and guidelines that minimize light and glare impacts, and the surrounding land uses are primarily commercial and are not considered sensitive to increased light, glare, and shade from Project development. Moreover, in accordance with SB 743, the potential aesthetic or visual impacts from Project implementation would not be considered a significant impact on the environment because the Project is a residential and mixed-use development in a TPA (refer to Figure 2-10). Therefore, impacts would be **Less than Significant**.

5.8.5 Significance of Impacts

5.8.5.1 Issue 1: Scenic Vistas or Views

Implementation of the Project would alter some views of the Project site in the Midway-Pacific Highway Community planning area from some public viewing locations, but it would not result in a major obstruction of a vista or scenic view from a public viewing area. Of the 15 public KVPs evaluated, the degree of change and viewer sensitivity to the increased bulk and scale (density and height) was the highest from the San Diego River Trail, Sports Arena Boulevard, and Kurtz Street. In accordance with SB 743, the potential aesthetic or visual impacts on scenic vistas and views would not be considered a significant impact on the environment because the Project is a residential and mixed-use development in a TPA (refer to Figure 2-10). Therefore, impacts related to scenic vistas or views would be **Less than Significant**.

5.8.5.2 Issue 2: Neighborhood Character

Implementation of the Project would not negatively or substantially alter the existing character of the City's distinct neighborhoods, including the Sports Arena Village in the Midway District, and where the Project site is located. Although the height and scale of Project development would alter the existing character of the area, the Project would be consistent with the planned character of the community plan, would "revitalize" the Midway District neighborhood, and would redevelop the Project site with entertainment, retail, restaurant, residential, recreational, public, and park uses. In accordance with SB 743, the potential aesthetic or visual impacts on scenic vistas and views would not be considered a significant impact on the environment because the Project is a residential and mixed-use development in a TPA (refer to Figure 2-10). Therefore, impacts related to neighborhood character would be **Less than Significant**.

5.8.5.3 Issue 3: Distinctive or Landmark Trees

Implementation of the Project would not result in the loss of distinctive or landmark trees or a stand of mature trees on the Project site. Although Project implementation would remove existing trees currently on the Project site, they are non-native trees used for ornamental landscaping. The Project includes a comprehensive street tree and landscape plan that would replace trees at a minimum ratio of 1:1 on the Project site. Impacts would be **Less than Significant**.

5.8.5.4 Issue 4: Landform Alteration

Implementation of the Project would not result in a substantial change in the existing landform. The Project site is relatively flat, currently developed with urban land uses, and does not have any distinct landform or site features. Impacts related to landform alteration would be **Less than Significant**.

5.8.5.5 Issue 5: Light, Glare, and Shade

Implementation of the Project would create light, glare, and shade; but it would not adversely affect daytime and nighttime views in the area. The Project would cast shadows onto shadow-sensitive uses, including parks or public space areas, on the Project site. However, most of the on-site parks would not be shaded for more than a few hours because the shadows would continue to change throughout the day with the sun's movement. Only The Green and The Plaza would be shaded for at least 6 hours in winter. In addition, no off-site shade-sensitive uses occur in the areas surrounding Project site where shadows would be cast. The Project would be required to comply with policies, regulations, and guidelines that minimize light and glare impacts, and the surrounding land uses are primarily commercial and are not considered sensitive to increased light, glare, and shade from Project development. Impacts relative to light, glare, and shade would be **Less than Significant**.

5.8.6 Mitigation

No significant impacts were identified; therefore, no mitigation is required.

5.8.7 Significance of Impacts after Mitigation

5.8.7.1 Issue 1: Scenic Vistas or Views

Less than Significant.

5.8.7.2 Issue 2: Neighborhood Character

Less than Significant.

5.8.7.3 Issue 3: Distinctive or Landmark Trees

Less than Significant.

5.8.7.4 Issue 4: Landform Alteration

Less than Significant.

5.8.7.5 Issue 5: Light, Glare, and Shade

Less than Significant.

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Key Map

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Figure 5.8-1

Key Map

Midway Rising

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Source: CityThinkers 2024.

Figure 5.8-2

KVP 1 - View South from Sea World Drive Overpass

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Source: CityThinkers 2024.

Figure 5.8-3

KVP 2 - View South from Fiesta Island Road

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Source: CityThinkers 2024.

Figure 5.8-4

KVP 3 - View Southeast from Old Sea World Drive

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Source: CityThinkers 2024.

Figure 5.8-5

KVP 4 - View East from Robb Athletic Field

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Figure 5.8-6

KVP 5 - View Southeast from San Diego River Trail

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Source: CityThinkers 2024.

Figure 5.8-7

KVP 6 - View West from Presidio Park

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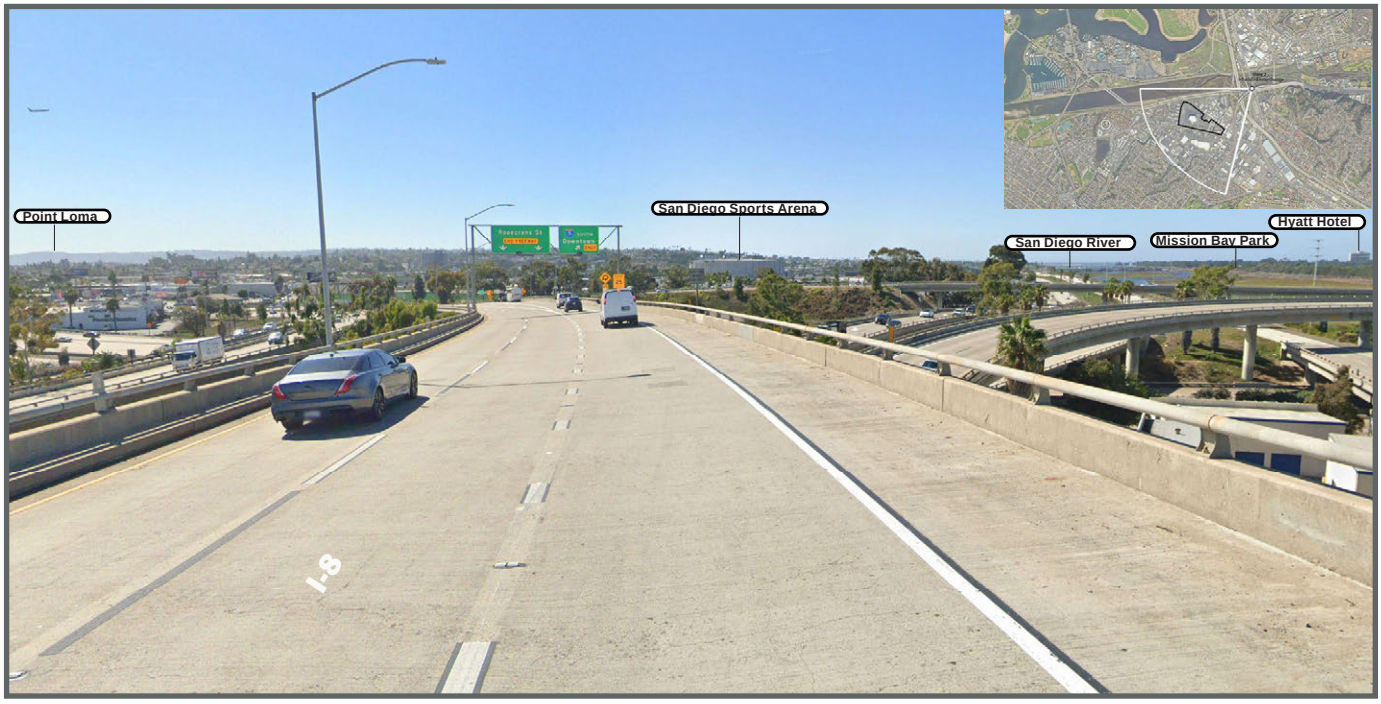

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Source: CityThinkers 2024.

Figure 5.8-8

KVP 7 - View from I-5/I-8 Interchange

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Existing Condition

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Source: CityThinkers 2024.

Figure 5.8-9

KVP 8 - View Northeast from Sports Arena Boulevard

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Existing Condition

Proposed Condition

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Source: CityThinkers 2024.

Figure 5.8-10

KVP 9 - View Northwest from Sports Arena Boulevard

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Existing Condition

Proposed Condition

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Figure 5.8-11

KVP 10 - View West from 3253 Kurtz Street

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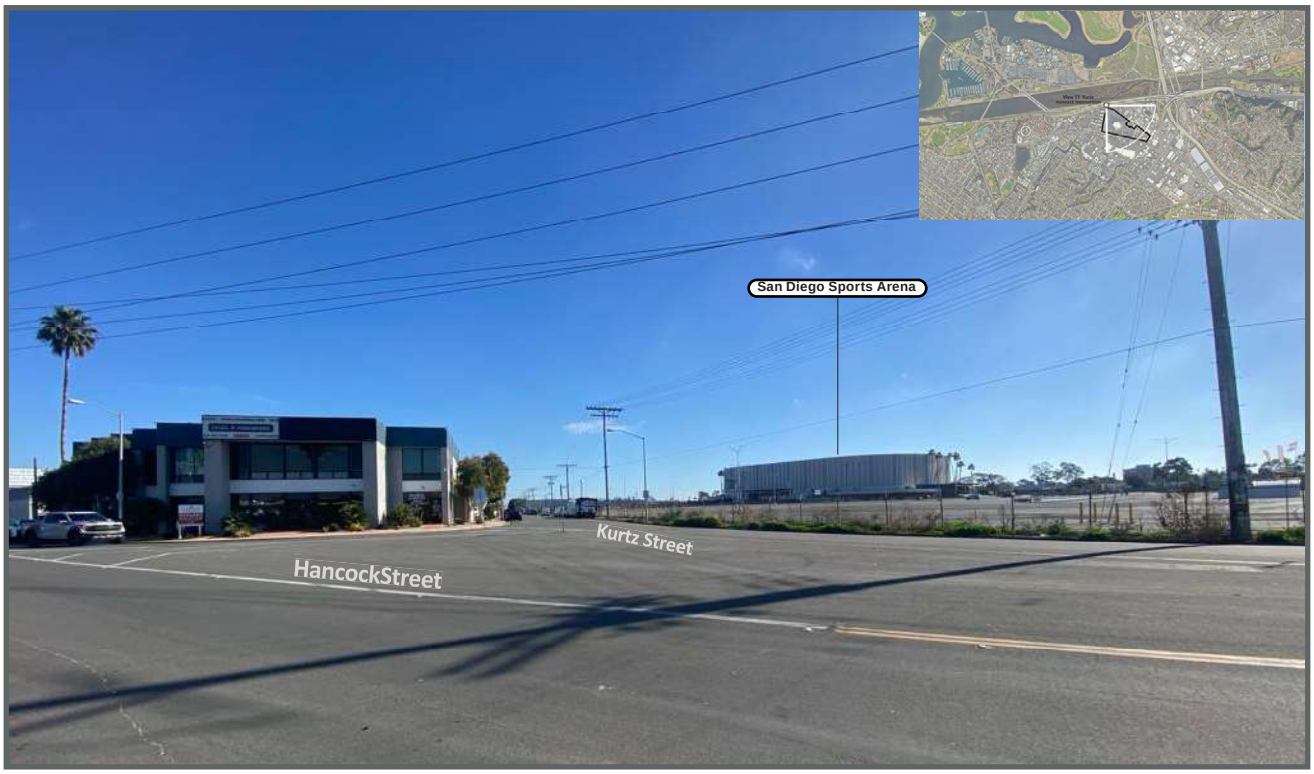
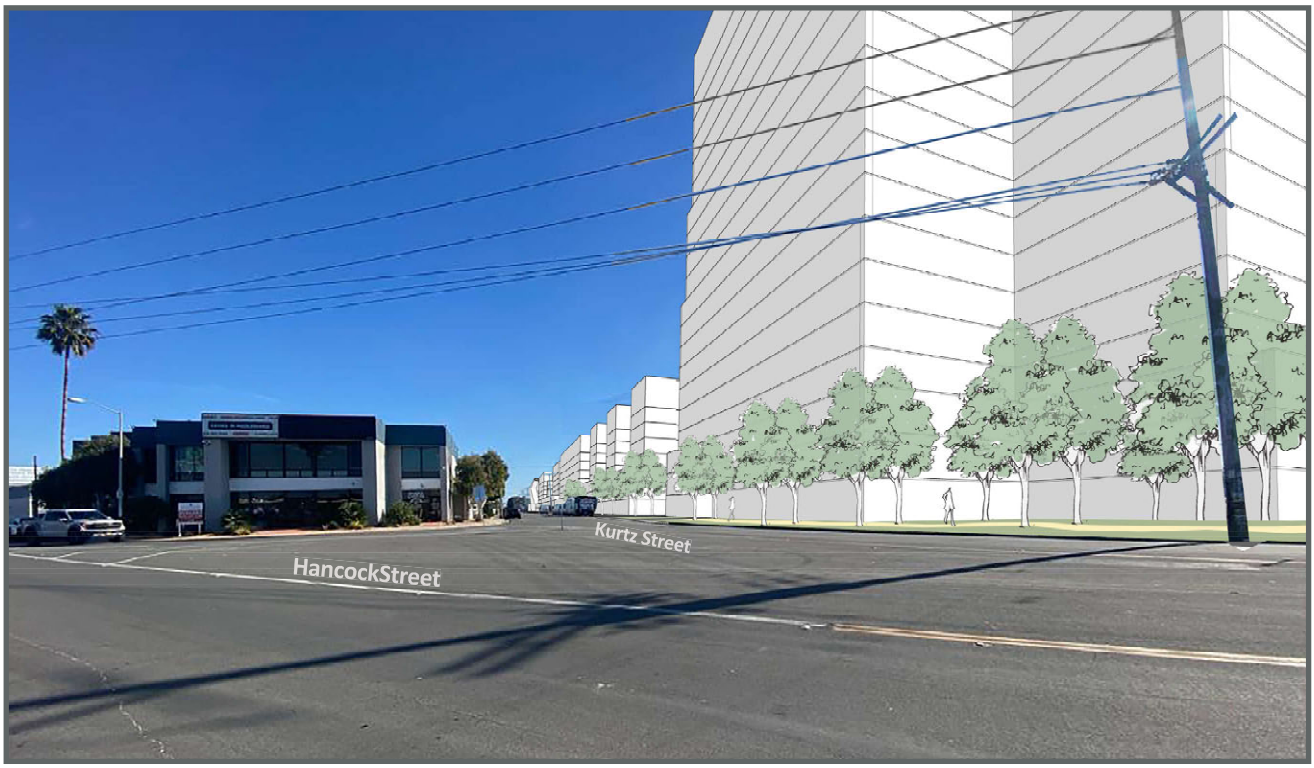


Proposed Condition



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Source: CityThinkers 2024.

Figure 5.8-12

KVP 11 - View Southeast from Kurtz Street/Hancock Street Intersection

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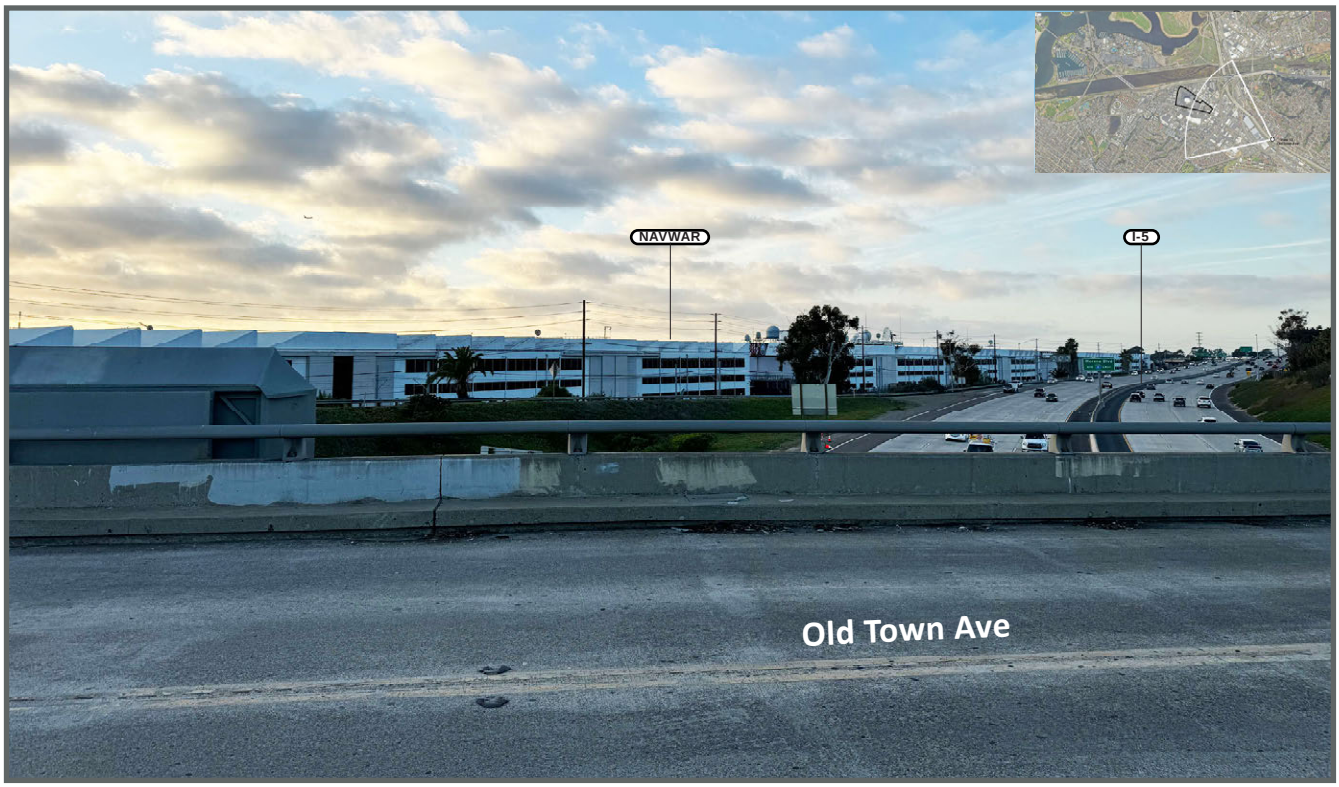

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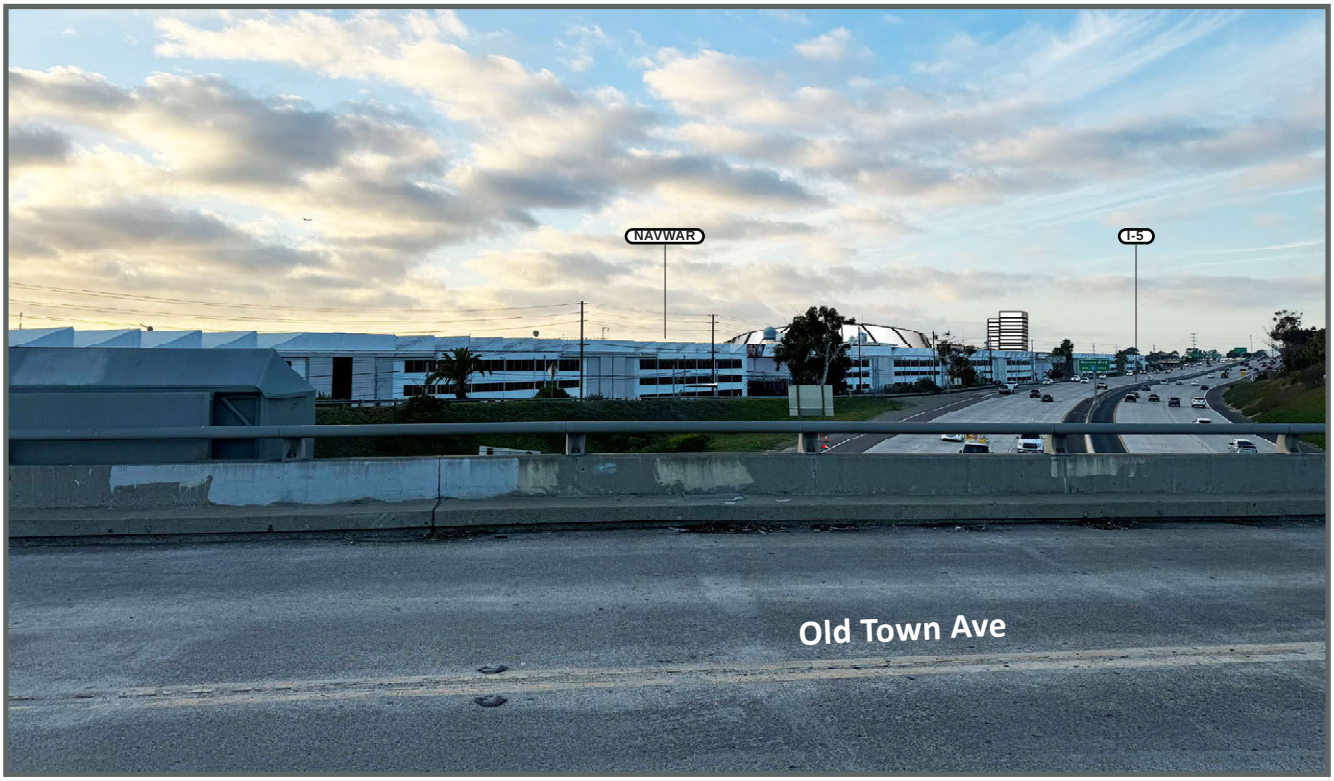

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Figure 5.8-13

KVP 12 - View Northwest from Old Town Avenue Bridge

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Existing Condition

Proposed Condition

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Source: CityThinkers 2024.

Figure 5.8-14

KPV 13 - View North from Rosecrans Street/Lytton Street Intersection

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Existing Condition

Proposed Condition

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Source: CityThinkers 2024.

Figure 5.8-15

KVP 14 - View Northeast from Kemper Street/Kenyon Street Intersection

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Existing Condition

Proposed Condition

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Source: CityThinkers 2024.

Figure 5.8-16

KVP 15 - View East from Famosa Slough at Rialto Street/Famosa Boulevard Intersection

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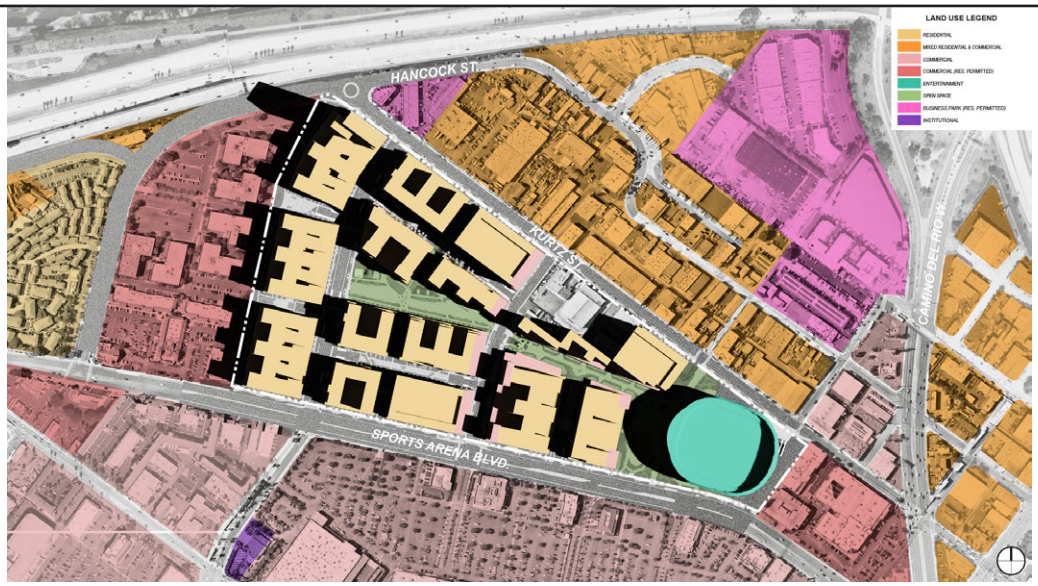

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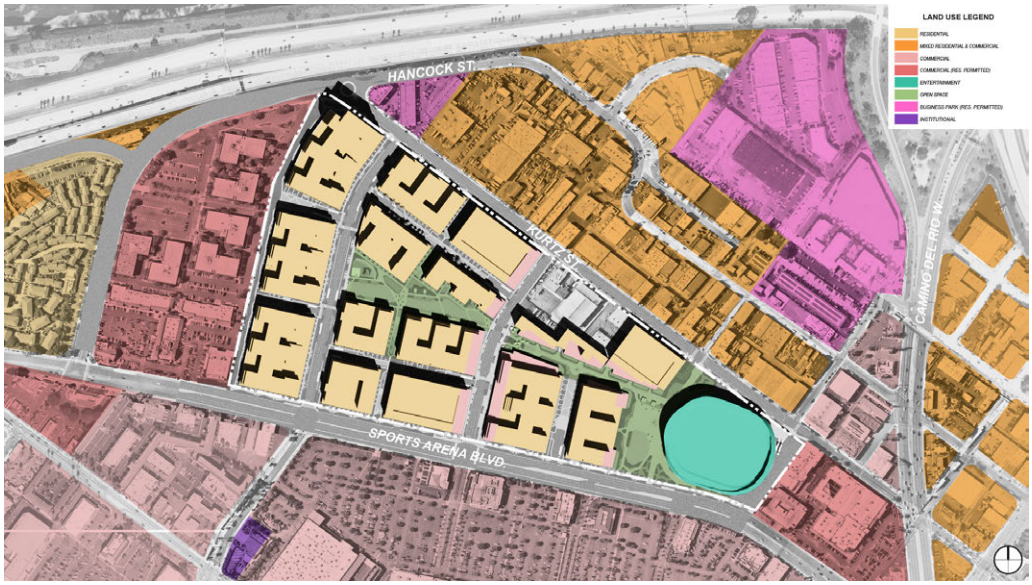

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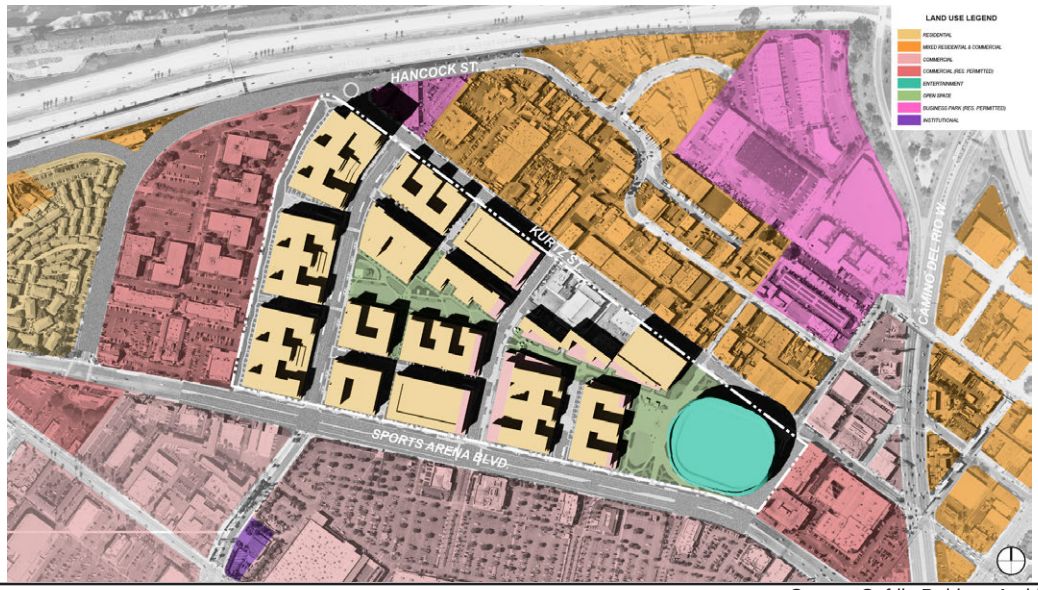

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Figure 5.8-17

Spring Predicted Shadow Lengths

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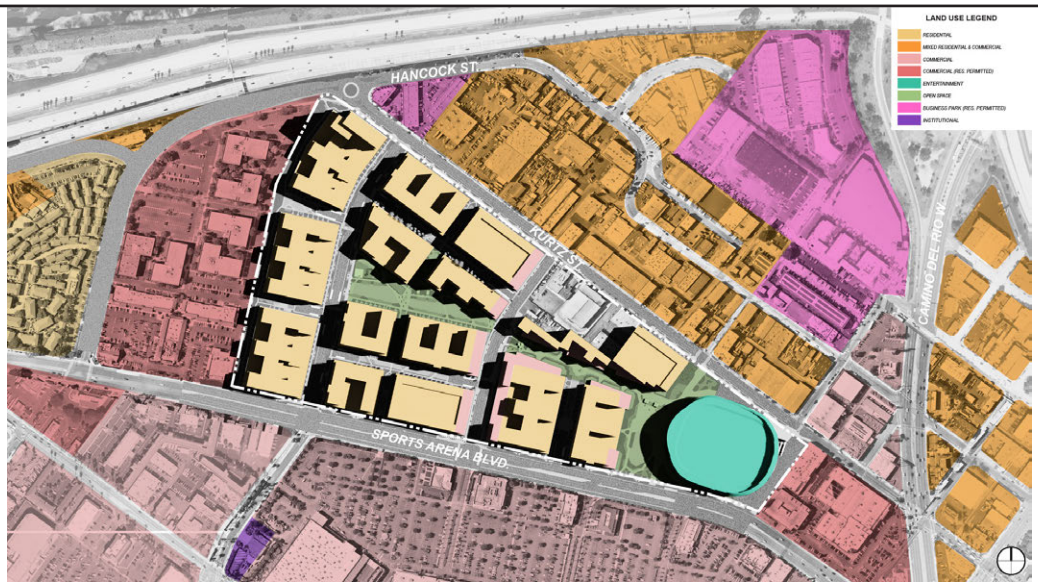

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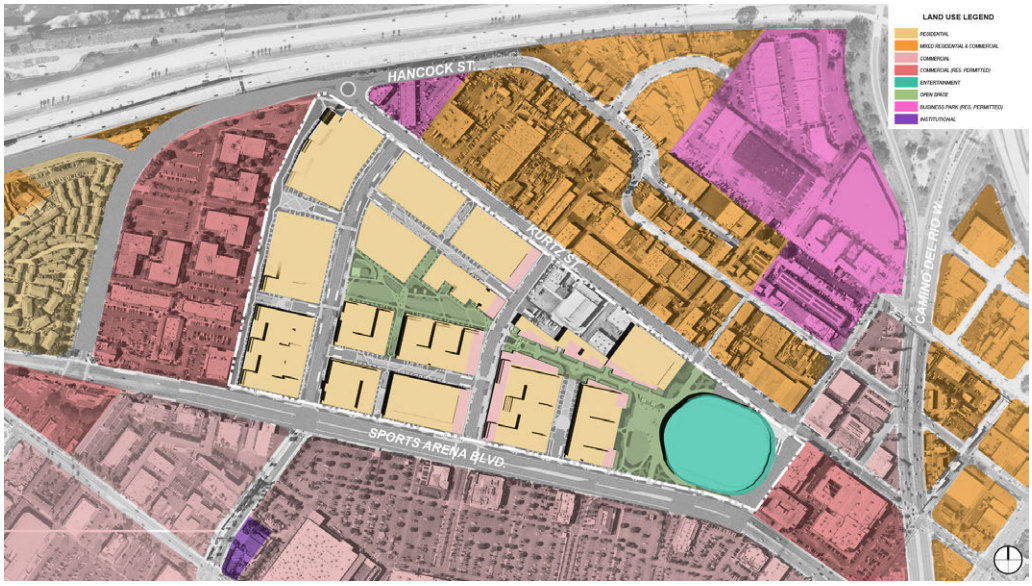

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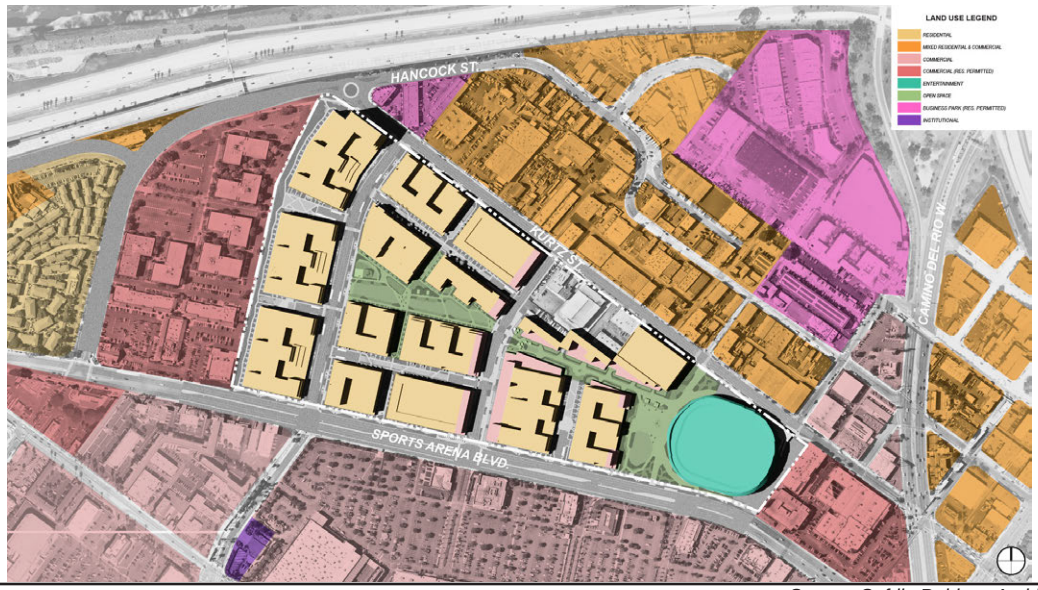

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Figure 5.8-18

Summer Predicted Shadow Lengths

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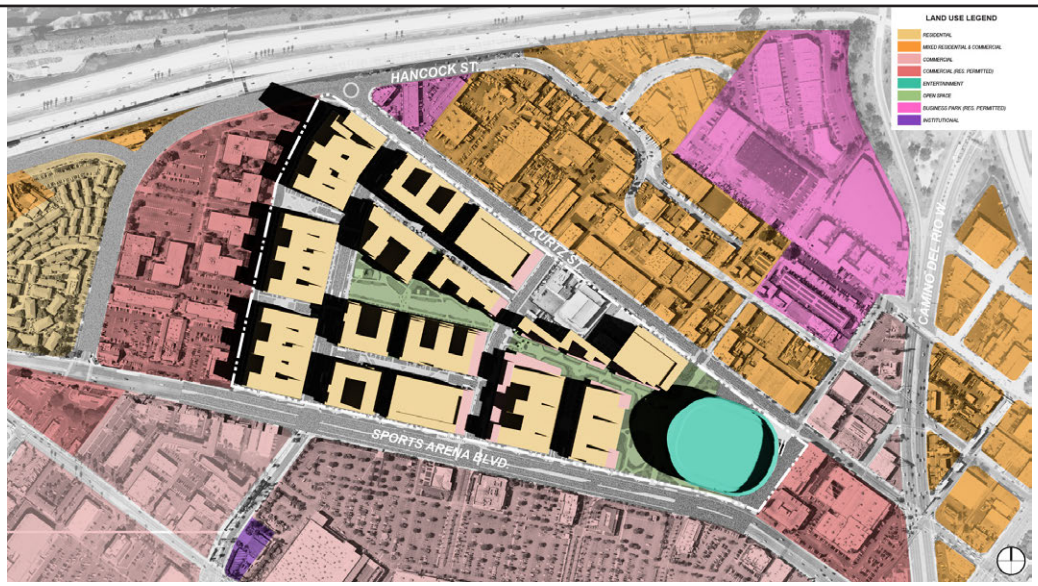

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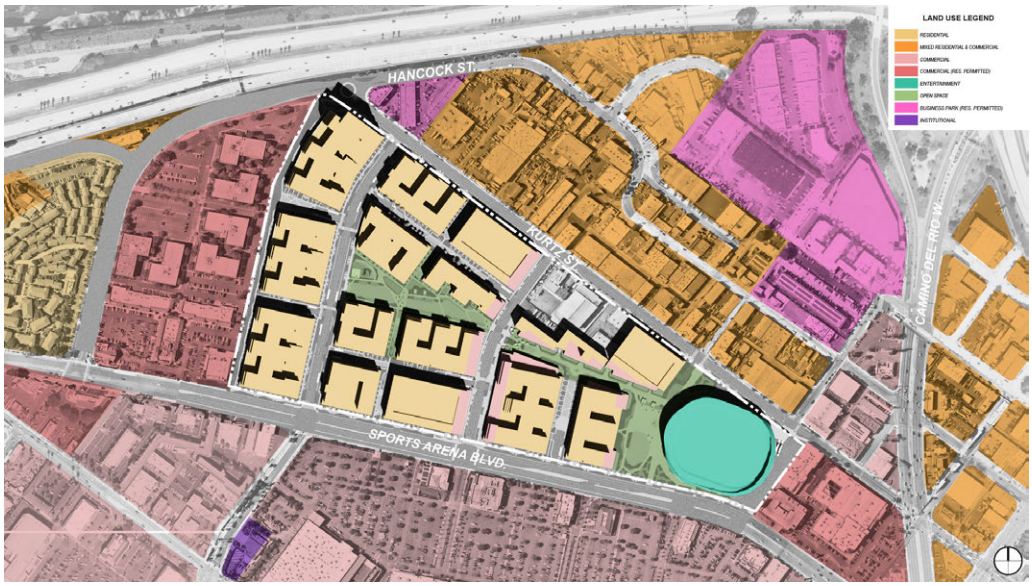

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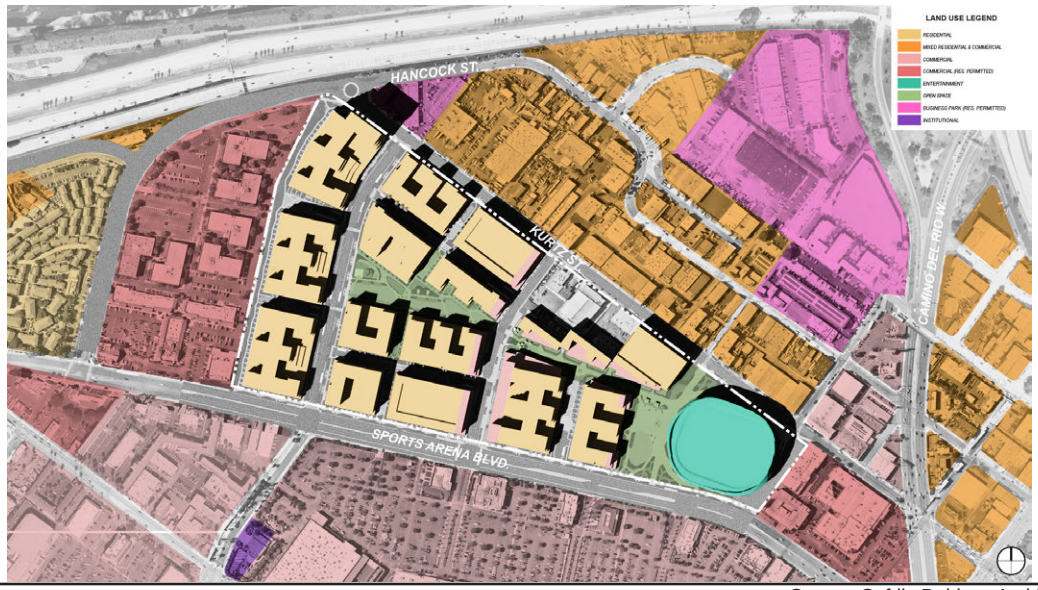

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Source: Safdie Rabines Architects 2024.

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Figure 5.8-19

Fall Predicted Shadow Lengths

Midway Rising

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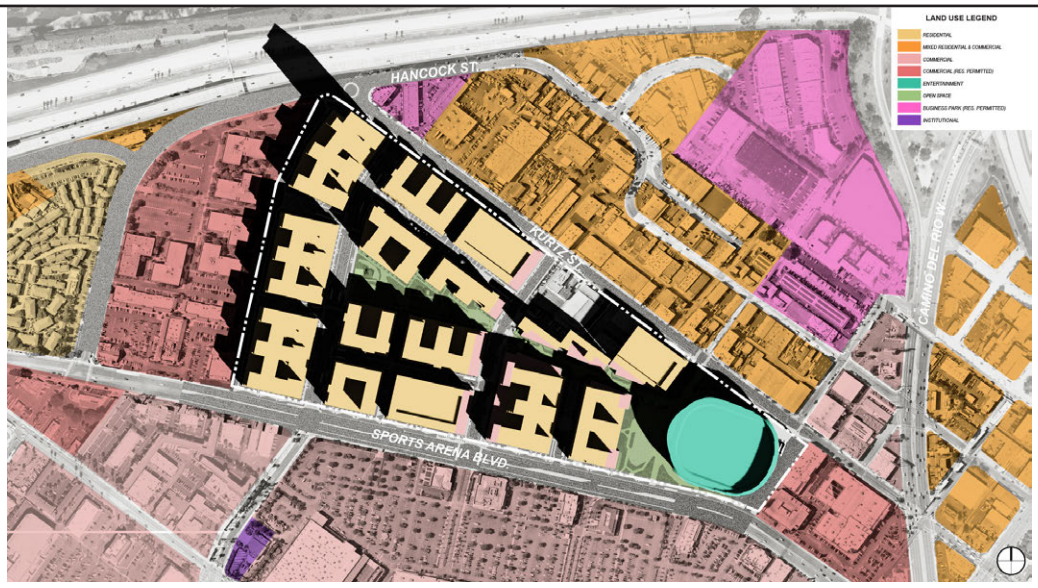

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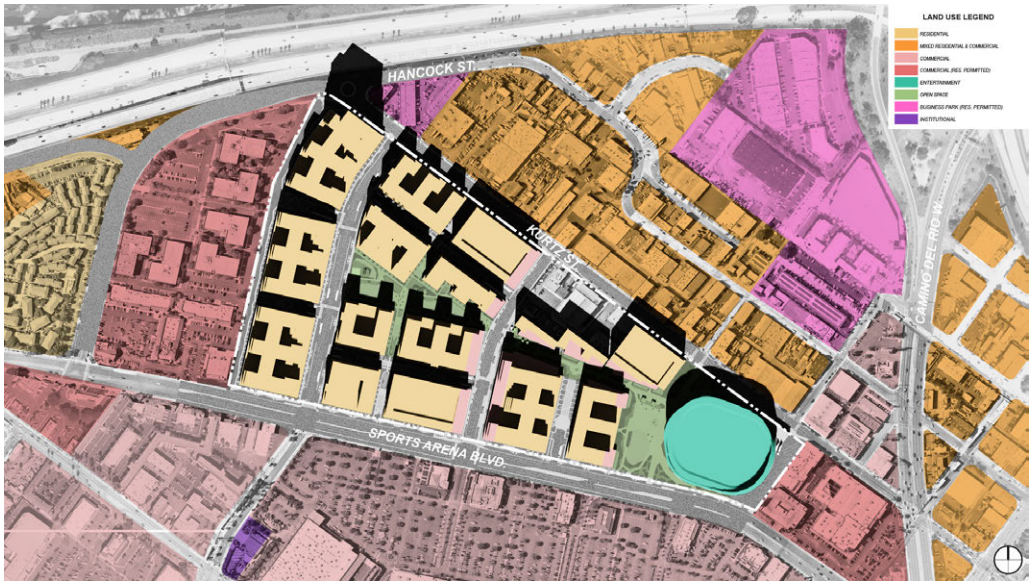

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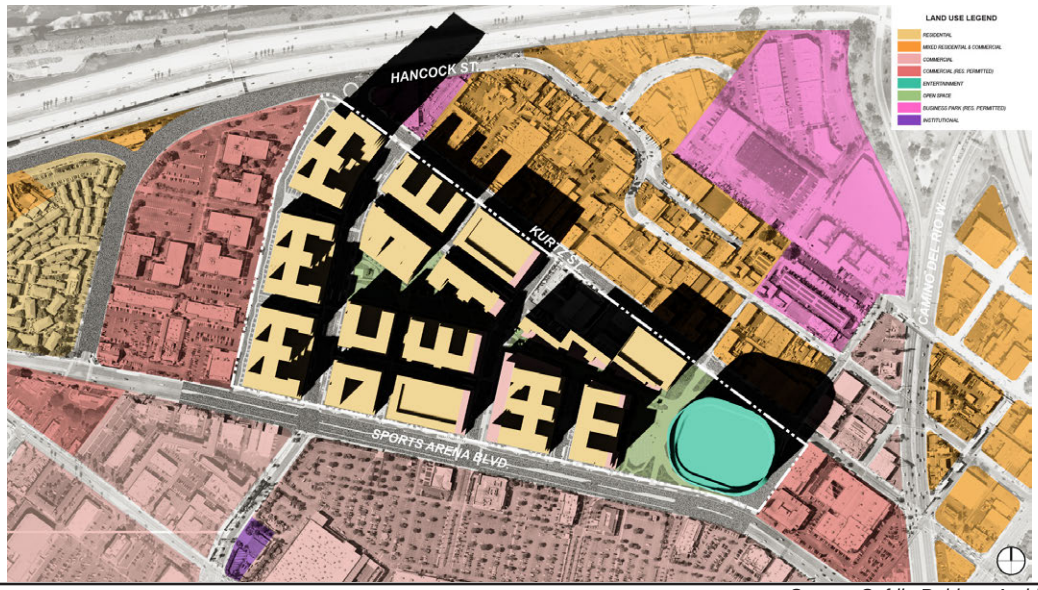

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Feet

Figure 5.8-20

Winter Predicted Shadow Lengths

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5.9 Air Quality

This Subsequent Environmental Impact Report (SEIR) section describes the existing air quality conditions on the Midway Rising Project (Project) site and evaluates the potential for implementation of the Project to impact air quality.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR), included as Appendix B of this SEIR
- Air Quality Technical Report and Health Risk Assessment prepared by Harris & Associates (2024), included as Appendix K1 of this SEIR
- Privately Owned Parcels and Effects on the Air Quality Technical Report and Health Risk Assessment Memorandum prepared by Harris & Associates (2024), included as Appendix K2 of this SEIR
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018)

As described in greater detail in Chapter 4.0, History of Project Changes, the Project footprint was decreased from 52.1 to 49.23 acres to remove the privately owned parcels (sometimes referred to as the outparcels) from the Midway Rising Specific Plan (Specific Plan). As a result, the total number of residential units was decreased from 4,627 to 4,254, and the total ~~retail~~ commercial square footage was decreased from 140,000 to 130,000 square feet. Air quality modeling results presented below are based on buildout of the Project footprint, including development of the privately owned parcels, which represents a conservative analysis because it evaluates a larger Project than what is currently proposed. Refer to Appendix K2 for a detailed description of how the analysis below presents a conservative analysis of Project impacts.

5.9.1 Existing Conditions

The Midway-Pacific Highway Community planning area, including the Project site, is within the San Diego Air Basin (SDAB) of the San Diego County Air Pollution Control District (SDAPCD) (City of San Diego 2018). The following sections summarize meteorological conditions on the Project site and in the surrounding area, as well as pollutants of concern.

5.9.1.1 Climate and Meteorology

The San Diego region, including the Project site, is influenced by its proximity to the Pacific Ocean and semi-permanent high-pressure systems that result in warm, dry summers, and mild winters. The Midway-Pacific Highway Community planning area is subject to frequent offshore breezes. The mean annual temperature recorded at the closest monitoring location at the San Diego International Airport, near Downtown San Diego and Midway-Pacific Highway, is 64 degrees

Fahrenheit (°F). The average annual precipitation for the area is approximately 10 inches, falling primarily from November through April. Winter mean low temperatures average 49°F, and summer mean high temperatures average 74°F (City of San Diego 2018).

The dominant meteorological feature affecting the region is the Pacific High Pressure Zone, which produces the prevailing westerly to northwesterly winds. The high-pressure cell creates subsidence inversions, also known as temperature inversions, which occur during the warmer months as descending air associated with the Pacific high-pressure cell encounters cool marine air. The boundary between the two layers of air creates a temperature inversion that traps pollutants. In addition, the region experiences daytime onshore flow and nighttime offshore flow, which leads to emissions being blown out to sea at night and returning to land the following day. Under certain conditions, this atmospheric oscillation results in the offshore transportation of air and pollutants from the Los Angeles region to the County of San Diego (County), which typically results in higher ozone (O_3) concentrations being measured in the County (County of San Diego 2007).

5.9.1.2 Air Pollutants

Historically, air quality laws and regulations have divided air pollutants into two broad categories: criteria air pollutants and toxic air contaminants (TACs). Criteria air pollutants are a group of common air pollutants regulated by the federal and state governments by means of ambient standards based on criteria regarding health and environmental effects of pollution. TACs are pollutants with the potential to cause significant adverse health effects. The U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) adopted air quality standards for criteria pollutants to protect health and the environment, as described in Section 5.9.2, Regulatory Framework. In California, CARB identifies exposure thresholds for TACs that indicate levels below which no significant adverse health effects are anticipated from individual exposure to the identified substance. However, no thresholds are specified for TACs found to have no safe exposure level or where insufficient data are available to identify an exposure threshold (Appendix K1).

Criteria Air Pollutants

The criteria air pollutants pertinent to the analysis are carbon monoxide (CO), nitrogen oxides (NO_x), O_3, particulate matter, and sulfur dioxide (SO_2). The following describes the health effects for each of these criteria air pollutants. Lead is also a criteria pollutant. However, emissions from lead typically result from industrial processes such as ore and metals processing and leaded aviation gasoline (USEPA 2024a). These sources are not proposed as part of the Project; therefore, lead emissions are not included in this analysis.

Carbon Monoxide (CO). CO is a colorless, odorless, poisonous gas produced by combustion processes, primarily mobile sources. When CO gets into the body, it combines with chemicals in the blood and prevents blood from providing oxygen to cells, tissues, and organs. Because the body requires oxygen for energy, high-level exposure to CO can cause serious health effects, including death (USEPA 2024b).

Nitrogen Oxides (NO_x). NOx is a general term pertaining to compounds including nitric oxide, nitrogen dioxide (NO_2), and other oxides of nitrogen. NO_x is produced from burning fuels, including gasoline, diesel, and coal. NO_x reacts with volatile organic compounds (VOC)s to form ground-level O_3 (smog). NO_x is linked to a number of adverse respiratory systems effects (USEPA 2023).

Ozone (O_3). Ground-level O_3 is not emitted directly into the air but is formed by chemical reactions of "precursor" pollutants (NO_x and VOCs) in the presence of sunlight. Major emissions sources include NO_x and VOC emissions from industrial facilities and electric utilities, motor vehicle exhaust, gasoline vapors, and chemical solvents. O_3 can trigger a variety of health problems, particularly for sensitive receptors, including children, older adults, and people of all ages who have lung diseases, such as asthma (USEPA 2024c).

Particulate Matter (PM_{10} and $PM_{2.5}$). Particulate matter includes dust, metals, organic compounds, and other tiny particles of solid materials that are released into and move around in the air. Particulates are produced by many sources, including the burning of diesel fuels by trucks and buses, industrial processes, and fires. Particulate pollution can cause nose and throat irritation and heart and lung problems. Particulate matter is measured in microns, which are 1 millionth of 1 meter in length (or 1 thousandth of 1 millimeter). PM_{10} is small (i.e., respirable) particulate matter measuring no more than 10 microns in diameter, while $PM_{2.5}$ is fine particulate matter measuring no more than 2.5 microns in diameter (CARB 2024).

Sulfur Dioxide (SO_2). SO_2 is formed primarily by the combustion of sulfur-containing fossil fuels, especially at power plants and industrial facilities. SO_2 is linked to a number of adverse effects on the respiratory system (USEPA 2024d).

Toxic Air Contaminants

The two primary emissions of concern regarding health effects for land development projects are CO and diesel particulate matter (DPM). The health effects of CO are described above. DPM is a mixture of many exhaust particles and gases that is produced when an engine burns diesel fuel. Compounds found in diesel exhaust are carcinogenic. Some short-term (acute) effects of diesel exhaust exposure include eye, nose, throat, and lung irritation and headaches and dizziness. Long-term exposure is linked to the increased risk of cardiovascular, cardiopulmonary, and respiratory disease and lung cancer (OSHA 2013).

5.9.1.3 Existing Air Quality

The following section describes ambient air quality on the Project site and in the surrounding area.

Air Quality Monitoring Data

Air quality at a particular location is a function of the kinds, amounts, and dispersal rates of pollutants being emitted into the air locally and throughout the basin. The major factors affecting

pollutant dispersion are wind speed and direction, the vertical dispersion of pollutants (which is affected by inversions), and the local topography.

Air quality is commonly expressed as the number of days in which air pollution levels exceed state standards set by the CARB or federal standards set by the USEPA. The SDAPCD maintains 11 air quality monitoring stations throughout the greater San Diego metropolitan region. Air pollutant concentrations and meteorological information are continuously recorded at these 11 stations. Measurements are then used by scientists to help forecast daily air pollution levels (City of San Diego 2018).

The closest air quality monitoring station to the Project site that monitors O_3, $PM_{2.5}$, and NO_x is the San Diego – Sherman Elementary School monitoring station, approximately 6 miles southeast of the Project site. Table 5.9-1, Air Quality Monitoring Data, presents a summary of the highest pollutant concentrations monitored during the 3 most recent years (2020 through 2022) for which the SDAPCD has reported data for the station. No CO data is available from any monitoring site in the SDAB after 2012, no SO_2 data is available after 2013, and no PM_{10} data is available after 2019.

Table 5.9-1. Air Quality Monitoring Data

Pollutant	Monitoring Station	2020	2021	2022
O3				
Maximum 1-hour concentration (ppm)	San Diego – Sherman Elementary School	0.115	0.076	0.087
Days above 1-hour state standard (>0.09 ppm)		2	0	0
Maximum 8-hour concentration (ppm)		0.088	0.063	0.063
Days above 8-hour state standard (>0.07 ppm)		3	0	0
Days above 8-hour federal standard (>0.075 ppm)		3	0	0
$PM_{2.5}$				
Peak 24-hour concentration ($\mu g/m^3$)	San Diego – Sherman Elementary School	51.9	25.6	20.8
Days above federal standard (>35 $\mu g/m^3$)		6	0	0
NO_2				
Peak 1-hour concentration (ppm)	San Diego – Sherman Elementary School	53	54	53.8
Days above state 1-hour standard (0.18 ppm)		0	0	0

Source: Appendix K1.

Notes: $\mu g/m^3$ = micrograms per cubic meter; NO_2 = nitrogen dioxide; O_3 = ozone; $PM_{2.5}$ = fine particulate matter; ppm = parts per million

As shown in Table 5.9-1, the 1-hour O_3 concentration exceeded the state standard twice in 2020, and no violations occurred in 2021 or 2022. The 8-hour O_3 concentration exceeded both the state and federal standards in 2020, but no violations occurred in 2021 or 2022. The federal 24-hour $PM_{2.5}$ standard was violated for 6 days in 2020 but was not exceeded in 2021 or 2022. Neither the state nor federal standards for NO_2 were exceeded from 2020 through 2022.

Regional Background Toxic Air Pollutants

As reported in the Midway-Pacific Highway CPU PEIR, data from the SDAPCD monitoring stations in the Cities of El Cajon and Chula Vista indicated that the background cancer risk in 2008 due to air toxics was 135 in 1 million in Chula Vista and 150 in 1 million in El Cajon in 2008. There is no current methodology for directly measuring DPM concentrations. Based on CARB estimates, DPM emissions could add an additional 420 in 1 million to the ambient cancer risk levels in the County. Thus, the combined background ambient cancer risk due to air toxins in the urbanized areas of the County could potentially range from around 555 to 570 in 1 million (City of San Diego 2018). As such, DPM is the air toxin of primary concern on a regional basis.

Existing Site Emissions

The Project site is currently a source of criteria air pollutant emissions from operation of existing commercial and entertainment land uses. Existing emissions from area (consumer products and landscaping) and energy demand (natural gas use) were calculated using the California Emissions Estimator Model (CalEEMod) based on default assumptions, as described in Appendix K1. Stationary equipment includes emergency generators, as described in the Air Quality Technical Report and Health Risk Assessment (Appendix K1). Table 5.9-2, Existing Site Operation Emissions (pounds/day), provides estimated existing emissions from site operation. The Project's impact on regional emissions related to vehicle emissions is based on its impact on Citywide vehicle miles traveled (VMT). Existing vehicle emissions were estimated using the CARB Emissions Factor (EMFAC) model and are provided in Table 5.9-2.

Table 5.9-2. Existing Site Operation Emissions (pounds/day)

Emissions Source	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Area	13.6	0.16	19.4	<0.005	0.03	0.03
Energy	0.13	2.31	1.94	0.01	0.18	0.18
Stationary	1.64	7.34	4.18	0.01	0.24	0.24
Total Site Emissions	**15.37**	**9.81**	**25.52**	**0.02**	**0.45**	**0.45**
Citywide Mobile Emissions	22,444	42,942	207,304	358	2,403	1,176

Source: Appendix K1.

5.9.2 Regulatory Framework

This section describes the federal, state, regional, and local regulatory framework adopted to address air quality.

5.9.2.1 Federal

Clean Air Act

The Clean Air Act (CAA) of 1970 is the comprehensive federal law that regulates air emissions from stationary and mobile sources. The CAA authorizes the USEPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants. Current NAAQS are listed in Table 5.9-3, State and Federal Ambient Air Quality Standards. The USEPA classifies air basins (or portions of air basins) as being in "attainment," "non-attainment," or "unclassified" for each criteria air pollutant based on if the NAAQS have been achieved. If an area is designated as unclassified, it is because inadequate air quality data was available as a basis for a non-attainment or attainment designation. The USEPA classifies the SDAB as in attainment for the federal CO, NO_2, lead, $PM_{2.5}$, and SO_2 standards. It is unclassifiable for PM_{10} with respect to the NAAQS. The SDAB is classified as in moderate non-attainment for O_3. Table 5.9-4, San Diego Air Basin Attainment Status, lists the attainment status of the SDAB for the criteria air pollutants.

Table 5.9-3. State and Federal Ambient Air Quality Standards

Pollutant	Averaging Time	State Standards[a]	Federal Standards[b]	
		Concentration[c]	Primary[c, d]	Secondary[c, e]
O_3[f]	1-hour	0.09 ppm (180 µg/m^3)	—	Same as primary standards
	8-hour	0.070 ppm (137 µg/m^3)	0.070 ppm (137 µg/m^3)	
PM_{10}[g]	24-hour	50 µg/m^3	150 µg/m^3	Same as primary standards
	Annual arithmetic mean	20 µg/m^3	—	
$PM_{2.5}$[g]	24-hour	—	35 µg/m^3	Same as primary standards
	Annual arithmetic mean	12 µg/m^3	9 µg/m^3	15 µg/m^3
CO	8-hour	9 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	None
	1-hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	

Table 5.9-3. State and Federal Ambient Air Quality Standards

Pollutant	Averaging Time	State Standards[a]	Federal Standards[b]	
		Concentration[c]	Primary[c, d]	Secondary[c, e]
NO_2[h]	Annual arithmetic mean	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)	Same as primary standard
	1-hour	0.18 ppm (470 mg/m^3)	100 ppb (188 µg/m^3)	
SO_2[i]	Annual arithmetic mean	—	0.030 ppm (for certain areas)	—
	24-hour	0.04 ppm (105 µg/m^3)	0.14 ppm (for certain areas)	—
	3-hour	—	—	0.5 ppm (1300 µg/m^3)
	1-hour	0.25 ppm (655 µg/m^3)	75 ppb (196 µg/m^3)	—
Lead[j, k]	30-day average	1.5 µg/m^3	—	—
	Calendar quarter	—	1.5 µg/m^3 (for certain areas)	Same as primary standard
	Rolling 3-month average[g]	—	0.15 µg/m^3	
Sulfates	24-hour	25 µg/m^3	No federal standards	
Hydrogen sulfide	1-hour	0.03 ppm (42 µg/m^3)	No federal standards	
Vinyl chloride[j]	24-hour	0.01 ppm (26 µg/m^3)	No federal standards	

Sources: CARB 2016; USEPA 2024e.

Notes: µg/m^3 = micrograms per cubic meter; CO = carbon monoxide; mg/m^3 = micrograms per cubic meter; NO_2 = nitrogen dioxide; O_3 = ozone; PM_{10} = respirable particulate matter; $PM_{2.5}$ = fine particulate matter; ppb = parts per billion; ppm = parts per million; SO_2 = sulfur dioxide

[a] State standards for O_3, CO, SO_2 (1-hour and 24-hour), NO_2, PM_{10}, $PM_{2.5}$, and visibility-reducing particles are values that are not to be exceeded. The standards for sulfates, lead, hydrogen sulfide, and vinyl chloride standards are not to be equaled or exceeded. California Ambient Air Quality Standards (CAAQS) are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

[b] Federal standards (other than O_3, particulate matter, and those based on annual averages) are not to be exceeded more than once per year. The O_3 standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over 3 years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than 1 day. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over 3 years, are equal to or less than the standard. Contact the USEPA for further clarification and current national policies.

[c] Concentration is first expressed in units in which it was promulgated. Equivalent units given in parentheses are based on a reference temperature of 25 degrees Celsius (°C) and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

[d] National Primary Standards: The levels of air quality necessary with an adequate margin of safety to protect the public health.

[e] National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

[f] On October 1, 2015, the federal 8-hour O_3 primary and secondary standards were lowered from 0.075 to 0.070 ppm.

[g] In March 2024, the national annual $PM_{2.5}$ primary standard was lowered from 12 µg/m^3 to 9 µg/m^3. The existing national 24-hour $PM_{2.5}$ standards (primary and secondary) were retained at 35 µg/m^3, as was the annual secondary standard of 15 µg/m^3.

[h] To attain the 1-hour federal standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of ppb. State standards are in units of ppm. To directly compare the national 1-hour standard to the state standards, the units can be converted from ppb to ppm. In this case, the federal standard of 100 ppb is identical to 0.100 ppm.

[i] On June 2, 2010, a new 1-hour SO_2 standard was established, and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour federal standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 federal standards (24-hour and annual) remain in effect until 1 year after an area is designated for the 2010 standard, except that in areas designated non-attainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

Note that the 1-hour federal standard is in units of ppb. State standards are in units of ppm. To directly compare the 1-hour federal standard to the state standard, the units can be converted to ppm. In this case, the federal standard of 75 ppb is identical to 0.075 ppm.

[j] CARB had identified lead and vinyl chloride as TACs with no determined threshold level of exposure for adverse health effects. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

[k] The federal standard for lead was revised on October 15, 2008, to a rolling 3-month average. The 1978 lead standard (1.5 µg/m^3 as a quarterly average) remains in effect until 1 year after an area is designated for the 2008 standard, except that in areas designated non-attainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

[l] In 1989, CARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe Air Basin 30-mile visibility standard to instrumental equivalents, which are “extinction of 0.23 per kilometer” and “extinction of 0.07 per kilometer” for the statewide and Lake Tahoe Air Basin standards, respectively.

Table 5.9-4. San Diego Air Basin Attainment Status

Pollutant	Averaging Time	State Standards	Federal Standards
O_3	1-hour	Non-attainment	Attainment
	8-hour		Non-attainment
PM_{10}	Annual arithmetic mean	Non-attainment	No federal standard
	24-hour		Unclassified[a]
$PM_{2.5}$	Annual arithmetic mean	Non-attainment	Attainment
	24-hour	No state standard	
CO	8-hour	Attainment	Attainment
	1-hour		
NO_2	Annual arithmetic mean	No state standard	Attainment
	1-hour	Attainment	No federal standard

Table 5.9-4. San Diego Air Basin Attainment Status

Pollutant	Averaging Time	State Standards	Federal Standards
Lead	Calendar quarter	No state standard	Attainment
	30-day average	Attainment	No federal standard
	Rolling 3-month average	No state standard	Attainment
SO_2	Annual arithmetic mean	No state standard	Attainment
	24-hour	Attainment	Attainment
	1-hour	Attainment	No federal standard
Sulfates	24-hour	Attainment	No federal standard
Hydrogen sulfide	1-hour	Unclassified	No federal standard
Visibility-reducing particulates	8-hour (10:00 a.m. to 6:00 p.m. [PT])	Unclassified	No federal standard

Source: SDAPCD 2024.

Notes: CO = carbon monoxide; NO_2 = nitrogen dioxide; O_3 = ozone; PM_{10} = respirable particulate matter; $PM_{2.5}$ = fine particulate matter; SO_2 = sulfur dioxide

[a] "Unclassified" indicates data are not sufficient for determining attainment or non-attainment.

Resource Conservation and Recovery Act

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

Hazardous Materials Transportation Act

The U.S. Department of Transportation regulates hazardous materials transportation under Title 49 of the Code of Federal Regulations, which requires the U.S. Department of Transportation Office of Hazardous Materials Safety to generate regulations for the safe transportation of hazardous materials.

5.9.2.2 State

California Ambient Air Quality Standards

CARB is part of the California Environmental Protection Agency and is responsible for the coordination and administration of both federal and state air pollution control programs in California. The CAA allows states to adopt ambient air quality standards and other regulations provided that they are at

least as stringent as federal standards. California has adopted ambient standards, the California Ambient Air Quality Standards (CAAQS), that are equal to or stricter than the federal standards for six criteria air pollutants. The CAAQS are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations and are provided in Table 5.9-3. Similar to the CAA, areas have been designated as attainment, non-attainment, or unclassified with respect to the state ambient air quality standards. The SDAB is in non-attainment with the CAAQS for O_3, PM_{10}, and $PM_{2.5}$. The SDAB is designated as an attainment area for the state CO, NO_2, SO_2, lead, and sulfates standards. Hydrogen sulfide and visibility-reducing particles are unclassified in the SDAB.

California Air Toxics Program

In 1983, the California Legislature enacted a program to identify the health effects of TACs and to reduce exposure to these contaminants to protect the public health (AB 1807: Health and Safety Code Sections 39650–39675). The California Legislature established a two-step process to address the potential health effects from TACs. The first step is the risk assessment (or identification) phase. The second step is the risk management (or control) phase of the process.

The California Air Toxics Program establishes the process for the identification and control of TACs and includes provisions to make the public aware of significant toxic exposures and for reducing risk. Additionally, the Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, 1987, Connelly Bill) was enacted in 1987 and requires stationary sources to report the types and quantities of certain substances routinely released into the air. The goals of the Air Toxics "Hot Spots" Act are to collect emission data, identify facilities having localized impacts, ascertain health risks, notify nearby residents of significant risks, and reduce those significant risks to acceptable levels. The Children's Environmental Health Protection Act, California Senate Bill 25 (Chapter 731, Escutia, Statutes of 1999), focuses on children's exposure to air pollutants. The Air Toxics "Hot Spots" Information and Assessment Act requires CARB to review its air quality standards from a children's health perspective, evaluate the statewide air monitoring network, and develop any additional air toxic control measures needed to protect children's health. Locally, toxic air pollutants are regulated through the SDAPCD's Regulation XII.

Of particular concern statewide are DPM emissions. DPM was established as a TAC in 1998 and is estimated to represent the majority of the cancer risk from TACs statewide (based on the statewide average). Diesel exhaust is a complex mixture of gases, vapors, and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some of the chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by CARB and are listed as carcinogens under California's Proposition 65 or under the Federal Hazardous Air Pollutants program.

Following the identification of DPM as a TAC in 1998, CARB has worked on developing strategies and regulations aimed at reducing the risk from DPM. The overall strategy for achieving these reductions

is found in the Risk Reduction Plan to Reduce Particulate Matter Emissions from diesel-fueled engines and vehicles (State of California 2000). A stated goal is to reduce the cancer risk from exposure to DPM statewide by 85 percent by 2020 (City of San Diego 2018).

2021 State Implementation Plan

The CAA requires states to develop a plan to attain and maintain the NAAQS in all areas of the country and a specific plan to attain the standards for each area designated as non-attainment for the NAAQS. These plans, known as State Implementation Plans (SIPs), are developed by state and local air quality management agencies and submitted to the USEPA for approval. SIPs include strategies and control measures to attain the NAAQS by deadlines established by the CAA. SIPs are modified periodically to reflect the latest emissions inventories, plans, and rules and regulations of air basins as reported by the agencies with jurisdiction over them. The SDAPCD is responsible for preparing and implementing the portion of the SIP applicable to the SDAB. The SDAPCD adopts rules, regulations, and programs to attain state and federal air quality standards and appropriates money (including permit fees) to achieve these objectives. As mentioned previously, the County is currently designated as a non-attainment area for the 8-hour O_3 NAAQS. The SDAPCD prepared and submitted its Ozone Attainment Plan (i.e., 2020 Plan) in January 2021. The plan is currently being reviewed by the USEPA.

Air Quality and Land Use Handbook: A Community Health Perspective

CARB has also developed the Air Quality and Land Use Handbook: A Community Health Perspective to provide guidance on land use compatibility with sources of TACs (CARB 2005). These sources include freeways and high-traffic roads, commercial distribution centers, rail yards, refineries, dry cleaners, gasoline stations, and industrial facilities. The handbook is not a law or adopted policy, but offers advisory recommendations for the siting of sensitive receptors near uses associated with TACs and odors. The handbook indicates that land use agencies have to balance a number of other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.

5.9.2.3 Regional

The SDAPCD has jurisdiction over air quality programs in the City. State and local government projects, as well as projects proposed by the private sector, are subject to the SDAPCD requirements if the sources are regulated by the SDAPCD.

2022 California Air Resources Board Regional Air Quality Strategy

CARB requires air districts to attempt, achieve, and maintain the state ambient air quality standards by the earliest practicable date. To this end, districts are required to develop plans for attaining the CAAQS. A regional air quality strategy (RAQS) was initially adopted by the SDAPCD in 1992 and has generally been updated on a triennial basis in accordance with state requirements. The SDAPCD most recently adopted the 2022 Revision of the RAQS for San Diego County (SDAPCD 2023). The RAQS was

developed pursuant to California CAA requirements and identifies feasible emission control measures to provide progress toward attaining the state O_3 standard in the County. The pollutants addressed are VOCs and NO_x, which are precursors to the photochemical formation of O_3 (the primary component of smog). Reductions in greenhouse gases and particulate matter are indirectly addressed. The RAQS control measures focus on emission sources under the SDAPCD's authority, specifically stationary emission sources (such as power plants and manufacturing and industrial facilities) and some area-wide sources (such as water heaters, architectural coatings, and consumer products). However, the emissions inventories and projections in the RAQS reflect the impact of all emissions sources and control measures, including those under the jurisdiction of CARB (on-road and off-road motor vehicles) and the USEPA (aircraft, ships, and trains). Thus, while legal authority to control various pollution sources is divided among agencies, the SDAPCD is responsible for reflecting federal, state, and local measures in a single plan to achieve state O_3 standards in the County.

2005 San Diego County Air Pollution Control District Measures to Reduce Particulate Matter in the County of San Diego

Neither the RAQS nor the SIP address emissions of particulate matter in the SDAB. The SDAPCD prepared the Measures to Reduce Particulate Matter in San Diego County in December 2005. The report identifies existing federal, state, and local measures to control particulates in the SDAB and outlines potential measures for particulate matter control that the SDAPCD may further evaluate for future rule adoption. The report does not outline a plan for ambient air quality standards compliance that the Project would need to implement or demonstrate compliance with. As such, the report is not discussed further in this analysis.

San Diego County Air Pollution Control District Rules

The SDAPCD is also responsible for establishing and enforcing local air quality rules and regulations that address the requirements of federal and state air quality laws. Development projects within the County may be subject to the following SDAPCD rules (as well as others):

- **Rule 51, Nuisance:** Prohibits emissions that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or that endanger the comfort, repose, health, or safety of any such persons or the public; or that cause injury or damage to business or property.
- **Rule 52, Particulate Matter:** Establishes limits to the discharge of any particulate matter from non-stationary sources.
- **Rule 54, Dust and Fumes:** Establishes limits to the amount of dust or fume discharged into the atmosphere in any 1 hour.
- **Rule 55, Fugitive Dust Control:** Sets restrictions on visible fugitive dust from construction and demolition projects.
- **Rule 67, Architectural Coatings:** Establishes limits to the VOC content for coatings applied within the SDAPCD.

In addition, Rule 1200 applies to any new, relocated, or modified emission unit that may increase emissions of one or more TAC. Rule 1210 implements the public notification and risk reduction requirements of the state Air Toxics "Hot Spots" Information and Assessment Act and requires facilities to reduce risks to acceptable levels within 5 years.

5.9.2.4 Local

2008 City of San Diego General Plan

The Conservation Element of the 2008 City of San Diego General Plan, as amended (2008 General Plan), contains policies to guide the conservation of resources that are fundamental components of San Diego's environment, help define the City's identity, and are relied upon for continued economic prosperity. San Diego's resources include but are not limited to water, land, air, biodiversity, minerals, natural materials, recyclables, topography, views, and energy. The Conservation Element contains policies for City action designed to support regional air quality that meets federal and state standards and to reduce greenhouse gas emissions (2008 General Plan). The policies include City action for sustainable land use patterns, increased fuel and energy efficiency, improved air quality in City buildings, habitat conservation, encouraging the use of alternative fuels, and limiting unnecessary idling of equipment operated by the City. The policies do not include requirements applicable to individual projects.

Recent amendments to the 2008 General Plan, including the Conservation Element, were adopted in July 2024 as a part of a refresh to the 2008 General Plan (Blueprint SD). The amendment to the Conservation Element was adopted after the issuance of the Notice of Preparation for the Project (December 2023) and is noted for information only.

2018 City of San Diego Midway-Pacific Highway Community Plan

The Conservation Element of the 2018 Community Plan includes policies to protect public health from vehicle exhaust pollutants. Applicable policies include the following (City of San Diego 2018):

- **CE-4.1:** Consider air quality and air pollution sources in the siting, design, and construction of residential development and other development with sensitive receptors.
- **CE-4.2:** Incorporate building features into new buildings with residential units and other sensitive receptors located within 500 feet of the outside freeway travel lane to reduce the effects of air pollution.

City of San Diego Off-Site Development Impact Regulations

Section 142.0710 of the San Diego Municipal Code (SDMC), Air Contaminant Regulations, prohibits air contaminants including smoke, charred paper, dust, soot, grime, carbon, noxious acids, toxic fumes, gases, odors, and particulate matter, or any emissions that endanger human health, cause damage to vegetation or property, or cause soiling to emanate beyond the boundaries of the premises upon which the use emitting the contaminants is located.

5.9.3 Significance Determination Thresholds

The thresholds used to evaluate potential air quality impacts are generally based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU PEIR. A significant impact on air quality could occur if implementation of the Project would:

- **Issue 1:** Conflict or obstruct the implementation of the applicable air quality plan;
- **Issue 2:** Result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation;
- **Issue 3:** Expose sensitive receptors to substantial pollutant concentrations, including toxins; or
- **Issue 4:** Create objectionable odors affecting a substantial number of people.

5.9.4 Impact Analysis

5.9.4.1 Issue 1: Conflict with Air Quality Plan

Would the Project conflict with or obstruct the implementation of the applicable air quality plan?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

Consistency of the 2018 Community Plan with the RAQS and SIP was evaluated by comparing projected future emission from buildout of the land use assumptions of the previous Community Plan to calculated emissions for the growth accommodated by the 2018 Community Plan. Construction and operational emissions under the Midway-Pacific Highway CPU were calculated to slightly increase compared to future operational emissions under the previously adopted Community Plan. However, the net increase would not exceed any of the significance thresholds. Therefore, the 2018 Community Plan would be consistent with the growth projections and emissions forecasts used in the RAQS. Additionally, the Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan was consistent with the goals and strategies in the 2008 General Plan. Thus, because the 2018 Community Plan would be consistent with the 2008 General Plan and the land use changes associated with the 2018 Community Plan would not result in a significant increase in operational emissions, the 2018 Community Plan was determined to be consistent with assumptions contained in the RAQS, and impacts were determined to be **Less than Significant**.

Project-Specific Impact Analysis

The plans applicable to the Project are the SDAPCD RAQS and the SIP. As described in Section 5.9.2, Regulatory Framework, the SIP and RAQS were developed in conjunction with each other by the SDAPCD to reduce regional O_3 emissions. Compliance with the RAQS is based on if an individual project would comply with the emissions projections contained in the RAQS. The CARB mobile source emission projections and San Diego Association of Governments (SANDAG) growth projections are based on

population and vehicle trends and land use plans developed by the cities and the County. The emissions estimates that CARB and the SDAPCD use to plan for achieving ambient air quality standards compliance are based on the land uses projected by SANDAG. The use of construction equipment in the RAQS is estimated for the region on an annual basis, and construction-related emissions are estimated as an aggregate in the RAQS. Redevelopment of the Project site was planned in the Midway-Pacific Highway CPU PEIR and 2008 General Plan, and the Project would not require any unusual construction practices. The Project would result in additional residential development compared to the 2018 Community Plan. However, as demonstrated in Section 5.9.4.2: Issue 2: Air Quality Standards, Project emissions would not exceed applicable air quality thresholds during construction. Therefore, the Project would not increase the assumptions for construction equipment use in the RAQS.

The primary source of concern from Project operation is mobile emissions, as they are the greatest source of regional emissions. The Project would provide a mix of residential, commercial, and entertainment uses and parks and public spaces consistent with the land use types identified in the 2018 Community Plan. The Project is in a Transit Priority Area, consistent with the SANDAG regional growth strategy. However, the Project would accommodate additional residential development beyond the assumptions of the 2018 Community Plan within the Specific Plan Area. Because the Project site is located along an existing bus route, the Project would construct a new bus stop and upgrade two existing bus stops; one of the upgraded bus stops would be a future Bus Rapid Transit bus station in the center of the Project's Sports Arena Boulevard street frontage. The Project would include public right-of-way improvements for multimodal travel, including improved pedestrian and bicycle facilities and improved access to transit service (Appendix D1). As demonstrated in the VMT analysis for the Project, the Project would result in a less than significant VMT transportation impact for the residential component of the Project (Appendix D2). However, the commercial and entertainment uses would result in a net increase in Citywide VMT, resulting in a significant VMT impact for these land uses, as identified in Section 5.2, Transportation and Circulation (Appendix D2). However, as demonstrated in Section 5.9.4.2, Project mobile emissions at buildout would be similar to emissions that would occur without Project implementation. The Project would result in a less than one percent increase in Citywide mobile emissions compared to emissions without Project implementation (refer to Table 5.9-7, Operational Daily Maximum Air Pollutant Emissions). Therefore, the Project would be consistent with the RAQS and SIP emissions inventory for mobile emissions.

As demonstrated in Section 5.9.4.2, the net increase in Citywide mobile emissions attributable to the Project would not exceed regional criteria air pollutant emissions thresholds for Project-specific impacts. Additionally, these uses would be consistent with planned development for the site. Therefore, although the Project would increase development density on the site, Citywide mobile emissions would be similar to the future emissions for planned growth in the forecast for the RAQS and SIP. The Project would not result in unplanned growth that was not accounted for in the RAQS and SIP and would implement project features that would support the use of alternative modes of transportation. As such, the Project would not conflict with the RAQS or SIP, and this impact would be **Less than Significant**.

5.9.4.2 Issue 2: Air Quality Standards

Would the Project result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR compared 2018 Community Plan construction emissions to those estimated for the previously adopted Community Plan to determine if the net increase attributable to the 2018 Community Plan would exceed significance thresholds. Construction of the assumed 25 percent of total buildout in a single year would have the potential to exceed the threshold for VOC, but when compared to the previously adopted Community Plan, the 2018 Community Plan's net increase would not exceed the applicable thresholds. Construction-related air quality impacts were determined to be **Less than Significant**.

The Midway-Pacific Highway CPU PEIR determined that the best indicator of the 2018 Community Plan's long-term effect on emissions was to compare future operations with the previously adopted Community Plan rather than existing development. Operational emissions associated with the 2018 Community Plan were calculated to be higher for all pollutants when compared to the previously adopted Community Plan. However, the net increase attributable to the 2018 Community Plan would not exceed any of the significance thresholds. Air quality impacts associated with the 2018 Community Plan were determined to be **Less than Significant**.

Project-Specific Impact Analysis

A development would violate applicable air quality standards or contribute substantially to an existing or projected air quality violation if it exceeds the trigger levels established by SDAPCD, which the City has adopted in their CEQA Significance Determination Thresholds (City of San Diego 2016). Thresholds applicable to the Project are shown in Table 5.9-5, San Diego County Air Pollution Control District Pollutant Thresholds. The Project-level thresholds are intended to ensure individual projects would not obstruct the timely attainment of the NAAQS and CAAQS.

Table 5.9-5. San Diego County Air Pollution Control District Pollutant Thresholds

Pollutant[a]	Pounds/Day
CO	550
NO_x	250
PM_{10}	100
$PM_{2.5}$	100
SO_x	250
VOC (1)	137

Source: Appendix K1.

Notes: CO = carbon monoxide; NO_x = nitrogen oxides; PM_{10} = respirable particulate matter; $PM_{2.5}$ = fine particulate matter; SO_x = sulfur oxides; VOC = volatile organic compound

[a] The CEQA Significance Determination Thresholds also list the SDAPCD stationary source threshold for lead of 3.2 pounds per day. However, as noted in the City's CEQA Significance Thresholds, lead emissions have steadily declined due to catalytic converters and the increased use of lead-free gasoline (City of San Diego 2016). San Diego is, therefore, no longer required to monitor for lead. As previously stated, the Project does not include processes that would result in lead emissions, and lead emissions are not addressed in this analysis.

Implementation of the Project would result in construction and operational air pollutant emissions, as described in the following sections.

Construction Emissions

Construction activities would result in temporary increases in air pollutant emissions. These emissions would be generated as fugitive dust emissions from earth disturbance during fine site grading and exhaust emissions from operation of heavy equipment and vehicles during construction. Paving activities would emit VOCs during off-gassing.

Daily air pollutant emissions during construction were estimated using the assumed worst-case activity data and the emission factors included in CalEEMod, Version 2022.1.1.22. For specific construction assumptions including construction schedule, construction fleet, worker trips, vendor trips, haul trips, and earthwork, refer to Appendix K1. Table 5.9-6, Construction Daily Maximum Air Pollutant Emissions, presents a summary of estimated maximum daily air pollutant emissions for each construction phase associated with the Project. Additionally, construction phases would overlap, and construction activities within phases could potentially overlap. Up to six construction activities are anticipated to occur simultaneously during two simultaneous construction phases. Table 5.9-6 also includes worst-case construction emissions from the worst-case simultaneous construction scenario based on the schedule provided by the Project applicant (Appendix K1).

Table 5.9-6. Construction Daily Maximum Air Pollutant Emissions

Construction Phase	Maximum Daily Emissions (pounds/day)					
	VOC	NOx	CO	SO_x	PM_{10}	$PM_{2.5}$
Phase 1 (Frontier Drive and East of Frontier Drive)						
Demolition	0.58	5.5	8.08	0.01	4.71	0.87
Grading	2.15	20.85	25.04	0.07	4.81	1.19
Paving	1.32	4.05	14.73	0.01	2.42	0.67
Building Construction	2.38	14.07	26.35	0.04	2.86	1.05
Architectural Coating	18.66	3.36	14.6	0.01	3.16	0.78
Phase 2a (West of Frontier Drive to Kemper Street)						
Demolition	0.63	5.88	8.36	0.01	1.57	0.39
Grading	1.94	16.35	24.09	0.06	4.24	0.94
Paving	1.32	4.05	14.73	0.01	2.42	0.67

Table 5.9-6. Construction Daily Maximum Air Pollutant Emissions

Construction Phase	Maximum Daily Emissions (pounds/day)					
	VOC	NOx	CO	SO_x	PM_{10}	$PM_{2.5}$
Building Construction	1.88	11.94	21.46	0.05	1.76	0.68
Architectural Coating	8.12	2.05	8.05	0.01	1.74	0.42
Phase 2b (West of Kemper Street)						
Demolition	0.23	2.33	3.81	<0.005	15.16	2.36
Grading	1.49	12.79	18.31	0.06	4.48	0.93
Paving	1.32	4.05	14.73	0.01	2.42	0.67
Building Construction	1.54	8.3	16.17	0.04	1.71	0.58
Architectural Coating	11.12	2.29	7.62	0.01	2.43	0.59
Worst-Case Individual Phase	18.66	20.85	26.35	0.07	15.16	2.36
Worst-Case Simultaneous Construction[a]	19.29	55.72	102.38	0.23	17.04	4.39
Significance Threshold	**137**	**250**	**550**	**250**	**100**	**100**
Significant Impact?	*No*	*No*	*No*	*No*	*No*	*No*

Source: CalEEMod, version 2022.1. See Appendix K1 for model output.

Notes: CO = carbon monoxide; NO_x = nitrogen oxides; PM_{10} = respirable particulate matter; $PM_{2.5}$ = fine particulate matter; SO_x = sulfur oxides; VOC = volatile organic compound

[a] The worst-case simultaneous construction scenario would occur during Phase 2 and would include grading and building construction east of Kemper Street and grading, paving, building construction, and architectural coating west of Kemper Street.

The construction emissions estimate indicates that the Project would not exceed the significance thresholds for any criteria air pollutants during any phase of construction, even during simultaneous construction activities in multiple locations. The Project would result in a **Less than Significant** impact related to air pollutant emissions during construction.

Regarding health effects related to criteria air pollutant emissions, the applicable significance thresholds are established for regional compliance with the state and federal ambient air quality standards, which are intended to protect public health from both acute and long-term health impacts, depending on the potential effects of the pollutant (USEPA 2024e). Because emissions of criteria air pollutants during construction of the Project would be below the applicable thresholds, the Project would not contribute to regional acute and long-term health impacts related to non-attainment of the ambient air quality standards.

As discussed in Section 5.9.1.2, Air Pollutants, criteria air pollutants also have the potential to result in health impacts, such as headaches or throat irritation, at the time of exposure. However, individual exposure levels and individual reactions to localized short-term exposure to pollutant emissions from Project construction cannot be feasibly determined. The localized level of O_3 that receptors may be exposed to VOC emissions cannot be determined because the formation of O_3 is

not directly determined by the quantity of VOC and NO_x emissions generated by a project (Appendix K1). The amount of O_3 formed depends on heat and sunlight exposure, and once formed, O_3 is likely to be dispersed or carried away from the site by wind. Conversely, O_3 exposure on site could have been transported to the site by wind and be attributable to another source (Appendix K1). Currently, there are no known methods that can feasibly ascertain the ultimate locations of O_3 formation associated with the emissions of O_3 precursors such as VOC and NO_x (Appendix K1). However, because Project construction emissions are anticipated to be below the significance thresholds, and those emissions would be spread out across the Project site and off-site haul routes, significant adverse acute health impacts because of Project construction are not anticipated. Cancer and chronic risks from Project construction are addressed under Section 5.9.4.3, Issue 3: Substantial Pollutant Concentrations.

Operational Emissions

Operational emissions for the Project and existing land uses were estimated using CalEEMod, except for mobile (vehicle) emissions, which were estimated using the CARB EMFAC model, Version 1.0.2, and Citywide daily VMT data provided by Kimley-Horn & Associates (2024). Proposed buildings would be all-electric, except for commercial kitchens and emergency generators (refer to Specific Plan Appendix A, Climate Action Plan Consistency). Default natural gas use is assumed for restaurant uses. Residences would not include natural gas or wood-burning hearths. For detailed modeling assumptions, refer to Appendix K1.

Area and energy sources of air pollutant emissions associated with the Project include natural gas use in commercial kitchens, fuel combustion emissions from landscape maintenance equipment and emergency generator testing, and VOC emissions from periodic repainting of interior and exterior surfaces. The site is currently a source of these emissions from existing commercial and entertainment uses. However, the Project would increase density on the site. Increased vehicle volumes also contribute to regional emissions of criteria air pollutants.

Daily Citywide VMT with Project implementation would be approximately 37,076,262 (Kimley-Horn 2024). The estimated daily Citywide VMT with Project implementation used for air quality modeling is approximately 37,076,262 VMT, compared to 37,014,678 VMT without the Project, as provided by Kimley-Horn & Associates (2024). This figure is lower than the 41,736,405 Citywide VMT estimated for the entire Project as part of the VMT analysis (Section 5.2, Transportation and Circulation). It is important to note that VMT calculations for air quality purposes rely on a different methodology than VMT impact analysis for transportation purposes. The estimate used for air emissions modeling assumes 50 percent of Internal-External (I-E) and External-Internal (E-I) trip VMT. The VMT impact analysis assumes 100 percent of all trips, as required by the City's Transportation Study Manual for regional and Citywide impacts. However, the 50 percent attribution for I-E and E-I trips in the air quality VMT ensures fair and consistent responsibility for trips crossing jurisdictional boundaries. This prevents double-counting of VMT for neighboring cities and supports equitable

mitigation efforts, with each jurisdiction accountable only for the portion of travel it influences. The air quality VMT isolates I-E and E-I VMT based on origin-destination trips, whereas the total VMT for the transportation analysis uses the boundary method, where daily vehicle traffic volumes on roadway segments are multiplied by the segment lengths within the study area. Therefore, the VMT results for air quality and transportation analyses differ.

Table 5.9-7 includes the total estimated operational emissions from the Project compared to emissions from existing development calculated for year 2035. As shown in Table 5.9-7, net increase in operational emissions from the Project would exceed the significance thresholds for maximum daily emissions for VOC emissions. Therefore, air quality impacts associated with operation of the Project would be **Potentially Significant.**

Impact 5.9-1: Implementation of the Project would result in operational emissions exceeding SDAPCD thresholds for maximum daily emissions of VOCs.

Table 5.9-7. Operational Daily Maximum Air Pollutant Emissions

Emission Source	Maximum Daily Emissions (pounds/day)					
	VOC	**NO_x**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Natural Gas	0.13	2.42	2.03	0.01	0.18	0.18
Landscape	46.6	3.67	409	0.02	0.38	0.29
Consumer Products[a]	98.4	0	0	0	0	0
Architectural Coatings	8.31	0	0	0	0	0
Stationary	1.64	7.34	4.18	0.01	0.24	0.24
Total On-Site Operational Emissions	**155.08**	**13.43**	**415.21**	**0.04**	**0.8**	**0.71**
Total Existing Emissions (Year 2035)	*15.37*	*9.81*	*25.52*	*0.02*	*0.45*	*0.45*
Net Change	**139.71**	**3.62**	**389.69**	**0.02**	**0.35**	**0.26**
Citywide Mobile Emissions with Project (2035)	8,420.16	9,823.52	68,764.64	280.67	2,105.04	701.68
Citywide Mobile Emissions without Project (2035)	8,406.17	9,807.2	68,650.42	280.21	2,101.54	700.51
Net Change (Mobile)	**13.99**	**16.32**	**114.22**	**0.46**	**3.5**	**1.17**
Total Net Change Attributable to Project	***153.7***	***19.94***	***503.91***	***0.48***	***3.85***	***1.43***
Significance Threshold	**137**	**250**	**550**	**250**	**100**	**100**
Significant Impact?	***Yes***	*No*	*No*	*No*	*No*	*No*

Source: CalEEMod, Version 2022.1.1.22. See Appendix K1 for model output.

Notes: CO = carbon monoxide; NO_x = nitrogen oxides; PM_{10} = respirable particulate matter; $PM_{2.5}$ = fine particulate matter; SO_2 = sulfur dioxide; VOC = volatile organic compound

[a] Consumer products include chemically formulated products including degreasers; fertilizers/pesticides; detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; aerosol paints; and automotive specialty products. Consumer products do not include other paint products or furniture coatings, which are included in architectural coatings (CARB 2022).

5.9.4.3 Issue 3: Substantial Pollutant Concentrations

Would the Project expose sensitive receptors to substantial pollutant concentrations, including toxins?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that estimated peak hour volumes on deficient roadways would not exceed the screening thresholds, and the 2018 Community Plan was determined to not have the potential to result in a CO hotspot. Due to the highly dispersive nature of DPM and the fact that construction activities would occur intermittently and at various locations over approximately 18 years (i.e., 2017 to 2035), it was determined that construction under the 2018 Community Plan would not expose sensitive receptors to substantial construction-related TAC concentrations. The regulatory framework was determined to reduce impacts associated with stationary sources in the 2018 Community Plan to a less than significant level. Regarding operation, the 2018 Community Plan includes the development of residential and commercial land uses. Residential land uses were determined to not be a typical source of substantial TAC emissions. Individual development projects could be within the siting distances recommended by CARB's Air Quality and Land Use Handbook. However, the Midway-Pacific Highway CPU PEIR determined that infill development, mixed use, higher density, transit-oriented development, and other concepts that benefit regional air quality could be compatible with protecting the health of individuals at the neighborhood level with design considerations. Impacts were determined to be **Less than Significant**.

Project-Specific Impact Analysis

Sensitive receptors include children, older adults, and people of all ages who have lung diseases, such as asthma. The 2008 General Plan identifies places where this population spends a significant amount of time as sensitive land uses, including residences, schools, daycare centers, medical facilities, or parks (City of San Diego 2024). The applicable sensitive land use within the Project vicinity is residences. The closest schools are Captivate Academy and Dewey Elementary School, located approximately 1,800 southeast of the Project site on Rosecrans Boulevard.

Potential excess cancer and non-cancer risk to sensitive receptors in existing residences was evaluated using the American Meteorological Society/Environmental Protection Agency Regulatory Model, Version 12.0.0, and risk calculations consistent with the California Office of Environmental Health Hazard Assessment guidance (OEHHA 2015). For detailed modeling assumptions, refer to Appendix K1.

CO hotspots, TAC exposure from Project construction and operation, and potential exposure to contaminated soils during construction are addressed below.

Carbon Monoxide Hotspots

Areas with high vehicle density, such as congested intersections and parking garages, have the potential to create high concentrations of CO, known as "CO hotspots." An air quality impact is considered significant if CO emissions create a hotspot where either the California 1-hour standard of 20 ppm or the federal and California 8-hour standard of 9 ppm is exceeded. This typically occurs at severely congested intersections (level of service [LOS] E or worse), where peak hour volumes exceed 31,600 entering vehicles (Appendix K1). Although evaluation of intersection LOS is not required for the Project circulation analysis in Section 5.2, Transportation and Circulation, the Local Mobility Analysis prepared for the Project evaluated intersection performance to inform the analysis of the Project's effect on mobility, access, circulation, and transportation-related safety. The Local Mobility Analysis for the Project concluded that under the Phase 1 (2030) Plus Project and Phase 2 (2035) Plus Project Buildout scenario, the Project would cause the following study intersections to operate at a LOS E or F in the Local Mobility Analysis (Appendix D1):

- **Intersection #2:** Midway Drive/West Point Loma Boulevard and Sports Arena Boulevard (PM: LOS F [2030/2035]; Pre-Event: LOS E [2030]/LOS F [2035]; WKND: LOS E [2030]/LOS F [2035])
- **Intersection #5:** West Drive/Frontier Drive and Sports Arena Boulevard (PM: LOS F; Pre-Event: LOS F; WKND: LOS F [2030/2035])
- **Intersection #14:** Sherman Street and Hancock Street (Pre-Event: LOS F [2030]/LOS E [2035])
- **Intersection #16:** Camino Del Rio West and Moore Street (PM: LOS E; Pre-Event: LOS E; WKND: LOS F [2030/2035])
- **Intersection #17:** Camino Del Rio West and Hancock Street (AM: LOS F [2030/2035])
- **Intersection #19:** Rosecrans Street and Sports Arena Boulevard and Camino Del Rio West (WKND: LOS F [2035])
- **Intersection #20:** Rosecrans Street and Midway Drive (AM: LOS E; PM: LOS E; Pre-Event: LOS E; WKND: LOS F [2030/2035])
- **Intersection #22:** Rosecrans Street and Lytton Street (AM: LOS E; PM: LOS E [2035])
- **Intersection #26:** Kurtz Street and Pacific Highway (PM: LOS F; Pre-Event: LOS F [2030])
- **Intersection #27:** Pacific Highway and Enterprise Street (PM: LOS E; Pre-Event: LOS E [2030/2035])
- **Intersection #28:** Midway Drive and Enterprise Street (PM: LOS E; Pre-Event: LOS E [2035])
- **Intersection #29:** Barnett Avenue and Midway Drive (PM: LOS E [2035])

However, none of the above intersections would experience a peak hour traffic volume that exceeds 31,600 vehicles (Appendix D1). The highest peak hour volume at any of the 12 impacted segments is 6,422 vehicles at Intersection 20. Consistent with the findings of the Midway-Pacific Highway CPU PEIR, because the Project would not increase delay at a deficient intersection with a peak hour volume of more than 31,600 entering vehicles, the Project would not have the potential to result in a CO hotspot. This impact would be **Less than Significant.**

Toxic Air Contaminants

Construction and operation are addressed below.

Construction

DPM emissions from operation of diesel equipment and vehicles are the TAC of concern resulting from construction of the Project. Cancer and chronic non-cancer risk from DPM exposure to sensitive receptors related to the Project are estimated using the American Meteorological Society/Environmental Protection Agency Regulatory Model, Version 12.0.0, based on the worst-case annual PM_{10} exhaust emissions and risk calculations from the California Office of Environmental Health Hazard Assessment. Risks were calculated at four discrete receptors and a point of maximum impact (PMI), as well as a grid of receptors within approximately 2,000 meters from the center of the construction area. The discrete receptor locations include the existing sensitive receptors closest to the construction area: the Villa Marbella apartments (3142 Midway Drive), the southwestern and southeastern corners of The Orchard Senior Living facility (4040 Hancock Street), and Pointe Lux Apartment Homes (3889 Midway Drive). For detailed modeling assumptions and inputs, refer to Appendix K1.

Table 5.9-8, Calculated Cancer and Non-Cancer Risk from Construction, summarizes the cancer and non-cancer risk at the discrete receptors. As shown in Table 5.9-8, the cancer risk attributable to the Project at the Villa Marbella apartments would exceed the County of San Diego threshold of 10 in 1 million threshold (County of San Diego 2007). The threshold would also be exceeded at the PMI. However, the PMI is just outside the Project site, adjacent to where haul trucks would enter and exit the site. No sensitive receptors are located at this point. Figure 5.9-1, Unmitigated Annual Diesel Particulate Matter Concentration, shows the area surrounding the Project site and haul road where cancer risk would potentially exceed 10 in 1 million based on exposure from the third trimester to age 10 (annual DPM concentration greater than 0.02 micrograms per cubic meter [$\mu g/m^3$]). As shown on Figure 5.9-1, the area of potential impact includes commercial and office development in all directions surrounding the Project site. Impacts are primarily attributable to on-site diesel equipment and trucks, and DPM exposure along the haul route does not exceed 0.02 $\mu g/m^3$ beyond the office building adjacent to the western boundary of the Project site, which is not considered a sensitive land use. Project construction would not exceed the County of San Diego health hazard index threshold of 1 at the PMI or any sensitive receptor. Therefore, the chronic non-cancer risk from Project construction would be **Less than Significant.** However, as noted, cancer risk at sensitive receptors at the Villa Marbella apartments would exceed 10 in 1 million. Therefore, impacts related to cancer risk at adjacent residences would be **Potentially Significant.** The closest schools are located approximately 1,800 feet from the Project site. Exposure duration would be less than residential use; therefore, because impacts related to cancer risk to residential uses would not occur beyond approximately 1,000 feet from the Project site, non-cancer and cancer risks at the nearest schools would be **Less than Significant.**

Impact 5.9-2: Project construction would result in cancer risk exceeding the threshold of 10 in 1 million at one nearby sensitive receptor.

Table 5.9-8. Calculated Cancer and Non-Cancer Risk from Construction

Receptor	UTM Coordinates	Annual DPM Concentration (µg/m³)	10-Year Cancer Risk[a]	Exceeds Threshold?	Chronic Non-Cancer Risk	Exceeds Threshold?
1. Villa Marbella apartments	(480540.66, 3623758.04)	0.02827	13.7	Yes	0.006	No
2. The Orchard Senior Living Facility – Southeast Corner	(479647.12, 3624140.12)	0.01068	0.3	No	0.002	No
3. The Orchard Senior Living Facility – Southwest Corner	479408.92, 3624187.27	0.00847	0.3	No	0.002	No
4. Pointe Luxe Apartment Homes	479469.38, 3624080.87	0.00705	3.4	No	0.001	No
PMI	(480349.48, 36239974.78)	0.12415	60.2	Yes	0.02	No

Source: Appendix K1.

Notes: DPM = diesel particulate matter; PMI = point of maximum impact; UTM = Universal Transverse Mercator

[a] Ten-year cancer risk at PMI, Villa Marbella apartments, and Pointe Lux Apartment Homes is based on exposure from the third trimester to age 10. Ten-year cancer risk at The Orchard Senior Living facility is based on 10-year exposure for the 16–70 year age group. Health risk for all age groups is provided in Appendix B; 10-year cancer risk is not exceeded for any age group at The Orchard Senior Living facility.

Stationary Sources

The Project proposes mixed-use commercial, residential, and entertainment uses consistent with the 2018 Community Plan. As such, it does not include land uses that are typical TAC sources. Neighborhood-serving uses, such as dry cleaners, may be included in future commercial uses; however, as stated in the Midway-Pacific Highway CPU PEIR, these stationary TAC sources are regulated by the SDAPCD. In accordance with AB 2588, if adverse health impacts exceeding public notification levels are identified for a business, the facility must submit a risk reduction audit and plan to demonstrate how the facility would reduce health risks. Due to the regulatory framework, impacts associated with stationary sources would be **Less than Significant**.

Operation

CEQA is intended to protect the existing environment from impacts that would result from the Project. Generally, CEQA does not consider impacts of the existing environment on a proposed land use to be significant (refer to CEQA Guidelines Section 15126.2). However, consistent with the Midway-Pacific Highway CPU PEIR, the potential exposure of Project sensitive receptors to existing TAC sources is addressed below.

The Project would result in the development of new sensitive receptors (residences) in the Midway-Pacific Highway Community planning area. Consistent with the Midway-Pacific Highway CPU PEIR and 2018 Community Plan Policy CE-4.1, the Project was reviewed against the applicable screening distances from CARB's Air Quality and Land Use Handbook (CARB 2005):

- Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day.
- Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where transport refrigeration TRU unit operations exceed 300 hours per week).
- Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation.
- Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50-foot separation is recommended for typical gas dispensing facilities.

The Project would not place new sensitive receptors within the screening distances for distribution centers, dry cleaning operations, or large gas stations. However, the northwestern corner of the Project site would be within 500 feet of I-8. The Midway-Pacific Highway CPU PEIR determined that impacts related to siting sensitive receptors near freeways would be less than significant, assuming affirmative steps to reduce TAC exposure. Building design features to reduce air pollutant exposure typically consist of enhanced building ventilation or filtration systems (CARB 2005). Building design and locations are currently conceptual. As such, new residences may be within 500 feet of I-8 and design considerations would have to be incorporated to reduce potential health risks, consistent with 2018 Community Plan Policy CE-4.2.

Since the 2018 Community Plan was adopted, the Title 24 Building Energy Efficiency Standards were revised to require more efficient air filtration systems in multi-family residential buildings. As noted previously, enhanced building filtration is the CARB-recommended strategy for reducing air pollutant exposure. At the time of the Midway-Pacific Highway CPU PEIR preparation, the 2016 Title 24 standards were in place, which required mechanical ventilation systems to include air filters having a designated efficiency equal to or greater than MERV 6, which are rated to remove 50 percent of particulates in the 3–10 microgram range (PM_{10}) (CEC 2015). The 2022 Title 24 standards require filters in multi-family residential ventilation systems to have a designated efficiency equal to

or greater than MERV 13, which are rated to remove 50 percent of particulates in the 0.3–1 microgram range ($PM_{2.5}$), and equal to or greater than 85 percent in the 1–3 microgram range ($PM_{2.5}$ and PM_{10}) (CEC 2022). MERV 13 filters are consistent with County of Los Angeles Public Health recommendations for sensitive development within 500 feet of a freeway (County of Los Angeles 2019). Additionally, CARB prepared a study related to development near high-volume roadways that is intended to supplement the Air Quality and Land Use Handbook. The study acknowledges that higher-density infill development is consistent with statewide goals for reducing mobile air pollutant emissions, but in the near-term may result in the exposure of new development to pollutants from high-volume roadways. Reductions in VMT and a statewide transition to more zero-emissions vehicles are anticipated to reduce exposure over time; however, in the near-term, installation of particle filtration systems is the recommended strategy for building design. MERV 13 and higher filters are identified as the higher efficiency filters that achieve substantial fine particulate matter removal compared to typical residential systems (CARB 2017).

As such, health risks have already been reduced because of applicable building design regulations. Project buildings would comply with the applicable Title 24 standards, including building mechanical ventilation systems. Consistent with the findings of the Midway-Pacific Highway CPU PEIR and implementation of 2018 Community Plan Policy CE-4.2, because an existing regulatory system is in place requiring design considerations to reduce risk of TAC exposure in areas within the freeway screening distance, this Project impact would be **Less than Significant**.

Hazardous Materials

A Phase I Environmental Site Assessment (ESA) (Appendix H1), Phase II ESA (Appendix H2), and Additional Phase II ESA Report (Appendix H6) were prepared for the Project site to identify the presence of recognized environmental conditions (RECs) from current or historical land uses or from a known and reported off-site source. The Phase I ESA identified the potential for burned or incinerated ash from “backyard” incinerators or “burn pits” to be present or mixed with the soil, as well as the potential for leaked fuel and VOCs from various previous uses of the site. Testing conducted under the Phase II ESA and Additional Phase II ESA found detectable concentrations of total petroleum hydrocarbons, VOCs, and organochlorine pesticides and elevated concentrations of the metals antimony, arsenic, barium, copper, lead, mercury, and zinc. Burn ash was also encountered. As such, Project construction activities would have the potential to disturb soils containing hazardous materials. Soil disturbance without proper precaution may result in exposure to soil vapors or result in fugitive dust containing hazardous materials.

Construction contractors would be required to comply with all applicable federal, state, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials. As described in greater detail in Section 5.6, Health and Safety, soils potentially containing hazardous materials may be removed from the site, relocated within the known waste footprint, and/or left in place. Regardless of the option chosen, a Soil Management Plan (SMP) would be prepared that describes the

means and methods for the proper management of impacted soils during construction and grading activities. The SMP would describe the methods, details, and other aspects of proper handling and management of any soils encountered during construction that exceed the remediation criteria. In conjunction with the SMP, and pursuant to the requirements of the San Diego Local Enforcement Agency, a Community Health and Safety Plan would be prepared that would address issues of potential off-site impacts, particularly the monitoring and suppression of dust generated by on-site activities.

It is anticipated that the Project would also enter into oversight agreements with the Local Enforcement Agency and other applicable regulatory agencies (such as the County of San Diego Department of Environmental Health and Quality, Regional Water Quality Control Board, and/or Department of Toxic Substances Control) prior to grading and development activities to ensure the former waste areas of the West Point Loma Dump and other areas with known environmental impacts within the Project disturbance area are properly managed during construction activities. Additional assessment of soil and/or soil gas may be conducted as requested by the overseeing regulatory agencies.

The primary health and safety issue associated with the excavation of impacted soil is the potential generation of dust that may occur during the handling of the impacted soil. Dust-minimizing measures for the three soil management options discussed in Section 5.6, Health and Safety, include air and dust monitoring. Required measures would be outlined as conditions in the SMP and Community Health and Safety Plan. Additionally, dust emissions would be controlled by spraying surfaces with water and the use of cyclone/covered fencing to reduce dust emissions as excavation, grading, stockpiling, and loading activities are conducted. If waste would be relocated or left in place on the site, a deed restriction would be required that limits future grading, trenching, backfilling, excavating, or other earthwork without prior written consent of the Local Enforcement Agency. Implementation of the SMP and Community Health and Safety Plan in accordance with agency requirements and recommendations would reduce impacts from known hazards to a **Less than Significant** level during construction.

Following construction, future site occupants may be exposed to the upward migration of VOCs in soil vapor. Soil vapor sampling conducted on the site as part of the Phase II ESA (Appendix H2) indicated a potential significant human health risk for portions of the current commercial and future commercial and residential buildings at the Project site as a result of vapor intrusion of VOCs (including benzene, m,p-xylene, ethylbenzene, and tetrachloroethylene). Therefore, due to the possible exceedances of commercial and residential screening levels for VOCs in indoor air, impacts would be **Potentially Significant**.

Impact 5.9-3: There is a risk of exceedances of commercial and residential screening levels for VOCs (including benzene, m,p-xylene, ethylbenzene, and tetrachloroethylene) in indoor air, posing a potential health risk for future occupants of the Project.

5.9.4.4 Issue 4: Odors

Would the Project create objectional odors affecting a substantial number of people?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

Construction under the 2018 Community Plan was assumed to use typical construction techniques. Odors would be typical of most construction sites and temporary and localized in nature, including exhaust and architectural coatings. Therefore, construction-generated odors would not result in frequent exposure of receptors to objectionable odor emissions. This impact was determined to be **Less than Significant**.

Regarding operation, the 2018 Community Plan would allow for development of multi-family residential and commercial land uses within the Midway-Pacific Highway Community planning area. Minor sources of odors associated with the 2018 Community Plan could include restaurants, coffee roasters, and other urban land uses. However, these uses were determined to not be typical sources of significant odor complaints and would be similar to existing residential and food service uses throughout the Midway-Pacific Highway Community planning area. Therefore, this impact was determined to be **Less than Significant**.

Project-Specific Impact Analysis

Construction associated with the Project could result in minor amounts of odor compounds associated with diesel-heavy equipment exhaust. However, diesel equipment would operate across the site at varying distances from existing receptors, and construction near individual existing receptors would be temporary on a given day. Additionally, SO_x is the only criteria air pollutant with a strong, pungent odor (Appendix K1). As shown in Table 5.9-6, maximum construction emissions of SO_x would be less than 1 pound per day, which is well below the threshold of 250 pounds per day. As discussed in greater detail in Section 5.9.4.3, ground disturbance on the Project site would have the potential to disturb potentially contaminated soils, including burn dump waste. However, during sample excavations, soils containing burn dump waste did not have any obvious odor (Appendix H6). Soil exposure would also be temporary as soil would be excavated and transported off site. Contaminated soils would be handled in accordance with the Community Health and Safety Plan and SMP, which would minimize exposure to any charred debris, dust, soot, grime, carbon, toxins, and fugitive dust potentially associated with disturbance of the burn waste. Although odors were not encountered during field testing, the Community Health and Safety Plan would include measures for assessing and addressing odor during disturbance of former dump areas. Therefore, Project construction would not result in nuisance odors or other air contaminants as defined in SDMC Section 142.0710 that would result in a significant impact.

CARB's Air Quality and Land Use Handbook (CARB 2005) includes a list of the most common sources of odor complaints received by local air districts. Typical sources of odor complaints include facilities such as sewage treatment plants, landfills, recycling facilities, petroleum refineries, and livestock operations. The site is not located near typical sources of odor complaints, such as sewage treatment plants, landfills, recycling facilities, petroleum refineries, and livestock operations. Therefore, the Project would not result in the exposure of new receptors to substantial odors from existing off-site uses. The Project proposes new residential, commercial, entertainment, and park and public space uses on the Project site.

Consistent with the Midway-Pacific Highway CPU PEIR and CARB's Air Quality and Land Use Handbook, these types of uses do not typically result in sources of nuisance odors, smoke, charred paper, dust, soot, grime, carbon, noxious acids, toxic fumes, gases, or fugitive particulate matter associated with operation. The Project would increase density on the site, which would increase the potential for nuisance odors from human activity, as well as increase receptors. The Project would result in new commercial uses, including restaurants, within proximity to residences. However, consistent with the Midway-Pacific Highway CPU PEIR, operational restaurant odors would be similar to existing restaurant uses on the site and in the surrounding area. Additionally, these uses are not a typical source of significant odor complaints. The increased density on the site would increase solid waste generation and disposal needs. The Project area is currently served by City waste management services, and would continue to be subject to regular waste collection. A Waste Management Plan (Appendix M4) was prepared and submitted for City approval that provides the proposed methodology for salvage and recycling activities for the Project, as detailed in Section 5.12, Public Utilities. Therefore, odors would not be considered objectionable, and operational odor impacts would be **Less than Significant**.

5.9.5 Significance of Impacts

5.9.5.1 Issue 1: Conflict with Air Quality Plan

The net increase in emissions attributable to the Project would not exceed regional criteria air pollutant emissions thresholds shown in Table 5.9-5. Additionally, these uses would be consistent with planned development for the site. Therefore, the Project is within the emissions forecast for the RAQS and SIP. This impact would be **Less than Significant**.

5.9.5.2 Issue 2: Air Quality Standards

As demonstrated in Table 5.9-6, the Project would not exceed the San Diego County Air Pollution Control District Pollutant significance thresholds for any criteria air pollutants during any phase of construction, even during simultaneous construction activities in multiple locations. The Project would result in a **Less than Significant** impact related to air pollutant emissions during construction.

As shown in Table 5.9-7, net increase in operational emissions from the Project would exceed the significance thresholds for maximum daily emissions for VOC emissions. Future air quality impacts associated with operation of the Project would be **Potentially Significant**.

5.9.5.3 Issue 3: Substantial Pollutant Concentrations

Based on the Local Mobility Analysis (Appendix D1), the Project would not increase delay at a deficient intersection with a peak hour volume of more than 31,600 vehicles; therefore, the Project would not have the potential to result in a CO hotspot. This impact would be **Less than Significant**.

Cancer and non-cancer risks at discrete receptors were calculated and summarized in Table 5.9-8. While chronic non-cancer risk from Project construction would be **Less than Significant**, cancer risk

at sensitive receptors at the Villa Marbella apartments would exceed 10 in 1 million. Therefore, impacts related to cancer risk would be **Potentially Significant**.

The Project does not include land uses that are typical TAC sources. Due to the regulatory framework, impacts associated with stationary sources would be **Less than Significant**.

Because an existing regulatory system is in place requiring design considerations to reduce risk of TAC exposure in areas within the freeway screening distance, this impact would be **Less than Significant**.

Consistency with the SMP and Community Health and Safety Plan in accordance with agency requirements and recommendations would reduce exposure to hazardous materials during construction to a **Less than Significant** level.

Potential exposure to hazardous soil vapors during Project operation would be **Potentially Significant**.

5.9.5.4 Issue 4: Odors

Odors would be typical of most construction sites and temporary and localized in nature, including exhaust and architectural coatings. Therefore, nuisance odors during Project construction would be **Less than Significant**.

The Project would result in new commercial uses, including restaurants, within proximity to residences. Operational restaurant odors would be similar to existing restaurant uses on the site and in the surrounding area. Additionally, these uses are not a typical source of significant odor complaints. Therefore, odors would not be considered objectionable, and operational odor impacts would be **Less than Significant**.

5.9.6 Mitigation

5.9.6.1 Issue 1: Conflict with Air Quality Plan

No significant impacts were identified; therefore, no mitigation is required.

5.9.6.2 Issue 2: Air Quality Standards

The following mitigation measure shall be implemented as part of the Project to reduce **Impact 5.9-1** to below a level of significance, as shown in Table 5.9-9, Mitigated Operational Daily Maximum Air Pollutant Emissions:

MM AIR 5.9-1: Zero-Emissions Landscape Equipment. Prior to issuance of the first certificate of occupancy, the Owner/Permittee shall submit verification that landscaping equipment operated on the Project site shall be zero-emissions, satisfactory to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff. This measure shall be incorporated into all contracts to provide landscape services on the Project site.

Table 5.9-9. Mitigated Operational Daily Maximum Air Pollutant Emissions

Emission Source	Maximum Daily Emissions (pounds/day)					
	VOC	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Natural Gas	0.13	2.42	2.03	0.01	0.18	0.18
Landscape	0	0	0	0	0	0
Consumer Products	98.4	0	0	0	0	0
Architectural Coatings	8.31	0	0	0	0	0
Stationary	1.64	7.34	4.18	0.01	0.24	0.24
Total On-Site Operational Emissions	**108.48**	**9.76**	**6.21**	**0.02**	**0.42**	**0.42**
Total Existing Emissions	*15.37*	*9.81*	*25.52*	*0.02*	*0.45*	*0.45*
Net Change	**93.11**	**(−0.05)**	**(−19.31)**	**0**	**(−0.03)**	**(−0.03)**
Citywide Mobile Emissions with Project (2035)	8,420.16	9,823.52	68,764.64	280.67	2,105.04	701.68
Citywide Mobile Emissions without Project (2035)	8,406.17	9,807.2	68,650.42	280.21	2,101.54	700.51
Net Change (Mobile)	**13.99**	**16.32**	**114.22**	**0.46**	**3.5**	**1.17**
Total Net Change Attributable to Project	***107.1***	***16.27***	***94.91***	***0.46***	***3.47***	***1.14***
Significance Threshold	**137**	**250**	**550**	**250**	**100**	**100**
Significant Impact?	*No*	*No*	*No*	*No*	*No*	*No*

Source: CalEEMod, Version 2022.1.1.22. Refer to Appendix K1 for model output.

Notes: CO = carbon monoxide; NO_x = nitrogen oxides; PM_{10} = respirable particulate matter; $PM_{2.5}$ = fine particulate matter; SO_2 = sulfur dioxide; VOC = volatile organic compound

5.9.6.3 Issue 3: Substantial Pollutant Concentrations

The following mitigation measure shall be implemented as part of the Project to reduce **Impact 5.9-2** to below a level of significance, as shown in Table 5.9-10, Mitigated Cancer and Non-Cancer Risk from Construction. **Impact 5.9-3** would be reduced to below a level of significance with implementation of **MM HS 5.6-4** as discussed in detail in Section 5.6, Health and Safety.

MM AIR 5.9-2: Construction Equipment Emissions Standards. Prior to issuance of a grading permit for each phase of construction, the construction contractor shall submit verification that the on-site diesel construction fleet shall include at least 50 percent equipment with engines that meet, at a minimum, the Tier 4 Final California Emissions Standards, satisfactory to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff. Alternatively, additional electric-powered equipment may be used, such that at least 50 percent of the construction fleet meets or exceeds Tier 4 Final California Emissions Standards for particulate matter emissions.

Table 5.9-10. Mitigated Cancer and Non-Cancer Risk from Construction

Receptor	UTM Coordinates	Annual DPM Concentration (µg/m³)	10-Year Cancer Risk[a]	Exceeds Threshold?	Chronic Non-Cancer Risk	Exceeds Threshold?
1. Villa Marbella apartments	(480540.66, 3623758.04)	0.01642	8	No	0.003	No
2. The Orchard Senior Living Facility– Southeast Corner	(479647.12, 3624140.12)	0.00758	0.2	No	0.001	No
3. The Orchard Senior Living Facility – Southwest Corner	479408.92, 3624187.27	0.00696	0.2	No	0.001	No
4. Pointe Luxe Apartment Homes	479469.38, 3624080.87	0.00513	2.5	No	0.001	No
PMI	(480349.48, 36239974.78)	0.07227	35	Yes	0.01	No

Source: Appendix K1.

Notes: DPM = diesel particulate matter; PMI = point of maximum impact; UTM = Universal Transverse Mercator

[a] Ten-year cancer risk at PMI, Villa Marbella apartments, and Pointe Lux Apartment Homes is based on exposure from the third trimester to age 10. Ten-year cancer risk at The Orchard Senior Living facility is based on 10-year exposure for the 16–70 year age group. Health risk for all age groups is provided in Appendix B; 10-year cancer risk is not exceeded for any age group at The Orchard Senior Living facility.

5.9.6.4 Issue 4: Odors

No significant impacts were identified; therefore, no mitigation is required.

5.9.7 Significance of Impacts after Mitigation

5.9.7.1 Issue 1: Conflict with Air Quality Plan

Less than Significant.

5.9.7.2 Issue 2: Air Quality Standards

Mitigation Measure **AIR 5.9-1** would reduce Project VOC emissions by reducing emissions from landscape equipment. As shown in Table 5.9-9, use of zero-emissions landscape equipment would reduce Project VOC emissions to a net increase of approximately 107 pounds per day, which is below

the SDAPCD threshold of 137 pounds per day. As such, VOC emissions from Project implementation would be **Less than Significant with Implementation of Mitigation Measure AIR 5.9-1**.

5.9.7.3 Issue 3: Substantial Pollutant Concentrations

Project construction would have the potential to result in an excess cancer risk (greater than 10 in 1 million) at sensitive receptors within proximity to the construction area. As shown on Figure 5.9-1, on-site construction equipment emissions are the primary source of the excess health risk. Mitigation Measure **AIR 5.9-2** requires the on-site use of higher-tier construction equipment to reduce DPM emissions from construction equipment. Mitigated DPM was modeled using American Meteorological Society/Environmental Protection Agency Regulatory Model and worst-case annual DPM emissions was obtained from CalEEMod output for mitigated PM_{10} exhaust. CalEEMod output is provided in Appendix K1 of this SEIR and assumes approximately 50 percent of construction equipment would be Tier 4 rated equipment. Worst-case annual on-site emissions would be reduced from 0.14 ton to 0.08 ton with implementation of Mitigation Measure **AIR 5.9-2**. Haul road emissions would be the same as unmitigated conditions. Mitigated health risk at discrete receptors with implementation of Mitigation Measure **AIR 5.9-2** is summarized in Table 5.9-10. As shown in Table 5.9-10, health risk at the Villa Marbella apartments would be reduced to a **Less than Significant** level. Cancer risk at the PMI would continue to exceed 10 in 1 million; however, no sensitive receptors are located at the PMI. Figure 5.9-2, Mitigated Annual Diesel Particulate Matter Concentration, shows the mitigated area surrounding the Project site and haul road where cancer risk would potentially exceed 10 in 1 million. As shown on Figure 5.9-2, the area would continue to include non-sensitive commercial buildings north, west, and south of the Project site. As demonstrated in Table 5.9-10, cancer risk would be reduced to below the threshold at all sensitive receptors. This impact would be **Less than Significant with Implementation of Mitigation Measure AIR 5.9-2.** As discussed in Section 5.6, Health and Safety, **Impact 5.9-3** would be **Less than Significant with Implementation of Mitigation Measure HS 5.6-4**.

5.9.7.4 Issue 4: Odors

Less than Significant.

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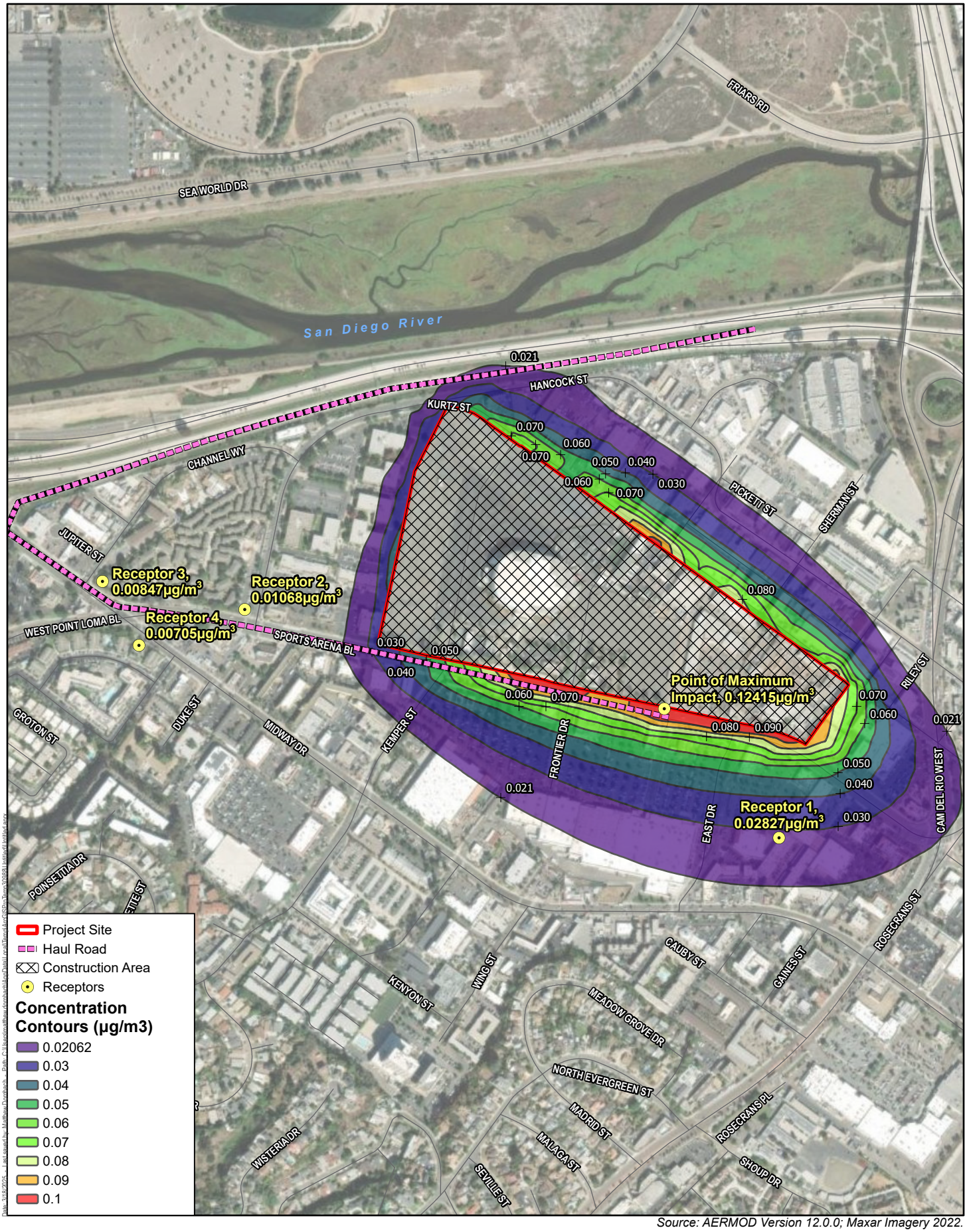

Source: AERMOD Version 12.0.0; Maxar Imagery 2022.

N

0 250 500

Feet

Figure 5.9-1

Unmitigated Annual Diesel Particulate Matter Concentration

Midway Rising

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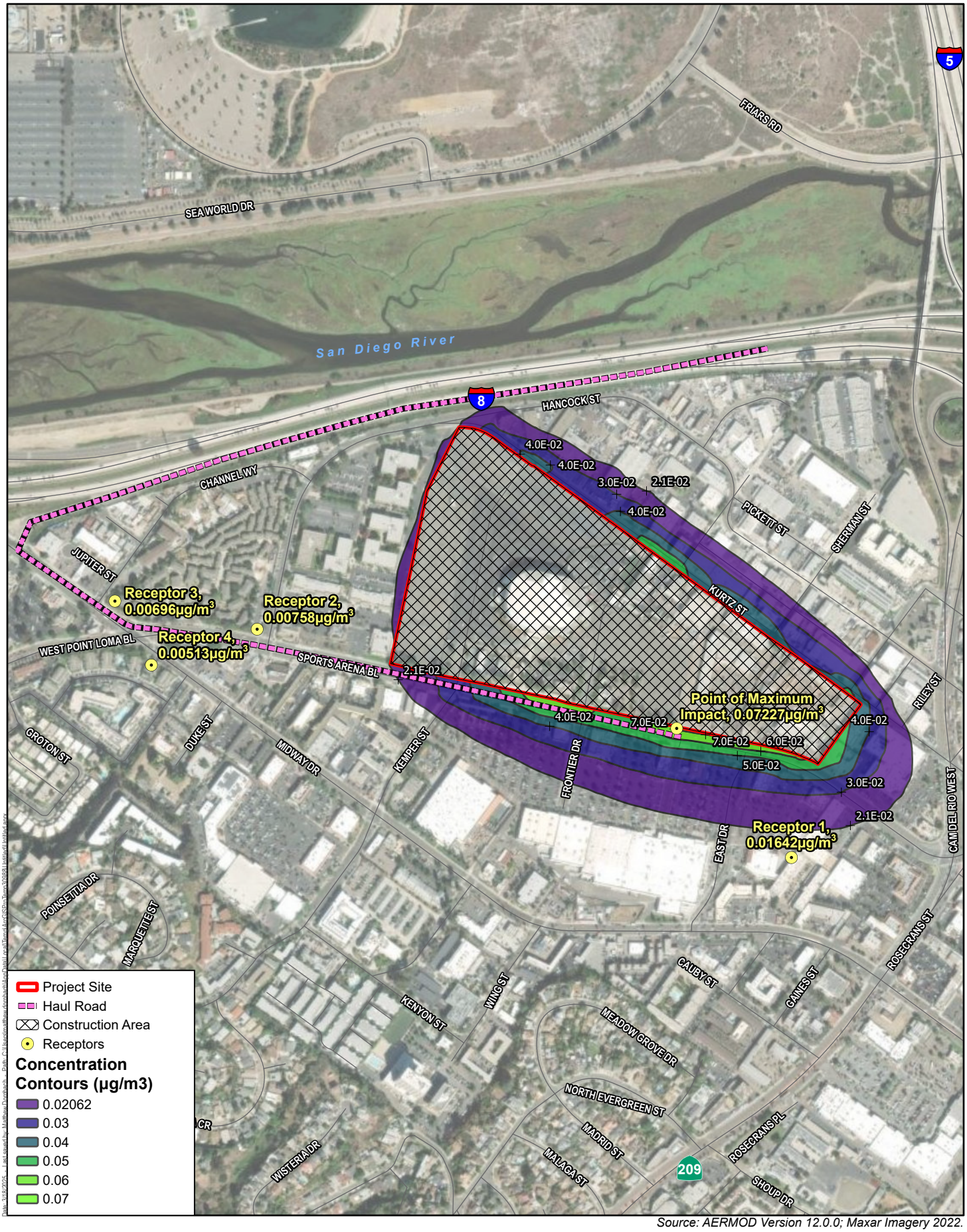

Source: AERMOD Version 12.0.0; Maxar Imagery 2022.

N

0 350 700

Feet

Figure 5.9-2

Mitigated Annual Diesel Particulate Matter Concentration

Midway Rising

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5.10 Greenhouse Gas Emissions

This Subsequent Environmental Impact Report (SEIR) section describes the existing greenhouse gas (GHG) emissions conditions on the Midway Rising Project (Project) site and evaluates the potential for the implementation of the Project to impact GHG emissions.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- Greenhouse Gas Impact Analysis prepared by Harris & Associates (2024), included as Appendix K3 of this SEIR
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018)

5.10.1 Existing Conditions

5.10.1.1 Global Climate Change Overview

Climate change refers to any substantial change in measures of climate (such as temperature, precipitation, or wind) lasting for decades or longer. According to the U.S. Environmental Protection Agency (USEPA), Earth's climate has changed many times during the planet's history, including events ranging from ice ages to long periods of warmth. Historically, natural factors such as volcanic eruptions, changes in Earth's orbit, and the amount of energy released from the sun have affected Earth's climate. Some GHGs, such as water vapor, occur naturally and are emitted to the atmosphere through natural processes, while others are emitted through human activities. Since the late 18th century, human activities associated with the Industrial Revolution have changed the composition of the atmosphere and, therefore, are very likely influencing Earth's climate. For more than 200 years, the burning of fossil fuels, such as coal and oil, and deforestation have caused concentrations of heat-trapping GHG to increase substantially in the atmosphere.

The accumulation of GHGs in the atmosphere regulates Earth's temperature. Without it, the temperature of Earth would be about zero degrees Fahrenheit (°F) instead of its current 57°F (NOAA 2023). Global climate change concerns focus on whether human activities are leading to an enhancement of the greenhouse effect.

5.10.1.2 Greenhouse Gases

GHGs include but are not limited to carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), ozone (O_3), water vapor, fluorinated gases (hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride [SF_6], and nitrogen trifluoride [NF_3]), chlorofluorocarbons, and hydrochlorofluorocarbons. Some GHGs, such as CO_2, CH_4, and N_2O, occur naturally and are emitted into the atmosphere through natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities

from human activities. Manufactured GHGs, which have a much greater heat-absorption potential than CO_2, include fluorinated gases, such as hydrofluorocarbons, perfluorocarbons, and SF_6, which are associated with certain industrial products and processes.

CO_2 enters the atmosphere through the burning of fossil fuels, solid waste, trees, and wood products and other chemical reactions, such as those that occur in cement manufacturing. Globally, the largest source of anthropogenic CO_2 emissions is the combustion of fossil fuels in power plants, automobiles, industrial facilities, and other similar sources. CH_4 is emitted from a variety of both natural and human-related sources, including fossil fuel production, animal husbandry, and waste management. N_2O is emitted during agricultural and industrial activities, during combustion of fossil fuels and solid waste, and wastewater treatment (USEPA 2024a). Hydrofluorocarbons, perfluorocarbons, and SF_6 are synthetic, powerful GHGs emitted from a variety of industrial processes and the production of chlorodifluoromethane. Construction and operation of the Project would not include any industrial processes, and chlorodifluoromethane has been mostly phased out of use in the United States (USEPA 2024a); therefore, these GHGs are not discussed further in this analysis.

Individual GHGs have varying heat-trapping properties and atmospheric lifetimes. The carbon dioxide equivalent (CO_2e) is a consistent methodology for comparing GHG emissions because it normalizes various GHG emissions to a consistent measure based on their global warming potential. Each GHG is compared to CO_2 with respect to its ability to trap infrared radiation, its atmospheric lifetime, and its chemical structure. For example, the global warming potential for CH_4 is 25 (which means that emissions of 1 metric ton (MT) of CH_4 are equal to emissions of 25 MT CO_2) and for N_2O is 298 (CAPCOA 2022).

5.10.1.3 Potential Effects of Human Activity on Climate Change

As detailed in the City's 2022 Climate Action Plan (CAP), the effects of climate change include increased risk for extreme weather events such as heat waves, droughts, and rainstorms. These extreme weather events can disrupt the supply chain and food systems, put pressure on the supply of fresh water, result in more days with poor air quality, and increase the risk of wildfire. Risks also include increased flooding, sea-level rise, and extreme coastal storm and rain events. In the San Diego region specifically, a predicted trend of warming and drying is anticipated to result in more heat waves, warmer nights, and more variability in precipitation, leading to extreme rainfall or extended periods of drought. The typical sources of GHG emissions also result in emissions of additional pollutants or have compounding effects, including severe impacts on air quality and public health. For example, typical sources of GHG emissions, such as diesel-powered vehicles, are also sources of particulate matter emissions, which have been a pollutant of concern that has impacted the health of San Diego residents for decades (City of San Diego 2022a).

5.10.1.4 Federal, State, and Local Greenhouse Gas Inventories

To evaluate and reduce the potential adverse impact of climate change, federal, state, and local organizations conducted GHG inventories to estimate levels of and trends in GHG emissions and removals. The following summarizes these GHG inventories.

Federal

The USEPA's Draft Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2021 provides a comprehensive emissions inventory of the nation's primary anthropogenic sources and sinks of GHGs. Total U.S. GHG emissions in 2021 were 6,340.2 million metric tons (MMT) of CO_2e, a 5.2 percent increase from 2020. This increase is primarily due to an increase in CO_2 emissions from fossil fuel combustion due to economic activity rebounding after the height of the Coronavirus Disease 2019 (COVID-19) pandemic. Previous inventories reflected a sharp decline in emissions from 2019 to 2020 due to the impacts of the COVID-19 pandemic on travel and other economic activity. Emissions from transportation activities, in total, accounted for the largest portion (28.5 percent) of total U.S. GHG emissions in 2021. Electric power generation accounted for the second largest portion (25 percent), while emissions from industry accounted for the third largest portion (23.5 percent) of total U.S. GHG emissions in 2021. Emissions from industry have, in general, declined over the past decade due to several factors, including structural changes in the U.S. economy (i.e., shifts from a manufacturing-based to a service-based economy), fuel switching, and energy efficiency improvements. The remaining U.S. GHG emissions were contributed by, in order of magnitude, the agricultural, commercial, and residential sectors (USEPA 2024b).

State

According to California's 2000–2020 GHG emissions inventory (CARB 2022a), California emitted 369.2 MMT CO_2e in 2020, including emissions resulting from out-of-state electrical generation. Sources of GHG emissions in California include transportation, industry, electric power production from both in-state and out-of-state sources, residential and commercial activities, agriculture, high global warming potential substances, and recycling and waste. The transportation sector remains the largest source of GHG emissions in the state. Direct emissions from vehicle tailpipes, off-road transportation sources, and intrastate aviation accounted for almost 40 percent of statewide emissions in 2020. Emissions from the electric power sector made up 16 percent of 2020 statewide GHG emissions. Between 2001 and 2020, per-capita GHG emissions in California dropped from a peak of 13.8 MT CO_2e per person in 2001 to 9.3 MT CO_2e per person in 2020, representing a 33 percent decrease. Although emissions in California have generally decreased since 2004, the 35.3 MMT CO_2e decrease in emissions from 2019 to 2020 is likely due in large part to the impacts of the COVID-19 pandemic, like the federal emissions inventory. Economic recovery from the pandemic may result in emissions increases over the next few years that will be reflected in future inventories (CARB 2022a).

Local

In December 2015, the City adopted a CAP, which was comprehensively updated in 2022 (City of San Diego 2022a). The 2022 CAP includes an inventory of the City's GHG emissions for 2019. The City's GHG emissions source categories and their relative contributions in 2019 are presented in Table 5.10-1, 2019 Greenhouse Gas Emissions Sources in the City of San Diego.

Table 5.10-1. 2019 Greenhouse Gas Emissions Sources in the City of San Diego

Source Category	Annual GHG Emissions (MMT CO_2e)	Percentage of Total[1]
Transportation	5.805	55
Electricity	2.375	23
Natural Gas	1.911	18
Solid Waste	0.277	3
Construction Equipment	0.070	1
Water	0.068	1
Wastewater	0.026	<1
Total	**10.532**	**100**

Source: City of San Diego 2022a.

Notes: CO_2e = CO_2 equivalent; MMT CO_2e = million metric tons

[1] Percentage of total has been rounded, and total may not sum due to rounding.

5.10.2 Regulatory Setting

This section describes the federal, state, regional, and local regulatory framework and regulatory documents, plans, and policies relevant to the Project's GHG emissions.

5.10.2.1 Federal

The following summarizes the federal regulations relevant to the Project's GHG analysis.

Federal Clean Air Act

On April 2, 2007, the U.S. Supreme Court ruled in *Massachusetts v. USEPA* that CO_2 is an air pollutant, as defined under the Clean Air Act, and that the USEPA has the authority to regulate GHGs emissions. The USEPA announced that GHGs (including CO_2, CH_4, N_2O, hydrofluorocarbons, perfluorocarbons, and SF_6) threaten the public health and welfare of the American people. This action was a prerequisite to finalizing the USEPA's GHG emissions standards for light-duty vehicles, which were jointly proposed by the USEPA and the U.S. Department of Transportation's National Highway Traffic Safety Administration. The standards have continued to be updated to include additional standards for future vehicle model years regarding fuel efficiency and GHG emissions reduction, clean fuels, and

advanced vehicle infrastructure. In December 2021, the USEPA finalized revised national GHG emissions standards for passenger cars and light trucks for model years 2023–2026.

5.10.2.2 State

The following describes the state regulations relevant to the Project's GHG analysis.

Executive Order S-3-05

On June 1, 2005, California Governor Arnold Schwarzenegger announced the following statewide GHG emissions reduction targets in Executive Order (EO) S-3-05:

- By 2010, California shall reduce GHG emissions to 2000 levels.
- By 2020, California shall reduce GHG emissions to 1990 levels.
- By 2050, California shall reduce GHG emissions to 80 percent below 1990 levels.

The emissions targets established in EO S-3-05 have been codified and updated as described below.

Assembly Bill 32

In September 2006, the California Legislature adopted Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006. AB 32 focused on reducing GHG emissions in California. GHGs, as defined under AB 32, include CO_2, CH_4, N_2O, chlorofluorocarbons, hydrofluorocarbons, perfluorocarbons, and SF_6. Under AB 32, the California Air Resources Board (CARB) has the primary responsibility for reducing GHG emissions and works with the California Climate Action Team to coordinate statewide efforts and promote strategies that can be undertaken by many other California agencies. AB 32 required CARB to adopt rules and regulations that would achieve GHG emissions equal to statewide levels in 1990 by 2020.

2022 Climate Change Scoping Plan

As directed by AB 32, CARB adopted the first Climate Change Scoping Plan (Scoping Plan) in December 2008, in accordance with California Health and Safety Code Section 38561. The Scoping Plan included measures to address GHG emissions reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. The most recent update to the Scoping Plan was adopted by CARB in December 2022 (2022 Scoping Plan). The 2022 Scoping Plan assesses progress toward the statutory 2030 target of at least 40 percent below 1990 emissions and identifies a path to achieving carbon neutrality by 2045 (CARB 2022b).

Senate Bill 32

Effective January 1, 2017, Senate Bill (SB) 32 added Section 38566 to the California Health and Safety Code. SB 32 provides that "in adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions authorized by

[Division 25.5 of the California Health and Safety Code], [CARB] shall ensure that statewide greenhouse gas emissions are reduced to at least 40 percent below the statewide greenhouse gas emissions limit no later than December 31, 2030." In other words, SB 32 requires California to reduce its statewide GHG emissions by the year 2030 so that emissions are 40 percent below those that occurred in 1990.

Assembly Bill 1279

AB 1279, the California Climate Crisis Act, enacted in September 2022, updates the goals of AB 32. The bill established a statewide goal to achieve net-zero GHG emissions by 2045 and achieve and maintain net-negative GHG emissions thereafter. Additionally, the bill established a specific target for statewide anthropogenic GHG emissions to be reduced to at least 85 percent below the 1990 levels by 2045. The bill requires CARB to work with relevant state agencies to ensure that updates to the Scoping Plan identify and recommend measures to achieve these policy goals and to identify and implement a variety of policies and strategies that enable CO_2 removal solutions and carbon capture, utilization, and storage technologies in California, as specified. The bill also requires CARB to submit an annual progress report.

Senate Bill 350

California's Renewable Portfolio Standard was established in 2002 under SB 1078 and accelerated in 2006 under SB 107 by requiring that 20 percent of electricity retail sales be served by renewable energy sources by 2010. Subsequent recommendations in California energy policy reports advocated a goal of 33 percent by 2020, and on November 17, 2008, Governor Arnold Schwarzenegger signed EO S-14-08, requiring retail sellers of electricity to serve 33 percent of their load with renewable energy by 2020. In April 2011, SB X1-2 codified EO S-14-08, setting the new Renewable Portfolio Standard targets at 20 percent by the end of 2013, 25 percent by the end of 2016, and 33 percent by the end of 2020 for electricity retailers. Governor Edmund G. Brown Jr. signed SB 350 in October 2015, which extended the Renewable Portfolio Standard target by requiring retail sellers to procure 50 percent of their electricity from renewable energy resources by 2030.

Assembly Bill 1493 and Executive Order S-1-07

In a response to the transportation sector accounting for more than half of California's CO_2 emissions, CARB adopted several emissions standards to reduce vehicle GHG emissions. AB 1493 was enacted in July 2002. AB 1493 requires CARB to set GHG emissions standards for passenger vehicles, light-duty trucks, and other vehicles determined by CARB to be vehicles that are primarily used for noncommercial personal transportation in the state. The 2009–2012 standards resulted in a reduction in approximately 22 percent of GHG emissions compared to emissions from the 2002 fleet, and the 2013–2016 standards resulted in a reduction of approximately 30 percent for vehicles sold in model year 2016 and beyond. Standards that regulate vehicle model years 2009–2016 are

termed "Pavley I." CARB adopted a second phase of the Pavley regulations, termed "Pavley II," which are now called the Low Emission Vehicle III (LEV III) standards. LEV III covers model years 2017–2025.

Issued on January 18, 2007, EO S-1-07 set a declining Low Carbon Fuel Standard (LCFS) for GHG emissions measured in CO_2e grams per unit of fuel energy sold in California. The target of the LCFS was to reduce the carbon intensity of California passenger vehicle fuels by at least 10 percent by 2020. The carbon intensity measures the amount of GHG emissions in the lifecycle of a fuel, including extraction/feedstock production, processing, transportation, and final consumption, per unit of energy delivered. A 10 percent reduction in the intensity of transportation fuels is expected to equate to a reduction of 16.5 MMT CO_2e in 2020. However, to account for possible overlap of benefits between LCFS and the LEV III standards, CARB discounted the contribution of LCFS to 15 MMT CO_2e.

In January 2012, CARB approved the Advanced Clean Cars Program, an emissions-control program for model years 2015–2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package (CARB 2024). To improve air quality, CARB implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. To reduce GHG emissions, CARB, in conjunction with the USEPA and the National Highway Traffic Safety Administration, adopted new GHG standards (LEV III standards) for model year 2017–2025 vehicles; the new standards are estimated to reduce GHG emissions by 34 percent in 2025.

California Code of Regulations, Title 24, Part 6

Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California's building standards. While not initially promulgated to reduce GHG emissions, Part 6 of Title 24 specifically established the Building Energy Efficiency Standards that are designed to ensure that new and existing buildings in California achieve energy efficiency and preserve outdoor and indoor environmental quality. The California Energy Code is required by law to adopt standards every 3 years that are cost effective for homeowners over the 30-year lifespan of a building. These standards are updated to consider and incorporate new energy-efficient technologies and construction methods. As a result, these standards save energy, increase electricity supply reliability, increase indoor comfort, avoid the need to construct new power plants, and help preserve the environment.

The latest update to the Title 24 standards was approved in 2021 and went into effect on January 1, 2023 (the 2022 standards). The 2022 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, and strengthen ventilation standards.

California Green Building Standards Code

The California Green Building Standards Code (24 CCR Part 11) contains mandatory requirements for new residential and non-residential buildings throughout California. The code is Part 11 of the California Building Standards Code in Title 24 of the California Code of Regulations. The current 2022

standards for new construction of and additions and alterations to residential and non-residential buildings went into effect on January 1, 2023.

The California Green Building Standards Code is intended to (1) cause a reduction in GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the governor's directives. The code was established to reduce construction waste, make buildings more efficient in the use of materials and energy, and reduce environmental impacts during and after construction.

The California Green Building Standards Code contains requirements for stormwater control during construction, construction waste reduction, indoor water use reduction, material selection, natural resources conservation, and site irrigation conservation. The code provides for design options that allow the designer to determine how best to achieve compliance for a given site or building condition. The code also requires building commissioning, which is a process for the verification that all building systems, such as heating and cooling equipment and lighting systems, function at maximum efficiency.

Executive Order N-79-20

Governor Gavin Newsom signed EO N-79-20 in September 2020 to end sales of internal combustion passenger vehicles by 2035, which established a target for the transportation sector to put the state on a path to carbon neutrality by 2045.

Senate Bill 375

SB 375 addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans and was enacted into law in September 2008. SB 375 required CARB to adopt regional GHG emissions reduction targets for the automobile and light-truck sector for 2020 and 2035. Regional Metropolitan Planning Organizations (MPOs) are then responsible for preparing a Sustainable Communities Strategy (SCS) within their Regional Transportation Plan. The goal of the SCS is to establish a forecasted development pattern for the region that, after considering transportation measures and policies, will achieve, if feasible, the GHG emissions reduction targets. If an SCS is unable to achieve the GHG emissions reduction target, the MPO must prepare an Alternative Planning Strategy demonstrating how the GHG emissions reduction target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies.

In 2010, CARB adopted the SB 375 targets for the regional MPOs. The targets for the San Diego Association of Governments (SANDAG) are a 15 percent reduction in emissions per capita by 2020 and a 19 percent reduction by 2035. SANDAG completed and adopted its most recent Regional Plan, San Diego Forward: The Regional Plan (2021 Regional Plan), in December 2021. The 2021 Regional Plan includes the region's SCS in accordance with SB 375 and continues to emphasize alternative transportation infrastructure and infill development (SANDAG 2021).

5.10.2.3 Regional

The following describes the regional regulations relevant to the Project's GHG analysis.

2021 San Diego Forward: The Regional Plan

SANDAG is the federally designated MPO for the San Diego region. SANDAG serves as a forum for public decision-making on regional issues such as growth, transportation, and land use in San Diego County and consists of representatives from each of San Diego County's local jurisdictions. The 2021 Regional Plan was adopted by the SANDAG Board of Directors on December 10, 2021. The 2021 Regional Plan provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources. The plan is the result of years of planning, data analysis, and community engagement to reimagine the San Diego region with a transformative transportation system, a sustainable pattern of growth and development, and innovative demand and management strategies. The plan plays a key role in reducing GHG emissions from mobile sources in the region. Strategies related to GHG emissions reduction include providing regional alternatives to automobile transportation and encouraging future development in identified mobility hubs with high concentrations of people, destinations, and travel choices. These strategies are intended to lower GHG emissions by reducing both the number of personal vehicle trips and trip distances (SANDAG 2021).

5.10.2.4 Local

The following describes the local regulations relevant to the Project's GHG analysis.

2008 City of San Diego General Plan

The Conservation Element of the 2008 City of San Diego General Plan, as amended (2008 General Plan), contains policies to guide the conservation of resources that are fundamental components of San Diego's environment, help define the City's identity, and are relied upon for continued economic prosperity. The purpose of this element is to help the City become an international model of sustainable development and conservation and to provide for the long-term conservation and sustainable management of the rich natural resources that help define the City's identity, contribute to its economy, and improve its quality of life (City of San Diego 2008).

The Land Use and Community Planning Element; the Mobility Element; the Urban Design Element; and the Public Facilities, Services, and Safety Element also identify GHG emissions reduction and climate change adaptation goals. These elements contain policy language related to sustainable land use patterns, alternative modes of transportation, energy efficiency, water conservation, waste reduction, and greater landfill efficiency. The overall intent of these policies is to support climate protection actions while retaining flexibility in the design of implementation measures, which could be influenced by new scientific research, technological advances, environmental conditions, or state

and federal legislation (City of San Diego 2008). The following policies are relevant to determining project consistency with climate change adaptation goals (City of San Diego 2022c):

- **LU-A.7:** Determine the appropriate mix and densities/intensities of village land uses at the community plan level, or at the Project level when adequate direction is not provided in the community plan.
    a. Consider the role of the village in the City and region; surrounding neighborhood uses; uses that are lacking in the community; community character and preferences; and balanced community goals (see also Section H).
    b. Achieve transit-supportive density and design, where such density can be adequately served by public facilities and services (see also Mobility Element, Policy ME-B.9). Due to the distinctive nature of each of the community planning areas, population density and building intensity will differ by each community.
    c. Evaluate the quality of existing and planned transit service.
- **ME-B.9:** Make transit planning an integral component of long range planning documents and the development review process.
    a. Identify recommended transit routes and stops/stations as a part of the preparation of community plans and community plan amendments, and through the development review process.
    b. Plan for transit-supportive villages, transit corridors, and other higher-intensity uses in areas that are served by existing or planned higher-quality transit services, in accordance with Land Use and Community Planning Element, Sections A and C.
    c. Proactively seek reservations or dedications of right-of-way along transit routes and stations through the planning and development review process.
    d. Locate new public facilities that generate large numbers of person trips, such as libraries, community service centers, and some recreational facilities in areas with existing or planned transit access.
    e. Design for walkability in accordance with the Urban Design Element, as pedestrian supportive design also helps create a transit supportive environment.
    f. Address rail corridor safety in the design of development adjacent to or near railroad rights-of-way.
- **CE-J.2:** Include community street tree master plans in community plans.
    a. Prioritize community streets for street tree programs.
    b. Identify the types of trees proposed for those priority streets by species (with acceptable alternatives) or by design form.
    c. Integrate known protected trees and inventory other trees that may be eligible to be designated as a protected tree.
- **CE-J.3:** Develop community plan street tree master plans during community plan updates in an effort to create a comprehensive citywide urban forest master plan.

The 2008 General Plan introduced the City of Villages strategy, which proposes growth to be directed into pedestrian-friendly, mixed-use activity centers linked to an improved regional transit system. The City of Villages strategy shifts the focus of land use policies to encourage infill development and reinvest in existing communities. Locating different land use types near one another can decrease mobile emissions. Thus, the development of dense urban "villages" would generate fewer GHG emissions. The City of Villages strategy can be seen as an effort to avoid what is commonly referred to as "urban sprawl" (City of San Diego 2008).

Recent amendments to the 2008 General Plan include a refresh of the 2008 General Plan (Blueprint SD) in July 2024. The most recent 2024 amendments to the 2008 General Plan were developed after the issuance of the Notice of Preparation for the Project (December 2023) and are noted for information only.

2022 City of San Diego Climate Action Plan

The City adopted an updated qualified CAP in August 2022 that builds upon the 2015 CAP and establishes a community-wide goal of net-zero emissions by 2035. The 2022 CAP was developed in response to state legislation and policies aimed at reducing California's GHG emissions, described previously, including EO B-55-18, which was codified by AB 1279, and calls for California to achieve carbon neutrality by 2045. The 2022 CAP sets the target emissions level for 2035 at net-zero emissions and sets a science-based, fair-share target for 2030 based on net-zero emissions in 2035. It is anticipated that the City would achieve a reduction of 8,774,000 MT CO_2e by 2035 with implementation of the 2022 CAP. However, additional reductions would be required to achieve net-zero emissions. The 2022 CAP relies on significant City and regional actions, continued implementation of federal and state mandates, and local strategies with associated action steps for target attainment (City of San Diego 2022a).

The overall strategies to achieve the 2022 CAP target include decarbonization of the built environment, access to clean and renewable energy, reduction of vehicle miles traveled through land use and transportation options, CH_4 capture and waste diversion, resilient infrastructure, habitat restoration, and pursuit of emerging climate actions.

City of San Diego Municipal Code Chapter 14, Article 3, Division 14

The City adopted CAP Consistency Regulations (San Diego Municipal Code [SDMC] Chapter 14, Article 3, Division 14) to ensure that all new development is consistent with the 2022 CAP. The CAP Consistency Regulations apply to specified ministerial and discretionary projects to ensure that projects comply with the goals and objectives of the 2022 CAP and contain measures that are required to be implemented on a project-by-project basis to confirm that the specified emissions targets identified in the 2022 CAP are achieved. Future development under the proposed Specific Plan would be required to comply with the following requirements outlined in the regulations (City of San Diego 2024a).

Section 143.1410, Mobility and Land Use Regulations

The following regulations support alternative mobility options, such as walking and biking, that reduce vehicle dependency and associated GHGs.

a. Pedestrian enhancements that reduce heat island effects shall be provided as follows:
    1. For a premises that contains a street yard or abuts a public right-of-way that contains a Furnishings Zone, at least 50 percent of the Throughway Zone shall be shaded as specified below.
        A. If the adjacent public right-of-way contains a Furnishings Zone, the shading shall be provided by street trees.
        B. If the adjacent public right-of-way does not contain a Furnishings Zone, the shading may be provided by a combination of trees and shade structures placed in the street yard.
        C. The shade coverage of a tree shall be determined by the expected canopy at 10-year maturity. The tree shall be selected in accordance with the Landscape Standards of the Land Development Manual and the City's Street Tree Selection Guide.
        D. Trees shall be irrigated and maintained consistent with Section 142.0403.
        E. The number of street trees provided shall not be less than what is required by the Landscape Regulations in Chapter 14, Article 2, Division 4.
    2. For a premises that does not contain a street yard and does not abut a public right-of-way that contains a Furnishings Zone, the applicant shall do one of the following:
        A. Plant the number of trees required by Section 143.1410(a)(1) at an off-site location within 1 mile of the project premises and enter into an agreement with the owner of the off-site location that ensures the indefinite maintenance of the trees; or
        B. Pay an Urban Tree Canopy Fee to be deposited into the Climate Resiliency Fund, as adopted by City Council Resolution.
b. Development on a premises larger than one acre shall provide accessible pedestrian access and connectivity to directly adjacent premises as follows:
    1. Accessible pedestrian paths shall connect to existing paths or walkways on the adjacent premises, or to areas where such paths could be constructed.
    2. The accessible pedestrian paths shall be at least four feet wide, continuous, clear of obstructions, easily identifiable as a pedestrian path, and visually distinguishable from other hardscaping.
    3. The accessible pedestrian paths shall be separated from vehicular access areas by wheelstops, curbs, landscaping, or other physical barriers, except when crossing driveways or aisles.
    4. A development is exempt from the requirements of this section if either of the following apply:
        A. Both the premises on which the development is located and the adjacent premises are zoned for exclusively residential development; or

B. There is a grade differential of more than 3 feet between the premises on which the development is located and the adjacent premises that precludes an accessible pedestrian path.

c. At least 50 percent of all residential and non-residential bicycle parking spaces required in accordance with Chapter 14, Article 2, Division 5 shall be supplied with individual outlets for electric charging at each bicycle parking space.

Section 143.1415, Resilient Infrastructure and Healthy Ecosystems Regulations

The following regulations support carbon sequestration as well as enhancement of air quality and the urban tree canopy.

a. Two trees shall be provided on the premises for every 5,000 square feet of lot area, with a minimum of one tree per premises.
   1. If planting of a new tree is required to comply with this section, the tree shall be selected in accordance with the Landscape Standards of the Land Development Manual and the City's Street Tree Selection Guide.
   2. Where possible, trees should be planted in native soil. Where native soil planting is prohibited by site conditions, required trees may be provided in built-in or permanently affixed planters and pots on structural podiums. Planters and pots for trees shall have a minimum inside dimension of 48 inches.
   3. Trees shall be irrigated and maintained consistent with Section 142.0403.
   4. The number of trees provided shall not be less than what is required by the Landscape Regulations in Chapter 14, Article 2, Division 4.

2021 City of San Diego Climate Resilient SD Plan

On December 14, 2021, the San Diego City Council adopted the City's first-ever Climate Adaptation and Resiliency Plan, the Climate Resilient SD Plan. The plan provides strategies to prepare, respond, and recover from potential climate change hazards, such as extreme heat, wildfires, sea-level rise, and flooding and drought, as well as how the proposed investments can improve local communities. The plan will increase the City's ability to adapt, recover, and thrive in a changing climate (City of San Diego 2021).

5.10.3 Significance Determination Thresholds

The thresholds used to evaluate potential GHG emissions impacts are generally based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU PEIR. A significant GHG emissions impact could occur if implementation of the Project would:

- **Issue 1:** Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or

- **Issue 2:** Conflict with the City's CAP or another applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Regarding the first threshold, the City has prepared a CAP that meets the standards outlined in CEQA Guidelines Section 15183.5, whereby a lead agency (e.g., the City) may analyze and mitigate the significant effects of GHG emissions at a programmatic level in a General Plan, a Long Range Development Plan, or a separate plan to reduce GHG emissions (City of San Diego 2022a). Per the requirements of Section 15183.5, the 2022 CAP quantifies existing GHG emissions and projected emissions for the years 2030 and 2035 resulting from activities within the City's jurisdiction and identifies City target emissions levels, below which the Citywide GHG impacts would be less than significant based on state emissions reduction goals. The 2022 CAP was evaluated through the CEQA process and a Final EIR was certified (SCH No. 2015021053), including analysis of the GHG emissions that would result from the business as usual scenario for the years 2030 and 2035. The 2022 CAP was evaluated in the Second Addendum to the Final EIR (City of San Diego 2022b). The 2022 CAP includes a monitoring and reporting program to ensure its progress toward achieving the specified GHG emissions reductions and specifies actions that, if implemented, would achieve the specified GHG emissions reductions targets. The City's Significance Thresholds and the CAP Consistency Regulations outline a process to determine whether individual projects would be consistent with 2022 CAP implementation targets (City of San Diego 2022c).

GHG emissions are a cumulative issue caused by global GHG emissions and not an individual project. Cumulatively, there exists a significant impact related to GHG emissions at the global level. As such, the impacts of individual projects are evaluated at the cumulative level only. The following analysis evaluates whether the Project would result in cumulatively significant GHG emissions. The City's 2022 CAP outlines strategies to achieve GHG emissions reductions in line with statewide emissions reduction targets. As such, a project that demonstrates consistency with the 2022 CAP would not generate GHG emissions that would have a significant impact on the environment.

5.10.4 Impact Analysis

5.10.4.1 Issue 1: Greenhouse Gas Emissions

Would the proposed Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR directly tiered from the 2015 CAP PEIR (in effect at the time) for cumulative GHG emissions under CEQA Guidelines Section 15183.5. Consistency with the City's 2015 CAP was used to evaluate the significance of the 2018 Community Plan's GHG impact. The Midway-Pacific Highway Community planning area identified the area as currently a source of anthropogenic GHGs, with emissions generated by vehicular traffic and energy use, water use, and solid waste

management practices from existing development in the area. GHG emissions were calculated in the 2018 Midway-Pacific Highway CPU PEIR for the 2018 Community Plan as well as estimated total construction emissions from 2018 Community Plan implementation. The estimated increase in emissions would be primarily due to additional multi-family dwelling units accommodated under the 2018 Community Plan, the majority of which are planned within identified Transit Priority Areas (TPAs). The 2018 Community Plan identified that the Midway-Pacific Highway Community planning area would experience an increase in aggregated GHG emissions when compared to existing conditions from the planned increase in population. However, per-capita GHG emissions was calculated to decrease because the 2018 Community Plan included additional multi-family dwelling units over the adopted 2018 Community Plan, which would result in more GHG-efficient development. This was determined to be consistent with the City's 2015 CAP targets for Citywide GHG emissions reductions.

Therefore, the 2018 Midway-Pacific Highway CPU PEIR determined that potential impacts related to GHG emissions from implementation of the 2018 Community Plan would be less than significant because the increase in GHG emissions would be attributable to more intensive land uses per implementation of the 2015 CAP and the City of Villages strategy. The 2018 Community Plan was determined to be consistent with the 2015 CAP and would result in a **Less than Significant** impact related to GHG emissions.

Project-Specific Impact Analysis

Impacts related to GHG emissions associated with the Project are analyzed herein pursuant to the City's 2022 CAP, 2008 General Plan, and CAP Consistency Regulations.

During construction, the Project would result in temporary GHG emissions from the operation of heavy construction equipment, worker vehicle trips, and truck trips bringing materials to and from the site. During operation, buildout of the Project would result in direct and indirect emissions from energy consumption, water and wastewater transport, and solid waste generation. GHG emissions from electricity consumed on site by the Project would be generated off site by fuel combustion at the electricity provider. GHG emissions from water and wastewater transport would be indirect emissions resulting from the energy required to transport water from its source and the energy required to treat wastewater and transport it to its treated discharge point. The Project would also generate mobile source emissions from motor vehicle trips. The site is an existing source of emissions related to vehicle trips, energy use, water use, and solid waste generation from existing development on the site.

Determining project consistency with the 2022 CAP is a two-step process. Step 1 in determining 2022 CAP consistency for development projects is to assess a project's consistency with the growth projections used in the development of the 2022 CAP. Step 2 is to determine whether a project is consistent with relevant 2022 CAP strategies to achieve identified GHG emissions reduction targets, including the CAP Consistency Regulations. Consistency with Step 1 must be achieved before proceeding to Step 2. These steps are evaluated below for the Project.

2022 CAP Consistency Step 1: Growth Projections

The first step in this analysis is to assess whether the Project would be consistent with the 2022 CAP land use and growth assumptions. For projects consistent with the 2022 CAP assumptions, GHG emissions associated with the construction and operation of the Project are assumed to be included in the 2022 CAP GHG emissions inventory and business-as-usual GHG emissions projections prepared for the 2022 CAP. Temporary Project construction emissions and long-term operation of land use development were included in the 2022 CAP GHG emissions inventory and business-as-usual GHG emissions projections and, thus, were accounted for in the 2022 CAP (City of San Diego 2022d). There are three ways a project can demonstrate land use and growth assumption consistency:

i. Is the proposed project consistent with the existing General Plan and Community Plan land use and zoning designations; or
ii. If the proposed project is not consistent with the existing land use plan and zoning designations, and includes a land use plan and/or zoning designation amendment, would the proposed amendment result in an increased density within a TPA; or
iii. If the proposed project is not consistent with the existing land use plan and zoning designations, does the project include a land use plan and/or zoning designation amendment that would result in an equivalent or less GHG-intensive project when compared to the existing designations?

A project only needs to meet one of the above options to demonstrate land use and growth assumption consistency. The applicable land use plans and growth assumptions for the Project site are in the 2008 General Plan and the 2018 Community Plan, which implements 2008 General Plan policies at the community plan level. Regarding Option (i), the Project would provide a mix of residential, commercial, and entertainment uses and parks and public spaces consistent with the land use types identified in the 2018 Community Plan. However, the Project would accommodate additional residential development beyond the assumptions of the 2018 Community Plan for the Midway Rising Specific Plan (Specific Plan) Area. Therefore, Option (i) is not applicable.

Regarding Option (ii), the additional residential development proposed under the Project would result in increased density in a TPA, which is consistent with 2022 CAP development goals. As shown on the City's Transit Priority Area maps, the Project site is located within the boundaries of an existing TPA, as identified in the 2018 Community Plan and online City TPA map (City of San Diego 2024b). The Project site is within the boundaries of the Parking Standards Transit Priority Area Overlay Zone and Transit Priority Area Overlay Zone and partially within the Transit Area Overlay Zone (see SEIR Figure 2-10, Transit Priority Areas). Increasing development density in a TPA specifically supports Strategy 3 of the 2022 CAP, Mobility and Land Use. This strategy includes an action to focus new development in TPAs. As outlined in this action, TPAs are areas that reduce GHG emissions by facilitating residents, employees, and visitors to safely, conveniently, and enjoyably travel as a pedestrian or by biking or transit. The 2022 CAP does not include additional specifications or requirements for this criterion.

Therefore, the Project meets the Option (ii) requirement to demonstrate consistency with the 2022 CAP. Because the Project demonstrates consistency with the 2022 CAP assumptions under Option (ii), demonstration of Project consistency with Option (iii) is not required.

The Project would increase residential density in a TPA and, therefore, achieve Step 1 in determining 2022 CAP consistency.

2022 CAP Consistency Step 2: CAP Strategies

Step 2 is to determine whether the Project is consistent with relevant 2022 CAP strategies to achieve identified GHG emissions reduction targets. The City has outlined different requirements applicable to plan-level projects and individual development projects. The Project proposes a new Specific Plan. The guidelines outlined in the CAP Consistency for Plan- and Policy-Level Environmental Documents and Public Infrastructure Projects apply to the Project (City of San Diego 2022c, 2022d). The Project must also be evaluated against the CAP Consistency Regulations required for individual development projects because the Project includes specific development at the Vesting Tentative Map level. The requisite analyses are included in Table 5.10-2, General Plan and Climate Action Plan Consistency.

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
2008 General Plan[1]	
LU-A.7: Determine the appropriate mix and densities/intensities of village land uses at the community plan level, or at the Project level when adequate direction is not provided in the community plan. (a) Consider the role of the village in the City and region; surrounding neighborhood uses; uses that are lacking in the community; community character and preferences; and balanced community goals (see also Section H). (b) Achieve transit-supportive density and design, where such density can be adequately served by public facilities and services (see also Mobility Element, Policy ME-B.9). Due to the distinctive nature of each of the community planning areas, population density and building intensity will differ by each community. (c) Evaluate the quality of existing and planned transit service.	The Project is not a new community plan. It is located within the boundaries of the 2018 Community Plan, which provides adequate direction for land use mix at the community plan level. As such, the Project, which is a Specific Plan, is evaluated for consistency with the 2018 Community Plan as it relates to this policy. In accordance with the 2018 Community Plan vision and Policy LU-A.7 related to land use mix, the Project proposes a mix of residential, commercial, retail, entertainment, public spaces, and park uses within a TPA that furthers the City of Villages strategy. The proposed Specific Plan (included as Appendix C to this SEIR) would implement design requirements for cohesive, connected development that establishes a distinctive district within the 2018 Community Plan area. The Project site is designated for Community Commercial use in the 2018 Community Plan, including residential development. This designation allows a variety of commercial uses that serve residents and workers in the community and adjacent communities. Residential uses are allowed as part of mixed-use development that features ground floor commercial uses. The Project would increase density on the site compared the 2018 Community Plan; however, development is consistent with types of land uses allowed and the vision for the area as a distinct activity center. A variety of multimodal improvements have been incorporated into the Project design to connect the Project site and the surrounding community (Policy a). As identified in the Specific Plan, Section 5.2, Mobility Objectives, the Project would provide the following regional-serving mobility improvements: • Provide Class I multi-use path along the Project frontage (south side) on Kurtz Street

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
	• Provide Class I multi-use path along the south side of Kurtz Street (east of the Project site) and along the southeast side of Rosecrans Street to provide a connection to the Old Town Transit Center via walking and biking • Provide Class I multi-use path (Bay-to-Bay Urban Path) along the eastern side of proposed Frontier Drive • Provide Class I multi-use path (Bay-to-Bay Urban Path) along the Project frontage (north side) on Sports Arena Boulevard and a Class IV one-way cycle-track in the westbound direction along the Project frontage • Provide Class IV one-way cycle-tracks on both sides of the proposed Kemper Street extension within the Project site • Construction of a roundabout at the intersection of Hancock Street and Kurtz Street • Stripe exclusive bus/right-turn only lanes on Sports Arena Boulevard and Rosecrans Street • Provide enhancements to the two existing local bus stops along the Project frontage on Sports Arena Boulevard and construct a new Bus Rapid Transit service bus stop per the MTS Designing for Transit Manual (2018) The Project applicant shall coordinate with the MTS, SANDAG, and City regarding the timeline and design details of implementation for these improvements and future Bus Rapid Transit service. A timeline has not been established for future Bus Rapid Transit. However, Bus Rapid Transit service to the area is identified as part of the near-term (by 2035) transportation network in the 2021 Regional Plan and Draft Proposed 2025 Regional Plan Transportation Network (SANDAG 2021, 2024). As described in Step 1 of the 2022 CAP Consistency analysis, the Project site is located in an identified TPA, as shown on Figure 2-10, Transit Priority Areas. It would provide transit-supportive density and design by providing mixed-use development along with multimodal circulation system improvements on the Project

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
	site (Policy b), as listed above. Consistent with Policy c, the Local Mobility Analysis prepared for the Project evaluates area transit service, including the information summarized above for Policy a (Appendix D1). Therefore, the Project would be consistent with this 2008 General Plan policy.
ME-B.9: Make transit planning an integral component of long range planning documents and the development review process. a. Identify recommended transit routes and stops/stations as a part of the preparation of community plans and community plan amendments, and through the development review process. b. Plan for transit-supportive villages, transit corridors, and other higher-intensity uses in areas that are served by existing or planned higher-quality transit services, in accordance with Land Use and Community Planning Element, Sections A and C. c. Proactively seek reservations or dedications of right-of-way along transit routes and stations through the planning and development review process. d. Locate new public facilities that generate large numbers of person trips, such as libraries, community service centers, and some recreational facilities in areas with existing or planned transit access. e. Design for walkability in accordance with the Urban Design Element, as pedestrian supportive design also helps create a transit supportive environment. f. Address rail corridor safety in the design of development adjacent to or near railroad rights-of-way.	The Project site is on an existing bus route, and the Project would construct a bus stop for a future Bus Rapid Transit route in the center of the Project's Sports Arena Boulevard street frontage (at proposed Frontier Drive) to create a strong transit connection (Policy a). Multimodal circulation improvements included in the Project are listed in Policy LU-A.7, The Project would provide new, higher density residential and commercial development in an identified TPA, consistent with Policy b. The site is currently served by bus service and is located on a planned higher-quality Bus Rapid Transit route, as described in Policy LU-A.7. The Project would include public ROW improvements for multimodal travel and transit service, as listed above under Policy LU-A.7 (Policy c). These ROW improvements include the Sports Arena Boulevard street frontage, an existing transit route. As such, through the site planning process, the Project would dedicate ROW along an existing transit route, including bus stop improvements. The Project would include new public facilities, including parks and public spaces and entertainment uses, in an area with existing and planned transit access (Policy d). The public facilities would include widened, enhanced, and activated sidewalks; a central green; and an urban square that are intended to serve as a focal point for the community. The enhanced public areas would encourage use of the site as a recreational area, and entertainment and community events would generate visitors to the site. As described above, the Project is located in an existing TPA and currently served by bus transit service.

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
	As previously described under Policy LU-A.7, the Project would enhance area walkability through new multimodal facilities on Project frontages and internal streets (Policy e) and through the provision of parks, paseo greens, and paseo greenways. Development on the site would be walkable and connected to new pedestrian walkways. Walkways would include street trees and lighting, and pedestrian wayfinding signage would be available throughout the site. The Project site does not include a rail corridor, and Requirement f is not applicable to the Project. Therefore, the Project would be consistent with this 2008 General Plan policy.
CE-J.2: Include community street tree master plans in community plans. a. Prioritize community streets for street tree programs. b. Identify the types of trees proposed for those priority streets by species (with acceptable alternatives) or by design form. c. Integrate known protected trees and inventory other trees that may be eligible to be designated as a protected tree.	The Specific Plan is consistent with the 2018 Community Plan policies regarding street trees. The 2018 Community Plan identifies the perimeter of the Project site and planned Kemper Street and Frontier Drive segments as Green Streets, including a linear park on Sports Arena Boulevard. The Specific Plan identifies tree planting zones and an accompanying tree palette. Sports Arena Boulevard, Kurtz Street, Frontier Drive, and Kemper Street are community streets that have been identified for street trees (Policy a). The Sports Arena Boulevard frontage is proposed to be a linear park promenade with a wide multimodal path, and amenities such as seating and play features. Additionally, all site development would be connected by walkways lined with street trees, including the identified Green Streets. Each of these streets has an accompanying palette of recommended tree species (Policy b). Native and adaptive trees with the following characteristics were selected for the palette: abundant shade canopy, drought tolerance, low maintenance, seasonal interest (refer to Specific Plan Appendix D, Plant Palette). There are no known protected trees in the Midway-Pacific Highway Community planning area. (Policy c). Therefore, the Project would be consistent with this 2008 General Plan policy.

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
CE-J.3: Develop community plan street tree master plans during community plan updates in an effort to create a comprehensive citywide urban forest master plan.	The Project is not a community plan; therefore, this policy does not specifically apply to the Project. However, the Specific Plan is located within the 2018 Community Plan area and is consistent with the 2018 Community Plan policies regarding street trees. The Specific Plan identifies tree planting zones and an accompanying tree palette consistent with the Green Streets identified in the 2018 Community Plan. Thus, the Specific Plan supports the 2018 Community Plan and 2008 General Plan in furthering the Citywide vision for a comprehensive Urban Forest Master Plan. Therefore, the Project would be consistent with this 2008 General Plan policy.
2022 Climate Action Plan	
Strategy 1: Decarbonization of the Built Environment. For Strategy 1, the project should: • Demonstrate that it would not conflict with the achievement of the decarbonization of the built environment. • Discuss any projects/project features that would reduce or eliminate the use of fossil fuels.	As detailed in Specific Plan Appendix A, Climate Action Plan Consistency, buildings would be all-electric except for emergency generators and commercial kitchen equipment at eating and drinking establishments. This approach is consistent with the Draft San Diego All-Electric Reach Code (City of San Diego 2023), which has been proposed to implement this 2022 CAP strategy. Specific Plan Appendix A, Climate Action Plan Consistency, also includes photovoltaic cells on all buildings with the exception of the entertainment center, renewable energy service from San Diego Community Power, and LED lighting for traffic lights included in Project roadway improvements, which would reduce the Project's use of fossil fuels. As described in the parking assumptions in Section 3.6, Assumptions for SEIR Analysis, the Project would include 353 EV charging stations, 1,700 EV capable spaces, and 1,138 EV-ready spaces. As such, the Project would be consistent with this 2022 CAP strategy.

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
Strategy 2: Access to Clean & Renewable Energy. For Strategy 2, the project should explain how the project would not conflict with the achievement of a goal of 100% renewable energy.	As detailed in Specific Plan Appendix A, Climate Action Plan Consistency, Project energy demand would be met through on-site renewable energy generation (solar) and provision of renewable energy through participation in San Diego Community Power. San Diego Community Power is a Community Choice Aggregate program that serves the Project site. San Diego Community Power partners with San Diego Gas & Electric to deliver purchased electricity from renewable energy sources. As such, the Project would be consistent with this 2022 CAP strategy.
Strategy 3: Mobility & Land Use. For Strategy 3, the project should: • Explain how the project would not conflict with the achievement of the Strategy 3 goals, and explain any project features that would further the goals of Strategy 3, such as providing or facilitating the delivery of: o Bicycle improvements, including, but not limited to ▪ Green bike lane ▪ Sharrow ▪ Buffered bike lane o Pedestrian ramps or other pedestrian crossing improvements o Transit improvements • Note where any public infrastructure project would support new development that achieves the City's climate goals, specifically to provide housing and development located within Transit Priority Areas.	As described above regarding 2008 General Plan Policy LU-A.7 consistency, the Project would further the goals of Strategy 3 by improving bicycle, pedestrian, and transit connections on site and to the surrounding community. The Project would include new Class I and Class IV bicycle facilities, both of which are defined as non-motorized lanes physically separated from vehicle traffic. Class I facilities would also provide protected pedestrian facilities. The Project would provide enhanced pedestrian connections through the Project site and to regional facilities, including to the Old Town Transit Center. Two existing bus stops would be improved, and one new bus stop would be constructed to accommodate planned Bus Rapid Transit service in the future. Additionally, the Project would provide new mixed-use development with affordable housing and community-serving retail within a TPA. The Project would be consistent with this 2022 CAP strategy.

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
Strategy 4: Circular Economy & Clean Communities. For Strategy 4, the Project should: • Briefly describe how it would comply with the City's Construction and Demolition Debris Diversion Ordinance. • Note where project operations would generally not increase solid waste production.	Construction of the Project would comply with the City's Construction and Demolition Debris Diversion Ordinance, as applicable. For example, with the exception of soil potentially containing hazardous materials, excavated soil from earlier phases of development would be stored to be used as fill for later phases. Balancing earthwork quantities to the extent feasible would reduce truck trips and required disposal. The Project site is currently a source of solid waste from the existing San Diego International Sports Arena and commercial uses. The Specific Plan includes a requirement that implementing development shall provide a comprehensive waste diversion plan showing how a building or set of buildings would reduce single-use plastic/Styrofoam and increase recycling and compost collection (Specific Plan Appendix A, Climate Action Plan Consistency). As such, new development would be expected to be more waste-efficient compared to existing uses. The Project would be consistent with this 2022 CAP strategy.
Strategy 5: Resilient Infrastructure and Healthy Ecosystems. For Strategy 5, the project should: • Describe any project features that further the City's climate resiliency goals, such as: o Replacement of any street trees that need to be removed o Addition of street trees to the public right-of-way o The offering of street trees to adjacent property owners • Explain how the project furthers climate resiliency, e.g., storm drain maintenance to prepare for greater prevalence of extreme rain events.	As described in greater detail below regarding consistency with CAP Regulation 143.1410(a), Project implementation would include a comprehensive street tree and landscape plan consistent with the public space and urban canopy goals of the 2022 CAP, as well as 2018 Community Plan requirements. Removal of street trees would be replaced at a minimum of 1:1 with new trees that would provide shade and aesthetic value to the community. New trees that would meet SDMC tree canopy requirements would be added to the ROW and throughout the Project site to reduce urban heat island effect. Additionally, the Project would reduce impervious surfaces on the site by approximately 7 percent compared to existing conditions and install best management practices to improve stormwater quality (Appendix I2). As discussed in Section 5.7, Hydrology/Water Quality, implementation of the Project would create approximately 14.54 acres

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
	of pervious landscape area and improved stormwater facilities, including sustainable stormwater features that would be incorporated into Project green spaces. As detailed in the Specific Plan, to reduce the potential for flooding on and off site, the proposed building finish floor elevations for the Project would be a minimum 1 foot higher than the adjacent existing finish floor elevations (Specific Plan Chapter 7, Infrastructure and Services). The Project would be consistent with this 2022 CAP strategy.
Strategy 6: Emerging Climate Action. Strategy 6 is intended to capture additional actions that may achieve the additional GHG reductions necessary after implementation of the first five strategies. It may include future technologies not currently available, opportunities for carbon sequestration, and partnerships with other jurisdictions. For Strategy 6, the Project should explain how it does not conflict with the achievement of this strategy, and discuss any emerging climate actions included in project implementation.	Specific implementation actions under Strategy 6 are currently unknown, and evaluation of consistency with potential actions would be speculative. The Project does not include any components that would conflict with research or implementation of emerging climate technologies, or strategies developed though new City partnerships. As new technologies become available, they may be incorporated into future building design. The Project supports Strategy 6 goals related to carbon sequestration and reducing air quality pollutants of concern by providing new tree cover and providing new pedestrian, bicycle, and transit connections to reduce vehicle trips, as described above. Therefore, the Project would be consistent with this 2022 CAP strategy.
Climate Action Plan Consistency Regulations	
SDMC Section 143.1410(a): Pedestrian enhancements that reduce heat island effects shall be provided as follows: 1. Development on a premises that contains a street yard or abuts a public right-of-way that contains a Furnishings Zone, at least 50 percent of the Throughway Zone shall be shaded as specified below.[1]	The Project site abuts a public ROW with a Furnishings Zone on Sports Arena Boulevard. As such, Section 143.1410(a)(1) contains the regulations applicable to the Project. Because Section 143.1410(a)(1) applies, Section 143.1410(a)(2) is not applicable and is not addressed below.

[1] As defined in SDMC Section 43.1405, a Furnishings Zone is the zone that provides the buffer between the active pedestrian area, the Throughway Zone, and street traffic and accommodates street trees, landscaping, street furniture, utility poles, parking meters, fire hydrants, bicycle racks, and similar improvements. A Throughway Zone is the zone that is intended for pedestrian travel only and should be entirely clear of obstacles.

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
(A) If the adjacent public right-of-way contains a Furnishings Zone, the shading shall be provided by street trees. (B) If the adjacent public right-of-way does not contain a Furnishings Zone, the shading may be provided by a combination of trees and shade structures placed in the street yard. (C) The shade coverage of a tree shall be determined by the expected canopy at 10-year maturity. The tree shall be selected in accordance with the Landscape Standards of the Land Development Manual and the City's Street Tree Selection Guide. (D) Trees shall be irrigated and maintained consistent with Section 142.0403. (E) The number of street trees provided shall not be less than what is required by the Landscape Regulations in Chapter 14, Article 2, Division 4. 2. Development on a premises that does not contain a street yard and does not abut a public right-of-way that contains a Furnishings Zone, the applicant shall do one of the following: (A) Plant the number of trees required by Section 143.1410(a)(1) at an off-site location within 1 mile of the Project premises and enter into an agreement with the owner of the off-site location that ensures the indefinite maintenance of the trees; or (B) Pay an Urban Tree Canopy Fee to be deposited into the Climate Resiliency Fund, as adopted by City Council Resolution	As described in Chapter 3, Village Concept, of the Specific Plan, the proposed landscape plan for the Project identifies a continuous tree canopy to provide shading on all adjacent Project streets. As such, shading would be provided by street trees on ROWs that do and do not contain Furnishing Zones, in accordance with Requirements A and B. This would include new promenades with tree canopies on both sides of the multi-use path on Sports Arena Boulevard, sections of Kurtz Street, and Kemper Street, and in the Furnishing Zone of the planned Frontier Drive. Architectural shade structures are also identified as an amenity to be provided throughout proposed public spaces. In accordance with Requirement C trees would be placed so that a minimum of 50 percent of pedestrian areas in the public ROW would be shaded by street trees at 10 years maturity. Tree placement, as shown on the conceptual public street designs (Specific Plan Figure 8, Figure 10, Figure 14, and Figure 16) and conceptual designs for park and public space areas (Specific Plan Figures 27 through 32), would ensure 50 percent coverage at year 10. The Project landscape plan, subject to City approval, would comply with all City standards and regulations, including the City's Land Development Manual, Street Tree Selection Guide, and Landscape Regulations. Trees would be irrigated with permanent, below-grade irrigation systems and would comply with all planting and irrigation requirements in SDMC Section 142.0403 (Requirement D). The Vesting Tentative Map for the Project identifies tree coverage that would exceed the currently calculated 858 tree requirement per the City's Landscape Regulations (PDC 2025~~2024~~) (Requirement E). Currently, the landscape plan for the site identifies 1,075 trees on the Project site and an additional 355 trees in roadway ROW. The plan is subject to change; however, the Project would comply with applicable City requirements,

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
	including tree requirements. Therefore, the Project would meet the street tree requirements identified in the City's Landscape Regulations. In addition to the specific requirements above, the Project would include pedestrian enhancements that reduce heat island effects throughout the site. As described in Specific Plan Section 5.4, Pedestrian Circulation and Promenades, all uses, buildings, parks and public spaces, and amenities on the Project site would be accessible and continuously connected by a network of paths, promenades, paseos, and greenways. The heat island effect would be reduced on this network through a continuous tree canopy. As described in Specific Plan Section 6.4, Public Space and Park Design, shade trees are also proposed in the neighborhood park, in paseo greens and paseo greenways and public plazas, and along private drives. As such, the Project would be consistent with this CAP Consistency Regulation.
143.1410(b): Development on a premises with 250 linear feet or more of street frontage shall provide and privately maintain at least one of the following publicly accessible pedestrian amenities for every 250 linear feet of street frontage to the satisfaction of the Development Services Department: (1) One trash receptacle and one recycling container. (2) Seating comprised of movable seats, fixed individual seats, benches with or without backs, or design feature seating, such as seat walls, ledges, or seating steps; (3) Pedestrian-scale lighting that illuminates the adjacent sidewalk; (4) Public artwork; (5) Community wayfinding signs; or (6) Enhancement of a bus stop or public transit waiting station within 1,000 feet of the premises.	The Project would include pedestrian facilities along all Project street frontages, including sidewalks or multi-use paths, as part of promenades along Sports Arena Boulevard, parts of Kurtz Street, Kemper Street, and proposed Frontier Drive. Although the precise location of amenities has not been determined, these facilities would include trash receptables (Requirement 1), seating (Requirement 2), lighting (Requirement 3), public artwork (Requirement 4), and community wayfinding signs (Requirement 5), as detailed for promenades in Specific Plan Section 6.4, Public Space and Park Design. At least one amenity would be available per 250 linear feet of street frontage, as required. Enhancements would be provided to two existing bus stops (at the intersection with proposed Frontier Drive, and adjacent to the proposed entertainment center) and one proposed bus stop on Sports Arena Boulevard (at the intersection with Kemper Street) in

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
	accordance with Requirement 6. The existing bus stops currently have only benches. The Project would enhance the two existing bus stops to provide amenities, including a new bench, transit shelter, schedule display, route and system map, trash receptable, and bus pad. The new bus stop would be designed with Bus Rapid Transit amenities, per the MTS Designing for Transit Manual, and include the amenities above in addition to real-time route digital display. As such, the Project would be consistent with this CAP Consistency Regulation.
143.1410(c): At least 50 percent of all residential and non-residential bicycle parking spaces required in accordance with Chapter 14, Article 2, Division 5 shall be supplied with individual outlets for electric charging at each bicycle parking space.	Bicycle parking would be provided at residential and non-residential uses on the Project site as required by SDMC Chapter 14, Article 2, Division 5. Short-term and long-term bicycle parking would be provided to serve proposed residential, retail, and event uses, including parks and public space areas and promenades for public use. In accordance with this regulation, outlets for charging e-bikes would be provided to 50 percent of stalls as detailed in the Specific Plan. As such, the Project would be consistent with this CAP Consistency Regulation.
143.1415(a): The following regulations support carbon sequestration as well as enhancement of air quality and the urban tree canopy. (a) Two trees shall be provided on the premises for every 5,000 square feet of lot area, with a minimum of one tree per premises. (1) If planting of a new tree is required to comply with this section, the tree shall be selected in accordance with the Landscape Standards of the Land Development Manual and the City's Street Tree Selection Guide. (2) Where possible, trees should be planted in native soil. Where native soil planting is prohibited by site conditions, required trees may be provided in built-in or permanently affixed planters and pots on structural	The Project would provide trees at a minimum of two per 5,000 square feet of lot area, with a minimum of one tree per lot. A variety of shade trees listed in the 2018 Community Plan, and Street Tree Selection Guide would be used in accordance with Requirement 1 (PDC 2025 ~~2024~~). Trees would be planted in native, amended soil in all areas not prohibited by site conditions (Requirement 2). The Project is required to include public space areas; therefore, Requirement 3 does not apply to the Project. Trees would be irrigated with permanent, below-grade irrigation systems and would comply with all Planting and Irrigation Requirements in SDMC Section 142.0403 (Requirement 4).

Table 5.10-2. General Plan and Climate Action Plan Consistency

Policy or Strategy	Project Consistency
podiums. Planters and pots for trees shall have a minimum inside dimension of 48 inches. (3) For a premises located within a base zone that does not require open space to accommodate the planting of on-site trees in compliance with this Section, the applicant shall do one of the following, except that all trees required by the Landscape Regulations in Chapter 14, Article 2, Division 4 must be provided on-site: (A) Plant the number of trees required by Section 143.1415(a) at an off-site location within one mile of the development and enter into an agreement with the owner of the off-site location that ensures the indefinite maintenance of the trees; or (B) Pay an Urban Tree Canopy Fee to be deposited into the Climate Resiliency Fund consistent with adopted City Council Resolution. (4) Trees shall be irrigated and maintained consistent with Section 142.0403. (5) The number of trees provided shall not be less than what is required by the Landscape Regulations in Chapter 14, Article 2, Division 4	As described above under SDMC Section 143.1410(a), the Project would meet the landscape requirements identified in the City's Landscape Regulations, including number of street trees and shading requirements (Requirement 5). Refer to Project consistency with SDMC Section 143.1410(a) for additional detail regarding the proposed tree canopy. The Project would provide new trees consistent with regulatory requirements and 2022 CAP urban canopy goals. As such, the Project would be consistent with this CAP Consistency Regulation.

Sources: City of San Diego 2022a, 2022c, 2022d.
Notes: 2008 General Plan = 2008 City of San Diego General Plan; 2018 Community Plan = 2018 Midway-Pacific Highway Community Plan; CAP = Climate Action Plan; EV = electric vehicle; LED = light-emitting diode; MTS = San Diego Metropolitan Transit System; ROW = right-of-way; SANDAG = San Diego Association of Governments; SDMC = San Diego Municipal Code; Specific Plan = Midway Rising Specific Plan; TPA = Transit Priority Area
[1] The City's 2008 General Plan was updated in 2024. However, the amendment was adopted after the Project's NOP was published and is noted for information only. Additionally, the 2008 General Plan was in place when the 2022 CAP was adopted.

As demonstrated in Table 5.10-2, future Project design would comply with the sustainability regulations adopted to meet the 2008 General Plan, 2022 CAP, and CAP Consistency Regulations. In addition to the requirements described previously, California and City regulations limit construction equipment and vehicle idling, promote energy efficiency (California Code of Regulations Sections 2449.1–2449.3), and mandate solid waste diversion (SDMC Section 66.06). Moreover, increasingly stringent state and local regulations would reduce ongoing emissions, such as vehicle emissions

standards and waste diversion programs. As demonstrated above, the Project would be consistent with 2022 CAP requirements for new development (Step 1 and Step 2). Therefore, GHG impacts from the Project would be **Less than Significant.**

5.10.4.2 Issue 2: Conflicts with Plans or Policies

Would the proposed Project conflict with the City's Climate Action Plan or another applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the Midway-Pacific Highway CPU would implement the 2008 General Plan's City of Villages strategy and include policies promoting walkability and bicycle use and transit-supportive development and, thus, would be consistent with the 2015 CAP (in effect at the time) and the 2008 General Plan. Impacts related to conflicts with applicable plans and policies addressing GHG emissions were determined to be **Less than Significant**.

Project-Specific Impact Analysis

2022 City of San Diego Climate Action Plan and Consistency Regulations

As detailed previously in Table 5.10-2, the Project would be consistent with the 2022 CAP and CAP Consistency Regulations.

2021 City of San Diego Climate Resilient SD Plan

The Climate Resilient SD Plan provides strategies to prepare, respond, and recover from potential climate change hazards, such as extreme heat, wildfires, sea-level rise, and flooding and drought, as well as how the proposed investments can improve local communities. The plan will increase the City's ability to adapt, recover, and thrive in a changing climate. Key plan components include connected and informed communities, resilient and equitable planning and investment, protection for historical and Tribal Cultural Resources, protection for natural environments, and maintenance of critical infrastructure. Project features that support relevant Climate Resilient SD Plan policies are summarized in Table 5.10-3, Climate Resilient SD Plan Consistency.

Table 5.10-3. Climate Resilient SD Plan Consistency

Policies	Project Consistency
Policy RE-2: Foster vibrant, healthy and sustainable communities. • Support expansion and management of an active transportation network. Provide safe, accessible active transportation infrastructure. • Explore opportunities and programs to increase access to healthy food markets, farmer's markets and other local food networks, particularly for low-income residents and families. • Increase access to parks and open space for all San Diegans. Increase overall shaded area at park spaces. Natural shade from trees shall be prioritized over artificial shade structures, whenever feasible. • Incentivize installation of cool roofs and green roofs. • Utilize the Urban Heat Vulnerability Index to help inform implementation of adaptation strategies to address extreme heat events and identify priority areas for cooling interventions.	As described in Table 5.10-2, the Project would include a comprehensive active transportation network, including new multi-modal Class I multi-use paths that would be separated from vehicle traffic and provide safe and accessible multi-use facilities. Additionally, the Project would include new parks and public spaces, including space for community events like farmers markets. Healthy food markets already exist within walking distance of the Project site, including a supermarket and a large retail store with fresh groceries across from the site on Sports Arena Boulevard, a grocery store 0.25 mile southeast of the site on Rosecrans Street, and a supermarket 0.5 mile southwest of the site on Midway Drive. New park and public space amenities would be regionally accessible through the proposed alternative transportation improvements, including a connection to Old Town Transit Center, bus stop improvements, and a new bus stop to accommodate future Bus Rapid Transit service. A net increase in trees on the Project site beyond City requirements, including a continuous tree canopy on street frontages, would reduce the urban heat island effect. The Project would not conflict with this Climate Resilient SD Plan policy.
Policy RE-3: Prioritize strategies with multiple benefits that increase the adaptive capacity of the City's most vulnerable communities. • Collaborate with the Air Pollution Control District (APCD) to implement the Community Emissions Reduction Plan (CERP) and AB 617. • Develop an urban greening program to promote expanded green spaces in urban areas. The program should facilitate greening of City buildings and encourage private development to include green features through policy development or incentive programs.	Project implementation would not interfere with City and APCD implementation of the CERP. The CERP, currently being prepared in accordance with AB 617, addresses air quality concerns in the International Border Community area in the southernmost portion of the City. The Project site is outside of this area and the CERP does not apply. Regarding the second and third bullets, the Project would include urban greening programs, including new parks and public spaces and a continuous tree canopy. New public gathering spaces would be available for famers markets. New buildings and green spaces would not preclude the establishment of community

Table 5.10-3. Climate Resilient SD Plan Consistency

Policies	Project Consistency
• Establish a community garden program to convert vacant lots, rooftops or other available space to public community gardens.	garden programs in available spaces. The Project would not preclude the future development of City programs to encourage green features or community gardens. The Project would not conflict with this Climate Resilient SD Plan policy.
Policy RE-4: Deepen community partnerships to support greater community involvement in resilience action and plan implementation. • Cultivate leadership and environmental stewardship in San Diego's youth. Consider partnerships with local schools and universities, and tribal organizations with active climate and resiliency programs, as well as focused internship programs and leadership opportunities. • Create principles for meaningful, equitable community engagement. Identify ways to remove barriers to participation. • Promote water conservation, water reuse and best management practices in local businesses and industry.	The Project would not interfere with City youth programs or community engagement programs because the Project site does not currently include facilities for these programs. Therefore, no existing programs would be impacted. The Project would provide new public spaces that may facilitate community engagement in the Project area. The Project would promote water conservation through compliance with State Green Building Standards, City Water Use Restrictions, and City Landscape Standards. Trees would be irrigated with permanent, below-grade irrigation systems and comply with all City planting and irrigation requirements. The Project would not conflict with this Climate Resilient SD Plan policy.
Policy TNE-4: Prioritize installation of green infrastructure wherever feasible. • Improve stormwater infrastructure resilience. • Maximize planning and implementation of green infrastructure at watershed scale and site specific.	As discussed in Section 5.7, Hydrology/Water Quality, the Project would reduce impervious surfaces on the site by approximately 7 percent. The Stormwater Quality Management Plan (Appendix I2) prepared for the Project includes new green infrastructure, including new landscape and park and public space areas, modular wetlands, and biofiltration planters for treatment. The improvements would accelerate stormwater infrastructure resilience. The Project would not conflict with this Climate Resilient SD Plan policy.

Table 5.10-3. Climate Resilient SD Plan Consistency

Policies	Project Consistency
Policy TNE-6: Protect and expand the City's urban forest. • Maintain and expand the City's urban tree canopy to meet the City's Climate Action Plan goals. • Incorporate considerations for a changing climate into urban forestry management and planning. Update the Urban Forestry Program 5 Year Plan with consideration for tree species diversification, salt tolerance, and irrigation needs.	As described in Table 5.10-2, the Project would expand the City's urban forest to exceed the CAP Consistency Regulation requirements for trees. The current landscape plan identifies 1,075 trees on site, which would exceed the required 858 trees. An additional 355 trees are identified in the roadway ROW. The Project would be consistent with the City's Urban Forestry Program, including tree species selection. Because landscaping would only incorporate tree species allowable under City standards, species diversification, salt tolerance, and irrigation needs would be consistent with current urban forestry goals. The Project would not interfere with future updates, Future landscape modifications or tree plantings would be subject to future program requirements as updated at the time of implementation. The Project would not conflict with this Climate Resilient SD Plan policy.
Policy CCS-2: Secure and maintain water and wastewater supplies and services. • Continue to update the Urban Water Management Plan every 5 years to reexamine future vulnerabilities to the City water supply. • Continue efforts to diversify the City's water supply sources and reduce dependence on imported water. • Promote stormwater as a resource concept by implementing capture and reuse technologies where feasible. • Replace or rehabilitate water and wastewater pipes to maintain a state of good repair, minimize breaks and ensure structural integrity in the face of climate change hazards such as flooding. • As Water Design Guidelines and Sewer Design Guidelines are updated, consider climate change impacts, such as sea level rise, coastal erosion and changes in precipitation.	This policy pertains to actions and improvements initiated by the City that are not applicable to the Project. However, as discussed in Section 5.12, Public Utilities, the Project would not interfere with implementation of City water and wastewater planning efforts or improvements to City infrastructure outside the Project site. Water and wastewater infrastructure plans have been prepared for the Project to provide improved infrastructure to the site, including pipelines, to adequately serve the proposed development. Project landscaping would comply with all City irrigation requirements, including installation of permanent below-grade irrigation systems. The Project would not conflict with this Climate Resilient SD Plan policy.

Table 5.10-3. Climate Resilient SD Plan Consistency

Policies	Project Consistency
• Account for projected changes in precipitation and sea level rise in water and wastewater planning. • Prepare and implement a facility climate change action plan for Point Loma Wastewater Treatment Plant. • Continue efforts to increase wastewater diversion to further reduce likelihood of sanitary sewer overflow. • Conduct detailed site assessments at active, identified vulnerable waste and wastewater facilities and identify climate change hazard risk mitigation options. • Integrate projected increases in wildfire frequency and intensity into watershed management and planning, dam and raw water reservoir operations and dam emergency planning, in alignment with City's Climate Action Plan. • Promote water conservation through updates to the City irrigation system.	
Policy CCS-3: Improve ability of infrastructure and built systems to withstand climate change shocks and stressors, while maintaining provision of essential services. • Provide cooling systems for City assets and equipment sensitive to overheating. • Plan for a climate ready transportation network. • Identify and implement flood protection measures for critical infrastructure. • Protect mechanical, electrical and other key operational equipment from flooding at critical facilities through facility improvements or adaptive action. • Conduct site assessments at City facilities and ensure effective management of vegetation, defensible space and hardening of assets as feasible for wildfire preparedness.	This policy pertains to actions and improvements initiated by the City that are not applicable to the Project. However, the Project would provide new urban canopies to reduce heat island effect as discussed in the Specific Plan (Specific Plan Chapter 6, Parks and Public Space Framework, and Appendix D, Plant Palette), new non-motorized transportation facilities as discussed in the Local Mobility Analysis (Appendix D1), and new stormwater drainage infrastructure to protect new development from flooding as discussed in Section 5.7, Hydrology/Water Quality. The Project would not include critical emergency support facilities, such as hospitals, and would not interfere with City site assessments for wildfire preparedness as discussed in Section 5.6, Health and Safety. The Project would not conflict with this Climate Resilient SD Plan policy.

Source: City of San Diego 2021.
Notes: CAP = Climate Action Plan

As shown in Table 5.10-3, the Project would support implementation of relevant Climate Resilient SD Plan policies and would not conflict with Climate Resilient SD Plan policies. Therefore, the Project would be consistent with the Climate Resilient SD Plan.

2021 San Diego Forward: The Regional Plan

The Project is located in a TPA and would implement a Specific Plan that has been drafted to support the policy objectives in SANDAG's 2021 Regional Plan in a location mapped as a TPA. As discussed in Table 5.10-2, the Project would provide new transit-supporting density and design, including mixed-use development and new parks and pedestrian and bicycle facilities that connect all internal site uses and adjacent properties. Project implementation would create a multi-use urban path along Sports Arena Boulevard and a promenade and bikeway along the extension of Kemper Street on the Project site to enhance the public realm and implement a portion of the pedestrian and bicycle improvements associated with the Bay-to-Bay Link. Project improvements include a Class I multi-use path along a majority of the southern side of Kurtz Street and along the southeastern side of Rosecrans Street to provide a connection to the Old Town Transit Center via walking and biking. As described in Table 5.10-2, the Project applicant would coordinate with SANDAG and the San Diego Metropolitan Transit System (MTS) to construct a bus stop to be used for future Bus Rapid Transit service to create a strong transit connection to the Old Town Transit Center, Mission Bay, and inland communities. A timeline has not been established for future Bus Rapid Transit. However, Bus Rapid Transit service to the area is identified as part of the near term (by 2035) transportation network in the 2021 Regional Plan and Draft Proposed 2025 Regional Plan Transportation Network (SANDAG 2021, 2024). The Project would not conflict with implementation of the 2021 Regional Plan. Rather, the Project would implement growth in a TPA, consistent with SANDAG's Sustainable Communities Strategy. The Project would implement new multi-modal transportation facilities in accordance with the 2021 Regional Plan network plan for the area to be a central mobility hub, including new bicycle and pedestrian facilities and improvements to support future Bus Rapid Transit Service.

2022 Climate Change Scoping Plan

The 2022 Scoping Plan provides a framework for actions to reduce California's GHG emissions and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. The 2022 Scoping Plan is not directly applicable to specific projects. The Project would comply with all applicable regulations adopted at the state level in furtherance of the 2022 Scoping Plan to the extent required by law, such as increasingly stringent Title 24 energy efficiency requirements. Additionally, Appendix D to the 2022 Scoping Plan, Local Actions, encourages the development of local climate action plans that meet the requirements of CEQA Guidelines Section 15183.5(b), as the appropriate tool for determining project consistency with statewide emissions reduction goals. As described previously, the 2022 CAP is consistent with CEQA Guidelines Section 15183.5(b), and outlines a path to achieve Citywide carbon neutrality, consistent with the 2022 Scoping Plan. As such, the City's 2022 CAP demonstrates the City's efforts to comply with statewide GHG emissions

reductions, and a Project that is consistent with the 2022 CAP would also be consistent with the 2022 Scoping Plan. As shown in Table 5.10-2, the Project has demonstrated consistency with the goals of the 2022 CAP and, therefore, would be consistent with statewide emissions reduction goals. The Project would be consistent with key 2022 Scoping Plan strategies, including reducing vehicle miles traveled through land use and transportation improvements, decarbonizing buildings through electrification and participation in San Diego Community Power, and increasing electric vehicle infrastructure pursuant to the California Green Building Code. The Project would improve the local transit and active transportation network by providing new protected non-motorized travel facilities, improvements at two existing bus stops, and a new bus stop for future Bus Rapid Transit service. The Project would include new green spaces and an urban tree canopy, consistent with 2022 Scoping Plan strategies relating to carbon removal and sequestration. Therefore, the Project would be consistent with CARB's 2022 Scoping Plan.

Impacts would be **Less than Significant.**

5.10.5 Significance of Impacts

5.10.5.1 Issue 1: Greenhouse Gas Emissions

The Project would be consistent with the City's 2022 CAP. Impacts related to GHG emissions from implementation of the Project would be **Less than Significant**.

5.10.5.2 Issue 2: Conflicts with Plans or Policies

Implementation of the Project would not conflict with the City's 2022 CAP or other applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Impacts would be **Less than Significant**.

5.10.6 Mitigation

No significant impacts were identified; therefore, no mitigation is required.

5.10.7 Significance of Impacts after Mitigation

5.10.7.1 Issue 1: Greenhouse Gas Emissions

Less than Significant.

5.10.7.2 Issue 2: Conflicts with Plans or Policies

Less than Significant.

5.11 Public Services and Facilities

This Subsequent Environmental Impact Report (SEIR) section describes the existing public services and facilities on the Midway Rising Project (Project) site and evaluates the potential for implementation of the Project to impact public services and facilities.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- City of San Diego Fire-Rescue Department (SDFD) Correspondance Letter (2024), included as Appendix L1 of this SEIR
- City of San Diego Police Department (SDPD) Findings Letter (2024), included as Appendix L2 of this SEIR
- San Diego Unified School District (SDUSD) Will Serve Letter (2024), included as Appendix L3 of this SEIR
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018)

5.11.1 Existing Conditions

Public services are functions and facilities that serve residents on a community-wide basis. Public services are generally provided to an area based on population, although each public service provider has their own set of service standards. The following section contains a description of the existing public services and facilities that would serve the Project.

5.11.1.1 Police Protection

Police services are provided by the SDPD, which is divided into nine divisions. Currently, police protection for the Project site is provided by the SDPD Western Division. The SDPD Western Division is at 5215 Gaines Street, approximately 1 mile from the Project site, and is currently staffed with 91 uniformed patrol officers who work 10-hour shifts. Staffing is composed of three shifts, which operate from 6:00 a.m. to 4:00 p.m. (first watch), 2:00 p.m. to midnight (second watch), and 9:00 p.m. to 7:00 a.m. (third watch). Using the SDPD's minimum staffing guidelines, the SDPD Western Division currently deploys a minimum of 15 patrol officers on first watch, 18 patrol officers on second watch, and 11 patrol officers on third watch (Appendix L2).

The SDPD does not staff individual stations based on ratios of sworn officers per 1,000 population. The City of San Diego (City)-wide goal is to maintain 1.48 officers per 1,000 population ratio. The SDPD currently staffs 1.34 sworn officers per 1,000 residents based on 2014 estimated City resident population of 1,311,882 (Appendix L2). Currently, no plans exist for additional police substations within the Project vicinity. Correspondence with the SDPD notes that police response times within the Project vicinity would continue to increase with buildout of community plans and increased traffic generated by new growth.

Currently, the SDPD uses a five-level priority call dispatch system, which includes Priorities E (Emergency), one, two, three, and four. The phone dispatcher prioritizes the calls and routes them to the radio operator for field unit dispatch. The priority call dispatch system allows the phone dispatcher and radio dispatcher discretion to raise or lower the call priority as necessary based on the information received. Priority E and priority one calls involve serious crimes in progress or those with a potential for injury. Priority two calls include vandalism, disturbances, and property crimes. Priority three calls include calls made after a crime has been committed, such as cold burglaries and loud music. Priority four calls include calls regarding parking complaints or lost and found reports.

The 2020 average response times for the SDPD Western Division were 5.5 minutes for Priority E calls, 29.1 minutes for priority one calls, 78.6 minutes for priority two calls, 106.6 minutes for priority three calls, and 84.7 minutes for priority four calls (Appendix L2). The SDPD Citywide response time goals are 7 minutes for Priority E calls, 14 minutes for priority one calls, 27 minutes for priority two calls, 80 minutes for priority three calls, and 90 minutes for priority four calls.

5.11.1.2 Parks and Recreation

The Midway-Pacific Highway Community planning area does not have dedicated City park spaces within its boundaries and is served by parks in surrounding areas, such as Mission Bay Park, Presidio Park in Old Town, and the Naval Training Center Park at Liberty Station. The San Diego River Trail is a multi-purpose trail and pathway for pedestrians and bicyclists just north of Interstate 8 on the southern side of the San Diego River approximately 0.04 mile from the Project site. A privately built skatepark under Pacific Highway at Washington Street is well-used. The closest recreation center is in Old Town, and the closest large park to the Project site is Presidio Park, a regional park, approximately 1.8 miles from the Project site. Naval Training Center Park at Liberty Station is approximately 2 miles from the Project site, and South Shores Park in Mission Bay is approximately 2.4 miles from the Project site. Presidio Park encompasses approximately 40 acres and includes the Junípero Serra Museum, picnic areas, a small venue space, restrooms, monuments, and a public lawn space for active and passive recreation. Naval Training Center Park at Liberty Station encompasses 46 acres and includes tot lot playgrounds, an outdoor basketball court, multi-purpose fields, picnic areas, and special event fields. It is also the site of a planned future aquatic center. South Shores Park is a small park mainly for boating activities with a small grassy area, comfort stations, a boat ramp, and a recreational vehicle dump.

Several regional parks within driving and cycling distance to the Project site include Balboa Park and Mission Bay Park. Balboa Park encompasses 1,200 acres north of Downtown San Diego and includes over 17 museums, performing arts venues, gardens, trails, a children’s playground, and the San Diego Zoo. Mission Bay Park, which consists of over 4,600 acres and has 27 miles of shoreline, is just north of the Project site and houses many boat launches, bayside boardwalks, children’s playgrounds, off-leash dog facilities, designated swimming areas, water sports areas, and basketball and volleyball courts.

5.11.1.3 Fire Protection

The SDFD provides fire protection services to the Project site. The SDFD serves a total area of approximately 343 square miles, a population of over 1.4 million, and 17 miles of coastline extending 3 miles offshore. The SDFD is a multi-faceted organization that provides the City with fire and life-saving services, including fire protection, emergency medical services, and lifeguard protection at San Diego beaches. San Diego Fire Station 20, located at 3305 Kemper Street, 0.2 mile south of the Project site, is the closest fire station that serves the Project site. Apparatus at this station includes Engine 20, Truck 20, and Paramedic Unit 20.

The City has established a first-due unit response time of 7.5 minutes for medical emergencies and small fires 90 percent of the time from receipt of the 911 call to fire dispatch (Appendix B). The first-due unit response time is the time it takes for fire response to arrive at the scene of the emergency after being dispatched. This equates to a 1-minute dispatch time, 1.5-minute turnout time, and 5-minute travel time in the most populated areas of the City. Turnout time is the time beginning when units acknowledge notification of the emergency to the time point of the beginning of the response. Engine 20 and Truck 20 can reach the Project site in 2.2 minutes (Appendix L1).

Emergency medical services are also provided to the Project site and throughout the City through a public-private partnership between the City's Emergency Medical Services and Falck Mobile Health Corp., which provides additional personnel and ambulances. The City's Emergency Medical Services has ambulances, paramedics, and emergency medical technicians who respond to emergency calls. Calls are prioritized from Level 1 (most serious) to Level 4 (non-emergency). The Paramedic Unit is equipped for advanced life support capabilities per County of San Diego and City of San Diego protocols. The ambulance is equipped for advanced life support. Personnel are trained to handle any type of life-threatening emergency in the field as required by the City.

5.11.1.4 Schools

The Project site is within the jurisdiction of the SDUSD and served by Dewey Elementary, Dana and Corriea Middle Schools, and Point Loma High School. Table 5.11-1, Estimated Program Capacity and Enrollment, provides information on recent enrollment and estimated program capacity of these schools. As shown in Table 5.11-1, enrollment at these schools is currently below available capacity.

Table 5.11-1. Estimated Program Capacity and Enrollment

School (grade)	Address	Estimated Program Capacity	Enrollment Fall 2022	Enrollment Fall 2023	Projected Enrollment Fall 2024
Dewey Elementary (Universal Transitional Kindergarten–4th)	3251 Rosecrans Street, San Diego, CA 92110	440	322	282	295
Dana Middle (5th and 6th)	1775 Chatsworth Boulevard, San Diego, CA 92106	1,185	693	674	650
Correia Middle (7th and 8th)	4302 Valeta Street, San Diego, CA 92107	1,020	598	644	617
Point Loma High (9th through 12th)	2335 Chatsworth Boulevard, San Diego, CA 92106	2,185	1,713	1,690	1,680

Source: Appendix L3.

5.11.1.5 Libraries

The San Diego Public Library and its branch locations provide library services in the City. Specifically, the Point Loma/Hervey Library in the Peninsula Community and the Mission Hills-Hillcrest/Harley & Bessie Knox Library in the Uptown Community serve the Project site. The Point Loma/Hervey Library is a 26,000-square-foot facility constructed in 2003. The Mission Hills-Hillcrest/Harley & Bessie Knox Library is a 15,000-square-foot facility built in 2019 (City of San Diego 2024).

5.11.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address public services and facilities.

5.11.2.1 Federal

There are no federal regulations related to public services and facilities.

5.11.2.2 State

California Mutual Aid Plan

The California Mutual Aid Plan establishes policies, procedures, and responsibilities for requesting and providing inter- and intra-agency assistance in emergencies. The plan directs local agencies to develop automatic or mutual aid agreements or to enter into agreements for assistance by hire (e.g., Schedule A contracts) where local needs are not met by the framework established by the California Mutual Aid Plan.

Senate Bill 50

Senate Bill 50, the Leroy F. Greene School Facilities Act of 1998, restricts the ability of local agencies to deny project approvals on the basis that public school facilities (e.g., classrooms, auditoriums) are inadequate. School impact fees are payments to offset capital cost impacts associated with new developments, which result primarily from costs of additional facilities, related furnishings and equipment, and projected capital maintenance requirements. As such, agencies cannot require additional mitigation for any school impacts (Chapter 407, Statutes of 1998).

5.11.2.3 Local

2008 City of San Diego General Plan

Public Facilities, Services, and Safety Element

The 2008 City of San Diego General Plan, as amended (2008 General Plan), contains a Public Facilities, Services, and Safety Element to address publicly managed and provided facilities and services. This element provides policies for financing, prioritization, developer, and City funding responsibilities for public facilities in the City and includes with service targets (City of San Diego 2008).

Relevant 2008 General Plan Public Facilities, Services, and Safety Element policies are as follows (City of San Diego 2008):

- **PF-D.1.** Locate, staff, and equip fire stations to meet established response times as follows:
    a. To treat medical patients and control small fires, the first-due unit should arrive within 7.5 minutes, 90 percent of the time from the receipt of the 911 call in fire dispatch. This equates to 1-minute dispatch time, 1.5 minutes company turnout time and 5 minutes drive time in the most populated areas.
    b. To provide an effective response force for serious emergencies, a multiple-unit response of at least 17 personnel should arrive within 10.5 minutes from the time of 911-call receipt in fire dispatch, 90 percent of the time.
        - This response is designed to confine fires near the room of origin, to stop wildland fires to under 3 acres when noticed promptly, and to treat up to 5 medical patients at once.
        - This equates to 1-minute dispatch time, 1.5 minutes company turnout time and 8 minutes drive time spacing for multiple units in the most populated areas.

Table PF-D.1. Deployment Measures to Address Future Growth by Population Density per Square Mile

	>1,000 people/sq. mi.	1,000 to 500 people/sq. mi.	500 to 50 people/sq. mi.	Permanent open space area
1st Due Travel Time	5 minutes	12 minutes	20 minutes	10 minutes
Total Reflex* Time	7.5 minutes	14.5 minutes	22.5 minutes	12.5 minutes
1st Alarm Travel Time	8 minutes	16 minutes	24 minutes	15 minutes
1st Alarm Total Reflex* [Time]	10.5 minutes	18.5 minutes	26.5 minutes	17.5 minutes

*Reflex time is the total time from receipt of a 9-1-1 call to arrival of the required number of emergency units.

- **PF-D.2.** Determine fire station needs, location, crew size and timing of implementation as the community grows.
  a. Use the fire unit development performance measures (based on population density per square mile) shown in Table PF-D.1 to plan for needed facilities. Where more than one square mile is not populated at similar densities, and/or a contiguous area with different density types aggregates into a population cluster area, use the measures provided in Table PF-D.2.
  b. Reflect needed fire-rescue facilities in community plans and associated facilities financing plans as a part of community plan updates and amendments.

Table PF-D.2. Deployment Measures to Address Future Growth by Population Clusters

Area	Aggregate Population	First-Due Unit Travel Time Goal
Metropolitan	> 200,000 people	4 minutes
Urban-Suburban	< 200,000 people	5 minutes
Rural	500–1,000 people	12 minutes
Remote	< 500	> 15 minutes

- **PF-D.5.** Maintain service levels to meet the demands of continued growth and development, tourism, and other events requiring fire-rescue services.
  a. Provide additional response units, and related capital improvements as necessary, whenever the yearly emergency incident volume of a single unit providing coverage for an area increases to the extent that availability of that unit for additional emergency responses and/or non-emergency training and maintenance activities is compromised. An excess of 2,500 responses annually requires analysis to determine the need for additional services or facilities.

- **PF-D.6.** Provide public safety related facilities and services to assure that adequate levels of service are provided to existing and future development.
- **PF-E.1.** Provide a sufficient level of police services to all areas of the City by enforcing the law, investigating crimes, and working with the community to prevent crime.
- **PF-E.2.** Maintain average response time goals as development and population growth occurs. Average response time guidelines are as follows:
  - Priority E Calls (imminent threat to life) within seven minutes.
  - Priority 1 Calls (serious crimes in progress) within 12 minutes.
  - Priority 2 Calls (less serious crimes with no threat to life) within 30 minutes.
  - Priority 3 Calls (minor crimes/requests that are not urgent) within 90 minutes.
  - Priority 4 Calls (minor requests for police service) within 90 minutes.
- **PF-K.1.** Assist the school districts and other education authorities in resolving problems arising over the availability of schools and educational facilities in all areas of the City.

Recreation Element

The City has over 38,930 acres of park and public space lands that offer a diverse range of recreational opportunities. The 2008 General Plan Recreation Element, updated in 2021, contains goals and policies to address the challenges the City faces to preserve, protect, develop, operate, maintain, and enhance public recreation opportunities and facilities throughout the City. The purpose of the element is to manage the increasing demand on existing/remaining usable park and recreation resources/facilities; develop public space lands and resource-based parks for population-based recreational purposes; ensure the distribution and access to parks is achieved equally Citywide, recognizing the unique differences among communities; and achieve livable neighborhoods and communities (City of San Diego 2021a).

Recent amendments to the 2008 General Plan were adopted in July 2024 as a part of a refresh to the 2008 General Plan (Blueprint SD). The most recent 2024 amendments were adopted after the issuance of the Notice of Preparation for the Project (December 2023) and are noted for information only.

2018 Midway-Pacific Highway Community Plan

The Public Facilities, Services, and Safety Element addresses the provision of public facilities and services in Midway-Pacific Highway Community planning area and health and safety issues affecting the community. Relevant 2018 Community Plan Public Facilities, Services, and Safety Element policies are as follows (City of San Diego 2018):

- **PF-1.2:** Maintain sufficient fire and rescue services to serve the Midway-Pacific Highway community.
- **PF-1.3:** Coordinate with the San Diego Unified School District to explore options for the provision of pre-kindergarten to 12th grade educational facilities to serve future students within Midway – Pacific Highway as needed.

2021 City of San Diego Parks Master Plan

On August 3, 2021, the San Diego City Council approved the Citywide 2021 Parks Master Plan that replaced the City's 1956 planning document. In 2021, the City Council approved changes to the 2008 General Plan Recreation Element concurrently with adoption of the 2021 Parks Master Plan. The 2021 Parks Master Plan makes a firm commitment to equity by prioritizing funding for park-deficient and historically underserved communities, where park needs are greatest (City of San Diego 2021a, 2021b).

The 2021 Parks Master Plan identifies policies, actions, and partnerships for planning parks, recreation facilities, and programs that create a Citywide network of recreational experiences, as well as existing gaps to guide future park development, and promotes equity throughout the City. It establishes new equity goals; new 10-, 20-, 30-, and 40-minute access goals; new park standards for new development that measure recreational value; and Citywide Park Development Impact Fees (DIFs). The new park standards apply to new development and address park access issues in densely populated areas. The 2021 Parks Master Plan establishes a new park standard, the Recreational Value-Based Park Standard (Value Standard), which differs from the previous population-based standard (City of San Diego 2021b).

The Value Standard applies to population-based parks that include portions of regional parks that serve local populations. The Value Standard is not intended to be applied to portions of regional parks, including trails, shorelines, and public space parks, that serve the region. Regional assets are to be evaluated during future Community Plan updates. The Value Standard determines the value of parks in points based on features related to park size, recreational opportunities, access, amenities, activations, and overall value delivered. As an outcome-based measure, the Value Standard recognizes the value of parks appropriate for diverse communities, from ball fields to pocket parks to trails, and is used to assess the need for upgrades and new park facilities. The scoring system (Appendix D of the 2021 Parks Master Plan) accounts for park size, health/fitness/sports, social spaces, site amenities, access/connectivity, and activation and engagement. The 2021 Parks Master Plan sets a recreation value goal of 100 points per 1,000 people that is now applied Citywide (City of San Diego 2021b).

5.11.3 Significance Determination Thresholds

The thresholds used to evaluate potential public services and facilities impacts are generally based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU PEIR. A significant public services and facilities impact could occur if implementation of the Project would:

- **Issue 1:** Promote growth patterns resulting in the need for and/or provision of new or physically altered public facilities (including police protection, parks, or other recreational facilities, fire/life safety protection, libraries, or schools), the construction of which could cause significant environmental impacts in order to maintain service ratios, response times, or other performance objectives.

5.11.4 Impact Analysis

5.11.4.1 Issue 1: Public Facilities

Would the Project promote growth patterns resulting in the need for and/or provision of new or physically altered public facilities (including police protection, parks, or other recreational facilities, fire/life safety protection, libraries, or schools), the construction of which could cause significant environmental impacts in order to maintain service ratios, response times, or other performance objectives?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

Police Protection

The Midway-Pacific Highway CPU PEIR stated it is likely that police response times within the Midway-Pacific Highway Community will continue to increase under the future development projections of the Midway-Pacific Highway CPU, which could ultimately result in the need for new or expanded police services. However, as future development is proposed in the Midway-Pacific Highway Community planning area, individual projects would be subject to applicable DIFs for public facilities financing in accordance with San Diego Municipal Code Section 142.0640. The Midway-Pacific Highway CPU PEIR concluded that, despite the population growth assumed in the 2018 Community Plan, no new police facilities were identified. Therefore, impacts related to the expansion/construction of new facilities were determined to be **Less than Significant**.

Parks

The Midway-Pacific Highway CPU PEIR concluded that although the existing and projected deficit in population-based parks and facilities would remain, the 2018 Community Plan contains policies to promote future parks and park equivalencies and facilitates the development of parks. Implementation of the Midway-Pacific Highway CPU provides policy support for increasing parks and recreation facilities in the Midway-Pacific Highway Community planning area. Individual park projects under the proposed Midway-Pacific Highway CPU may require a project-level analysis at the time they are proposed, based on the details of the parks and the existing conditions at the time such projects are pursued. Therefore, the Midway-Pacific Highway CPU PEIR concluded that a **Less than Significant** impact would occur.

Fire/Life Safety Protection

The Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would result in an increase in overall population. ~~However, the expected increase in population would not require the Fire-Rescue Department to expand or construct new facilities. As future development is proposed in the Midway-Pacific Highway Community planning area, individual projects may be subject to payment of DIFs, which would provide facilities financing in accordance with San Diego Municipal Code Section 142.0640.~~ The Midway-Pacific Highway CPU includes a comprehensive Impact Fee

Study that identified public facilities needed to serve the community, ~~will define applicable DIFs for future development,~~ including funding for fire/life safety facilities. The Impact Fee Study, adopted with the Midway-Pacific Highway CPU, included the potential to expand and replace Fire Station 20~~, though no funding was identified~~. Therefore, impacts related to the expansion/construction of new fire facilities were determined to be **Less than Significant**.

Libraries

The Midway-Pacific Highway CPU PEIR determined (through correspondence with the San Diego Public Library) that increases in population would not warrant the need for additional facilities to meet the 2018 Community Plan's library service requirement. Because the 2018 Community Plan did not include the construction of library facilities and facility to meet the needs of the Midway-Pacific Highway Community planning area, impacts related to library facilities were determined to be **Less than Significant**.

Schools

The Midway-Pacific Highway CPU PEIR determined that the cumulative potential increase in students from the number of future additional housing units allowed in the 2018 Community Plan would likely impact SDUSD schools to the point of reaching or exceeding capacity, and new or expanded school facilities would be needed. However, future residential development would be required to pay school fees as outlined in California Government Code Section 6599, California Education Code Section 53080, and Senate Bill 50 to mitigate any potential impact on SDUSD schools. Therefore, the Midway-Pacific Highway CPU PEIR determined that impacts to schools would be **Less than Significant**.

Project-Specific Impact Analysis

Police Protection

The Public Facilities, Services & Safety Element of the 2008 General Plan provides average response time goals for the SDPD. Average response time guidelines include Priority E calls (imminent threat to life) within seven minutes, Priority 1 Calls (serious crimes in progress) within 12 minutes, Priority 2 Calls (less serious crimes with no threat to life) within 30 minutes, Priority 3 Calls (minor crimes/requests that are not urgent) within 90 minutes, and Priority 4 Calls (minor requests for police service) within 90 minutes.

The Project would allow up to 4,254 housing units compared to 2,166 housing units allowed under the existing Midway-Pacific Highway CPU, resulting in the introduction of an additional population (approximately 5,346 people) that would require police services. The portion of the site's population growth associated with the 2018 Community Plan was analyzed in the Midway-Pacific Highway CPU PEIR. The SDPD Western Division substation is approximately 1 mile northeast from the Project site at 5215 Gaines Street. Although the Project would result in additional residents and new housing

that would require police services, the additional population would be in an area currently served by the same police service division. Ongoing funding for police services is provided by the City's General Fund. A Crime Prevention Through Environmental Design Review is recommended by the SDPD to address general security concerns (Appendix L2) in line with the City of Villages strategy. An increase in population would occur above that evaluated in the Midway-Pacific Highway CPU PEIR; nevertheless, existing police facilities would continue to serve the Project site, and implementation of the Project would not require the construction of new or expanded facilities or improvements to existing facilities. Impacts would be **Less than Significant**.

Parks and Public Space

The City uses the Recreational Value Standard, as established in the 2021 Parks Master Plan (City of San Diego 2021b), as the guideline for planning parks and recreation facilities. The value is determined based on park size, health/fitness/sports, social spaces, site amenities, access/connectivity, and activation and engagement, as detailed in the 2021 Parks Master Plan Appendix D.

The Project shall meet the minimum Value Standard requirement through a combination of proposed on-site public parks with recreational amenities and the payment of applicable fees. The Project's proposed on-site parks and public space would serve new residents of the Project and surrounding neighborhood residents. Any collected fees would support the future development of public parks and public space consistent with Citywide policies.

As described in Chapter 3.0, Project Description, public parks would consist of The Green, The Square, The Plaza, paseo greens, and paseo greenways. Specifically, The Green would be a neighborhood park composed of park program elements and amenities tailored toward future park users. Programming within The Green may include but not be limited to public multi-use lawns to allow for free-play activities like pickup soccer and frisbee, a tot lot, a dog park, space for movie nights and outdoor yoga classes, flexible event spaces, community recreation opportunities (such as basketball courts or other sports courts), and free and ticketed events.

The Square would be a public plaza or outdoor entertainment center for cultural and community events and may include event lawn space, shade structures, a performance pavilion, an outdoor performance stage, and fixed and movable seating, along with space for retail kiosks and food trucks. The Plaza would provide a pedestrian and bicycle link between The Green and The Square and connect to Frontier Drive, nearby parking structures, residential buildings, and other public spaces on the Project site. The paseo greens would be residential-focused public park spaces at the ground level between residential housing blocks that may include shade trees; lawn areas; plantings; stabilized decomposed granite surfaces; pedestrian facilities; children's play areas; gated dog runs; and smaller recreational opportunities, such as bocce ball, fitness stations, game tables, and movable furnishings. Finally, the paseo greenways would be usable public park spaces that would provide access to

residential and event parking garages and facilitate public pedestrian and bicycle circulation. Park features that count toward the Value Standard point scoring would be determined and designed in collaboration with the public and City staff, consistent with the 2021 Parks Master Plan policy.

The public space areas would consist of promenades, streetscapes, and residential buffers. Promenades would surround the Project site and occur along Sports Arena Boulevard, Kurtz Street, Kemper Street, and Frontier Drive to enhance public pedestrian and cyclist experience and connectivity. The Project would provide new park and public space facilities to serve the Project and would meet the required minimum Value Standard requirement through a combination of on-site park and public space amenities and through payment of applicable fees. The physical impacts related with future construction of the Project and its associated park amenities have been conducted as part of the Project's analysis and would result in no additional impacts beyond those addressed in this SEIR. Therefore, impacts would be **Less than Significant**.

Fire/Life Safety Protection

The Public Facilities, Services & Safety Element of the 2008 General Plan provides standards for the total time ~~in which~~ it takes for fire-rescue services to respond to an emergency call based on population density per square mile. The total response time for the required number of emergency units to arrive at the emergency response location, for areas where there are more than 1,000 people per square mile, is 7.5 minutes.

The Project would provide up to 4,254 housing units, compared to 2,166 units allowed under the existing Midway-Pacific Highway CPU. This would result in additional population (approximately 5,346 more people, refer to Chapter 7.0, Other Mandatory Discussion Areas) that would generate an additional demand for fire protection and emergency services in the service area.

The Project would meet site design and construction design standards with respect to assuring adequate safety from fire hazards. Access for emergency vehicles would be provided at the main Project entries along Sports Arena Boulevard and Kurtz Street. Internal private drives would meet the San Diego Municipal Code, California Building Code, California Fire Code , and ~~City~~ Fire Marshal's standards. Please refer to Chapter 3.0, Project Description, and Section 5.6, Health and Safety, for additional information on internal fire lanes. In addition, proposed buildings would be constructed with fire-resistant construction materials and would include a protective system of fire sprinklers, as required by the SDMC and the California Fire Code. The Project would provide design features including adequate turn-around radii for fire trucks within the internal roadway network and key placement and installation of fire hydrants throughout the Project site in accordance with San Diego Municipal Code, Chapter 5.

The Project proposes a new on-site public water system and a private on-site fire protection system. Specifically, 8-inch fire supply lines would be installed within the paseo greenways and The Plaza. The entertainment center would include construction of a 6-inch private fire hydrant lateral off Kurtz

Street. This hydrant would provide fire protection service for the entertainment center. A Water Supply Assessment and Verification Report was prepared and indicated that there is sufficient water planned to supply the Project's estimated annual average usage, including water supply for potential fires. Please refer to Section 5.12, Public Utilities, for more information on water supply and infrastructure.

The Midway-Pacific Highway CPU PEIR refers to the 2018 Community Plan and Impact Fee Study regarding fire and rescue services. The 2018 Community Plan identifies that Fire Station 20 at 3305 Kemper Street provides fire and rescue services to the Midway-Pacific Highway community. The 2018 Community Plan references the Impact Fee Study, which was prepared and adopted with the 2018 Community Plan. The Impact Fee Study discusses the need for the design and construction of a new 12,500-square-foot Fire Station 20 with three bays to meet the current and future emergency response needs of the Midway-Pacific Highway and surrounding communities.

~~Development Impact Fees would be required~~ Prior to the issuance of building permits to fund T~~t~~he Project~~'s~~ would contribute its fair share to~~ward ongoing operational costs, including~~ upgrades to Fire Station 20 pursuant to the requirements of the San Diego Municipal Code. While there is an existing need to ~~potentially~~ upgrade Fire Station 20, as identified in the Impact Fee Study in the Midway-Pacific Highway CPU ~~PEIR~~, the Project itself would not individually trigger the need for new or altered fire facilities beyond what was identified in the Midway-Pacific Highway CPU PEIR. As identified in Section 5.11.3, Significant Determination Thresholds, the focus of the analysis should be on the physical impacts of constructing the public service facilities. There is currently no known plan or submitted application to build or alter Fire Station 20, and without specific development plans, it would be too speculative for evaluation of physical impacts pursuant to CEQA Guidelines Section 15145. The focus of the analysis is on the physical impacts of constructing public service facilities, and ~~As the project does not propose the construction of new or altered fire facilities, n~~ as there is no alteration or new construction proposed of such facilities, no physical impacts ~~associated with the construction of such facilities~~ would occur. ~~At the present time, significant response time deficiencies due to a lack of personnel or equipment can be helped only by continued, mandatory budget approval by the City Council.~~ Therefore, impacts would be **Less than Significant**.

Libraries

Library services are provided by the San Diego Public Library. The 2008 General Plan establishes goals and policies for the library system facilities. Per the 2008 General Plan, a library system should contribute to the quality of life through technologically improved services and welcoming environments. Branch libraries should be 15,000 square feet or larger and include features and services that address community-specific needs.

The Project would provide up to 4,254 housing units, compared to 2,166 allowed under the existing Midway-Pacific Highway CPU, resulting in an increase in population that would increase the demand for library services. Even with the population increase projected to be generated by the Project,

residents would have the option to use the 25,890-square-foot Point Loma/Hervey Library, the 15,000-square-foot Mission Hills-Hillcrest/Harley & Bessie Knox Library, or any other branch library that is part of the San Diego Public Library. The existing branches are adequately sized at 15,000 square feet or larger based on the 2008 General Plan requirements to serve the increase in residents from the Project and would not be impaired by the increase in residents. Therefore, no new or altered facilities would be required. Impacts to library service would be **Less than Significant**.

Schools

Potential impacts to schools serving the Project site would be related to the number of students generated by the Project. Student generation rates vary based on the type of residential development, such as single-family attached/detached and multi-family housing. There are no SDUSD standard or school-specific rates for schools to population ratio. To estimate the number of potential students, the SDUSD references the student generation rates of existing, similar developments in various neighborhoods of the SDUSD (Appendix L3). The estimated student generation rates for elementary, middle, and high schools associated with multi-family dwelling units, as well as the Project's estimated student generation amount (based on the then-proposed 4,627 multi-family dwelling units), are provided in Table 5.11-2, Estimated Number of Students Generated for the Project. The SDUSD estimate is conservative because it is based on a higher unit count of 4,627 dwelling units compared to the Project's proposed 4,254 units. Moreover, the middle income housing has been eliminated, and those units will now be market rate, which has a lower student generation rate than middle income units.

Table 5.11-2. Estimated Number of Students Generated for the Project

Type of Housing	Number of Housing Units	Estimated Student Generation Rates	Estimated Number of Students
Market Rate	2,250	TK–5: 0.056–0.112 6–8: 0.022–0.045 9–12: 0.018–0.035	TK–5: 126–252 6–8: 50–101 9–12: 41–79
Middle Income	377	TK–5: 0.084–0.168 6–8: 0.033–0.067 9–12: 0.027–0.053	TK–5: 32–64 6–8: 13–25 9–12: 10–20
Affordable	2,000	TK–5: 0.444–0.889 6–8: 0.209–0.418 9–12: 0.154–0.308	TK–5: 888–1,778 6–8: 418–836 9–12: 308–616
Total	**4,627**	**—**	**TK–5: 1,046–2,094** **6–8: 481–962** **9–12: 359–715**

Source: Appendix L3.

Notes: This table is conservative because the 377 middle income housing units have been changed to market rate. As noted in the table, the generation rate for market rate is less than middle income. Therefore, the number of students generated by the Project would be TK–5: 1,035–2,072; 6–8: 13–828; and 9–12: 356–682, which is less than the total shown in the table.

According to Table 5.11-2, the Project is estimated to generate 1,046–2,094 elementary school students, 481–962 middle school students, and 359–715 high school students, resulting in a total of 1,886–3,771 students within the SDUSD school system.

The Project site is within the jurisdiction of the SDUSD and served by Dewey Elementary, Dana and Corriea Middle Schools, and Point Loma High School. As shown in Table 5.11-1, enrollment at these schools is currently below available capacity. However, based on the estimated number of students generated by the Project shown in Table 5.11-2, the existing capacity is not enough to handle the projected increase of the Project (Appendix L3). As such, the new student population generated by the Project could cause the schools serving the Project to reach or exceed capacity, requiring the need for new or expanded facilities. California Government Code Sections 65995 and 65996 and California Education Code Section 53080 authorize school districts to impose facility fees on new development to address any increased enrollment that may result. The legislation holds that an acceptable method of offsetting a project's effect on the adequacy of school facilities is payment of a school impact fee prior to issuance of a building permit. Once paid, the school impact fees would reduce any Project-related impacts to school facilities. The SDUSD would be responsible for the potential expansion or development of new facilities, including associated CEQA and other regulatory compliance for future schools' projects. The Project would be required to pay the school impact fee prior to the issuance of a building permit. Therefore, impacts to schools resulting from the implementation of the Project would be **Less than Significant**.

5.11.5 Significance of Impacts

5.11.5.1 Issue 1: Public Facilities

Police Protection

The Project would result in a population increase that would increase police service calls, but no new facilities or improvements to existing facilities would be required to serve the Project. Impacts would be **Less than Significant**.

Parks

Implementation of the Project would include development of public parks and public space. The physical impacts related to construction of the Project and its associated park and public space amenities have been evaluated as part of the Project's analysis, and no additional impacts have been found beyond those already addressed in this SEIR. The Project would provide new park and public space facilities to serve the Project and would meet the required minimum Value Standard requirement through a combination of on-site park and public space amenities and through payment of applicable fees. Therefore, impacts would be **Less than Significant**.

Fire/Life Safety Protection

The Project would result in a population increase that would generate an additional demand for fire protection and emergency services in the service area. However, the Project itself would not individually trigger the need for new or altered fire facilities beyond what was identified in the Midway-Pacific Highway CPU PEIR. Developer Impact Fees would be required ~~prior to the issuance of building permits~~ to fund needed fire facility improvements, ~~the Project's fair share toward ongoing operational costs,~~including already anticipated upgrades to Fire Station 20. Therefore, the Project itself would not trigger the need for new or altered fire facilities. Impacts would be **Less than Significant**.

Libraries

The Project would result in a population increase that would increase demand for library services; however, no new libraries or improvements to existing library facilities would be required to serve the Project, as there are existing branch libraries 15,000 square feet or larger in the vicinity that can serve the Project site per the 2008 General Plan. Therefore, impacts to libraries would be **Less than Significant**.

Schools

The new student population generated by the Project could cause the schools serving the Project site to reach or exceed capacity, resulting in the need for new or expanded school facilities. The Project would be required to pay school fees as outlined in California Government Code Section 65995, California Education Code Section 53080, and Senate Bill 50 to reduce any potential impact on SDUSD schools. Therefore, impacts to schools would be **Less than Significant**.

5.11.6 Mitigation

No significant impacts were identified; therefore, no mitigation is required.

5.11.7 Significance of Impacts after Mitigation

5.11.7.1 Issue 1: Public Facilities

Less than Significant.

5.12 Public Utilities

This Subsequent Environmental Impact Report (SEIR) section describes the existing public utilities within the Midway Rising Project (Project) vicinity and evaluates the potential for implementation of the Project to impact public utilities.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- Public Sewer System Analysis prepared by Dexter Wilson Engineering (2024), included as Appendix M1
- Public Water System Analysis prepared by Dexter Wilson Engineering (2024), included as Appendix M2
- Water Supply Assessment and Verification Report (WSA and WSV Report) prepared by the City of San Diego (City) Public Utilities Department (PUD) (2024), included as Appendix M3
- Waste Management Plan prepared by Midway Rising, LLC (2024), included as Appendix M4
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018)

5.12.1 Existing Conditions

5.12.1.1 Water

The Project site is currently served by the PUD. The PUD serves nearly 1.4 million people populating over approximately 400 square miles, with deliveries of approximately 175,000 acre-feet per year (AFY). The PUD maintains a complex water system that includes nine surface reservoirs, three water treatment plants (discussed in Section 5.12.1.3, Wastewater), pump stations, and approximately 6,300 miles of water transmission and distribution pipelines (City of San Diego 2024).

The PUD has developed a separate recycled water system to offset the demand for potable water. The goal is to reduce the City's dependence on imported water and increase reliability by providing non-potable water supplies. The City's recycled water system consists of two water reclamation plants with a combined total wastewater treatment capacity of 50,406 AFY (45 million gallons per day [MGD]), three recycled water storage facilities with over 12 million gallons of storage capacity, and approximately 100 miles of recycled water pipelines (Appendix M3). Recycled water service is available through the North City Water Reclamation Plant (northern service area), which is in the Miramar Water Treatment Plant service area, and the South Bay Water Reclamation Plant (southern service area). The North City Water Reclamation Plant has an ultimate capacity of 30 MGD.

The PUD's existing potable water pipelines on the Project site include a 12-inch pipeline in Kurtz Street, a 12-inch pipeline in Sports Arena Boulevard, and a 16-inch pipeline in Rosecrans Street within University Heights 1 Pressure Zone.

5.12.1.2 Water Supply

The PUD relies on purchased water from the San Diego County Water Authority (SDCWA) as a water supply source. The SDCWA is recognized as the lead agency for procuring imported water to meet the current and long-term needs of the City and the San Diego region. The SDCWA purchases much of its water from the Metropolitan Water District (MWD). As a member agency of the SDCWA, the City assists the SDCWA as needed in working with the MWD, the California Department of Water Resources, the County of San Diego, other local water agencies, and the private sector to satisfy the region's future water supplies and demands. Below is a summary of these water supply sources.

Metropolitan Water District

The MWD is a consortium of 26 cities and water districts that provides imported water to nearly 19 million people in parts of Los Angeles, Orange, San Diego, Riverside, San Bernardino, and Ventura Counties. It imports its water from two main sources, the Colorado River via the Colorado River Aqueduct, which it owns and operates, and the Sacramento-San Joaquin Delta via the State Water Project. Additional water sources currently or potentially available to the MWD include local supplies, groundwater banking, water transfers, seawater desalination, and water recycling. Planning documents such as the Regional Urban Water Management Plan and Integrated Water Resources Plan ensure the reliability of water supplies and the infrastructure necessary to provide water to Southern California.

San Diego County Water Authority

The SDCWA is an independent public agency that serves as a wholesale water supplier to its 23 member agencies. It owns and operates five large-diameter pipelines to deliver imported water to its member agencies. The City, with a population of 1.4 million served, is the SDCWA's largest member agency and customer.

Historically, the principal source of supply for the SDCWA's service area has been water purchased from the MWD for sale to the SDCWA's member agencies. However, drought conditions and population growth in the SDCWA's service area have highlighted the need for diversification of the region's water supplies. The SDCWA has actively pursued a strategy of supply diversification that includes the acquisition and importation of additional water supplies, the development of additional local water supply projects, and augmentation of its water supply via local and regional water storage capacity. The SDCWA receives most of its water supply from transfers with Colorado River contractors. In 2020, the SDCWA received 144,000 AF (31 percent of total water supply) from a conservation and transfer agreement with the Imperial Irrigation District and 86,000 AF (19 percent of its water supply) from the All-American Canal and Coachella Canal Lining Projects. By 2040, almost 8 percent of the SDCWA's supply portfolio will be potable reuse, and 9 percent will be seawater desalination, which are drought-proof supplies.

City of San Diego Public Utilities Department

The City currently purchases approximately 85 to 90 percent of its water from the SDCWA, which supplies the water (raw and treated) through two aqueducts consisting of five pipelines. While the City imports the majority of its water, it uses local supply sources to meet some of its demand. Additionally, non-potable recycled water is used to offset potable demand. In June 2021, the PUD issued its most recent 2020 Urban Water Management Plan (UWMP) (City of San Diego 2021a), which outlines current and future water supplies and demands in the City's service area. The City is engaged in several strategies to increase water reliability, including local groundwater supply development, increased recycled water use or potable reuse, continued conservation efforts, and ongoing strategic water resources planning. The 2020 UWMP projects water supply reliability for average years, single-dry years, and multiple-dry years and concludes that the PUD will have sufficient water supplies to serve the City through 2045.

5.12.1.3 Wastewater

The City's Metropolitan Wastewater System treats wastewater from the City and 12 other cities and districts within its service area via three wastewater treatment plants with a combined total capacity of 285 MGD (Metropolitan Wastewater JPA 2019).

Recycled water is produced at the City's North City Water Reclamation Plant and South Bay Water Reclamation Plant and is used for non-potable use, such as landscape irrigation. The City's recycled water system has a combined total wastewater treatment capacity of 50,406 AFY (45 MGD), three recycled water storage facilities with over 12 million gallons of storage capacity, and approximately 100 miles of recycled water pipelines (Appendix M3).

The largest existing City sewer facility near the Project site is the 96-inch North Metro Interceptor 1A near the eastern end of the Project site. The existing on-site sewage flow is collected by the existing gravity 27-inch Ocean Beach Trunk Sewer 14 on the northern side of Sports Arena Boulevard and the existing 36-inch Ocean Beach Trunk Sewer 117 on the southern side of Sports Arena Boulevard. Both trunk sewers send flow east, where it is collected by the existing 96-inch North Metro Interceptor 1A, which sends flow south. An existing 10-inch public sewer is located in Sports Arena Boulevard, which sends flow west and also connects to the 96-inch North Metro Interceptor 1A. The area northeast of the Project site includes larger commercial and industrial buildings that use the existing sewer pipelines, sending flow east to the 96-inch North Metro Interceptor 1A in Sheridan Street (Appendix M1).

5.12.1.4 Stormwater

The Stormwater Department is responsible for the operation and maintenance of streets, sidewalks, and storm drains; leads efforts to protect and improve the water quality of rivers, creeks, bays, and the ocean; performs traffic and transportation system engineering; manages the utilities undergrounding

program; and plans and coordinates work in the public right-of-way. Storm drains are designed to handle normal water flow, but occasionally flooding will occur during heavy rain. Storm drain infrastructure within the community's streets often discharges into the natural canyon areas, causing erosion. Stormwater pollution affects people as well as aquatic plant and animal life. Oil and grease from parking lots and roads, leaking petroleum storage tanks, pesticides, cleaning solvents, and other toxic chemicals can contaminate stormwater and be transported into receiving waters.

The Project site is developed with various commercial and entertainment land uses and with approximately 97 percent impermeable areas. An existing 42-inch public storm drain crosses the property diagonally in the northwestern corner. Currently, stormwater sheet flows in three general directions to the surrounding streets and then enters the public storm drain system before connecting to the San Diego River flood control channel downstream. The San Diego River discharges into the Pacific Ocean north of Ocean Beach. Refer to Section 5.7, Hydrology/Water Quality, for further discussion on drainage.

5.12.1.5 Solid Waste and Recycling

Solid waste management on the Project site is provided by the City's Environmental Services Department (ESD) and private collectors. The City provides refuse collection for residences on dedicated public streets, provide adequate safe space and access for storage collection, and comply with San Diego Municipal Coded (SDMC) regulations. Other customers pay for services by City franchised private hauling companies. Solid waste generated on the Project site is collected by private franchised haulers and taken to one of three active landfills permitted to accept solid waste: West Miramar Sanitary Landfill, Otay Landfill, and Sycamore Sanitary Landfill (Sycamore Landfill).

5.12.1.6 Electric Power Facilities

San Diego Gas & Electric (SDG&E) is the owner and operator of electricity transmission, distribution, and natural gas distribution infrastructure in San Diego County, and currently provides gas and electric services to the Project site from power lines along Kurtz Street and Sports Arena Boulevard and surrounding area. SDG&E is regulated by the California Public Utilities Commission.

5.12.1.7 Communications

AT&T, Cox, Spectrum (formerly Time Warner), and other independent cable companies service communications systems for telephone, computers, and cable television. In addition, two satellite services, Direct TV and Dish, provide television services serving individual tenants on the Project site.

5.12.1.8 Natural Gas

SDG&E delivers natural gas to the Project site from an existing gas line in Kurtz Street.

5.12.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address public utilities.

5.12.2.1 Federal

No federal regulations related to public utilities are applicable to the Project.

5.12.2.2 State

Senate Bill 610

For certain types of large projects, Senate Bill (SB) 610 requires that the associated environmental document include a discussion of the availability of water to meet the projected water demands of a project for a 20-year planning horizon, including single- and multiple-dry years. A foundational document for compliance with SB 610 is the UWMP, a requirement of the Urban Water Management Act and the California Water Code. The following types of projects are subject to SB 610:

- A proposed residential development of more than 500 dwelling units
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space
- A proposed hotel or motel, or both, having more than 500 rooms
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area
- A mixed-use project that includes one or more of the projects specified in this subdivision
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project

The Project includes the development of up to 4,254 housing units; therefore, the Project is subject to SB 610.

Senate Bill 221

SB 221 went into effect on January 1, 2002, to improve the relationship between water supply information and land use decisions made by cities and counties. SB 221 was a companion measure to SB 610, and both bills aimed to encourage more collaboration between local water suppliers and cities and counties. Under SB 221, approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply, or WSV, from the water supplier. The WSV is prepared before the adoption of the Final Subdivision Map and ensures that sufficient water supply is available to serve a new subdivision before construction begins.

Assembly Bill 1826

In October 2014, Governor Brown signed Assembly Bill (AB) 1826 Chesbro (Chapter 727, Statutes of 2014), requiring businesses to recycle their organic waste. Organic waste means food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper waste mixed in with food waste. Multi-family properties are regulated but are only required to divert green waste and non-hazardous wood waste. This law also requires local jurisdictions across the state to implement an organic waste recycling program to divert organic waste generated by businesses, including certain multi-family residential dwellings.

Assembly Bill 1881

AB 1881, the Water Conservation in Landscaping Act of 2006, requires the Department of Waste Resources to prepare an updated Model Water Efficient Landscaping Ordinance (Model Ordinance) in accordance with specified requirements to conserve water through efficient irrigation and landscaping. By January 1, 2010, local agencies were to adopt either the updated Model Ordinance or a local landscape ordinance that is at least as effective in conserving water as the Model Ordinance. Pursuant to state law, the City amended its Landscape Regulations (SDMC Chapter 14, Article 2, Division 4) and Landscape Standards in April 2016 to expand water conservation in landscaping. The Landscape Standards implement the requirements of the Landscape Regulations. Landscape plans and installations are required to follow the Landscape Standards.

Assembly Bill 939: California Integrated Waste Management Act

The California Integrated Waste Management Act was enacted by the California Legislature in 1989 (AB 939) with the goal of reducing dependence on landfills for the disposal of solid waste and to ensure an effective and coordinated system for the safe management of all solid waste generated within the state. AB 939 mandated a reduction in the amount of solid waste disposed of by jurisdictions and required diversion goals of 25 percent by 1995 and 50 percent by the year 2000. The Integrated Waste Management Act established a hierarchy of preferred waste management practices, which include (1) source reduction, (2) recycling and composting, and (3) environmentally safe disposal by transformation or landfilling. It addresses the aspects related to solid waste regulation, including the details regarding the lead enforcement agency's requirements and responsibilities; the permit process, including inspections and denials of permits; enforcement; and site cleanup and maintenance. AB 939 required cities and counties to divert a minimum of 50 percent of all solid waste from landfill disposal. In 2011, the California Legislature enacted AB 341 (California Public Resources Code Section 42649.2), increasing the diversion target to 75 percent statewide. AB 341 also requires the provision of recycling service to commercial and residential facilities that generate 4 cubic yards or more of solid waste per week.

Senate Bill 1383

SB 1383 was adopted in 2016 to combat climate change and reduce landfill methane emissions. Diverting organic waste to recycling can significantly reduce local air emissions. The goal was to reduce organic waste disposal 50 percent by 2020 and 75 percent by 2025. As of January 1, 2022, residents and businesses in California are required to recycle food and yard waste. Acceptable materials include food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper products. SB 1383 requires every jurisdiction to provide organic waste collection services to residents and businesses.

Senate Bill 54: Plastic Pollution Prevention and Packaging Producer Responsibility Act

On June 30, 2022, SB 54 was signed into law to address the impacts of single-use packaging and plastic food service ware. SB 54 imposes minimum content requirements for single-use packaging and plastic food service ware to be achieved through an extended producer responsibility program. The law requires producers to ensure the following by 2032:

- 100 percent of single-use packaging and plastic food service ware sold in the state is recyclable or compostable
- 65 percent of single-use plastic packaging and food service ware is recycled
- 25 percent less single-use plastic packaging and food service ware is sold

Waste Reuse and Recycling Act

The Waste Reuse and Recycling Act required the California Integrated Waste Management Board (now known as the California Department of Resources Recycling and Recovery) to approve a model ordinance for adoption by any local government for the transfer, receipt, storage, and loading of recyclable materials in development projects by March 1, 1993. The act also required local agencies to adopt a local ordinance by September 1, 1993, or allow the Model Ordinance to take effect. The act requires development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded to provide an adequate area for collecting and loading recyclable materials over the lifetime of the project. The area is required to be provided before building permits are issued.

Mandatory Commercial Recycling Program

AB 341, enacted in 2011, amended AB 939 by making a legislative declaration that it is the policy goal of the State of California that not less than 75 percent of solid waste generated be reduced, recycled, or composted. While a policy goal may not be legally enforceable, city and/or county ordinances and other mechanisms make AB 341 provisions enforceable within their jurisdictions. AB 341 also requires a business (defined to include a commercial or public entity) that generates more than 8 cubic yards of commercial solid waste per week or is a multi-family residential dwelling of five units or more to arrange for recycling services.

2022 California Green Building Standards Code

California Code of Regulations, Title 24, Part 11, is referred to as the California Green Building Standards Code (CALGreen) went into effect in January 2011. The most recently approved update to CALGreen became effective January 1, 2023, and is applicable to the planning, design, operation, construction, use, and occupancy of newly constructed buildings and structures throughout the State of California. CALGreen Section 5.408.1 requires that 65 percent of construction and demolition waste be diverted from landfills and that 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting from land clearing shall be reused or recycled.

Urban Water Management Planning Act (California Water Code, Division 6, Part 2.6, Section 10610 et. seq.)

The Urban Water Management Planning Act was developed due to concerns for potential water supply shortages throughout California. It requires information on water supply reliability and water use efficiency measures. Urban water suppliers are required, as part of the act, to develop and implement UWMPs to describe their efforts to promote the efficient use and management of water resources.

5.12.2.3 Local

Mandatory Water Reuse Ordinance

The Mandatory Water Reuse Ordinance, adopted by the San Diego City Council in 1985, requires that "recycled water shall be used within the City where feasible and consistent with the legal requirements, preservation of public health, safety, and welfare, and the environment." Development projects are required to install an additional water pipeline reserved for reclaimed water. Compliance with this ordinance for new development is made a condition of tentative maps and land use permits based on a project's location within an existing or proposed recycled water service area.

Water Waste Restrictions

The City encourages its residents to use water wisely, and the SDMC formalized its Water Shortage Contingency Plan in Emergency Water regulations, Chapter 6, Article 7, Division 38. These Emergency Water regulations specify water use restrictions that are in effect at all times (Water Waste Prohibitions under SDMC Section 67.3803) and authorize the City to determine and declare water shortages and water shortage emergencies within its service area.

Recycling Ordinance

SDMC Chapter 6, Article 6, Division 7, establishes the Recycling Ordinance, enacted in 2007, which requires all single-family, most multi-family and commercial facilities, and City-permitted special events to participate in a recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in the approved recycling containers. In 2012, the

exemption threshold for the ordinance was lowered from 6 cubic yards of collection service per week to less than 4 cubic yards per week. Therefore, privately serviced businesses, commercial/institutional facilities, apartments, and condominiums generating 4 or more cubic yards of trash per week are required to recycle. This change is to comply with state-mandated requirements that resulted from AB 341. The state's mandatory recycling program also requires multi-family properties with five or more units to recycle.

Construction and Demolition Debris Diversion Deposit Ordinance

SDMC Chapter 6, Article 6, Division 6, establishes the Construction and Demolition Debris Diversion Deposit Program, requiring most construction, demolition, and remodeling project applicants to pay a refundable construction and demolition debris recycling deposit and divert their debris by recycling, reusing, or donating usable materials. This program is designed to keep construction and demolition materials out of landfills. Section 66.0604 requires project applicants to submit a properly completed Waste Management Form Part I with the Building Permit or Demolition/Removal Permit application in accordance with the requirements set forth in the Land Development Manual and pay a refundable deposit at the time the Building Permit or Demolition/Removal Permit is issued. Section 66.0605 establishes construction and debris diversion deposits, and Section 66.0605 establishes when such deposits can be refunded.

Refuse, Organic Waste, and Recyclable Materials Storage Regulations

SDMC Chapter 14, Article 2, Division 8, sets forth the general regulations for refuse and recyclable materials storage for residential and commercial development. The purpose of these regulations is to provide permanent, adequate, and convenient space for the storage and collection of refuse, organic waste, and recyclable materials. The intent of these regulations is to encourage recycling and composting of solid waste to reduce the amount of waste material entering landfills and to meet the recycling and waste reduction goals established by the San Diego City Council and mandated by the State of California. Sections 142.0810, 142.0820, 142.0830, and 142.0831 include guidelines for the size of material storage areas based on the number of residential dwelling units and non-residential commercial square footage, location of material storages areas, and screening of material storage areas.

2015 City of San Diego Zero Waste Plan

Adopted in July 2015, the City's Zero Waste Plan calls for handling discarded items as commodities and striving to divert them to productive use rather than disposing of them. Specific targets are as follows (City of San Diego 2015a):

- 75 percent diversion from disposal by 2020
- 90 percent diversion from disposal by 2035
- "Zero waste" by 2040

The plan identifies waste diversion strategies to achieve the above goals. The following strategies would address municipal solid waste, such as waste produced on the Project site (City of San Diego 2015a):

- Developing additional organic materials recycling infrastructure
- Expanding materials accepted at the Miramar Greenery
- Promoting food processing and/or composting at West Miramar Sanitary Landfill

The ESD estimates that compliance with existing City codes and ordinances alone (including the Refuse and Recyclable Materials Storage Regulations, Recycling Ordinance, and the Construction and Demolition Debris Deposit Ordinance) would achieve only an approximately 40 percent diversion rate, which is substantially below the current 75 percent diversion level targeted by the state and the City's Zero Waste Plan.

5.12.3 Significance Determination Thresholds

The thresholds used to evaluate potential public utilities impacts are generally based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU PEIR. A significant impact on public utilities could occur if implementation of the Project would:

- **Issue 1:** Result in the use of excessive amounts of water beyond projected available supplies;
- **Issue 2:** Promote growth patterns resulting in the need for and/or provision of new or physically altered utilities, the construction of which could cause significant environmental impacts in order to maintain service ratios, or other performance objectives; or
- **Issue 3:** Result in impacts to solid waste management, including the need for construction of new solid waste infrastructure including organics management, materials recovery facilities, and/or landfills; or result in a land use plan that would not promote the achievement of a 75 percent target for waste diversion and recycling as required under AB 341 and the City's Climate Action Plan.

5.12.4 Impact Analysis

5.12.4.1 Issue 1: Water Supply

Would the Project use excessive amounts of water beyond projected available supplies?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The WSA and WSV Report prepared for the Midway-Pacific Highway CPU PEIR concluded the amended 2018 Community Plan to be consistent with water demand assumptions covered in the regional water resource planning documents of the City, the SDCWA, and the MWD. The Midway-Pacific Highway CPU PEIR concluded that there is sufficient water supply to serve existing and projected demands of the 2018 Community Plan and future water demands within the PUD service area in normal and dry-year

forecasts during a 20-year projection. Therefore, **Less than Significant** impacts to water supply were anticipated for implementation of the 2018 Community Plan.

Project-Specific Impact Analysis

In compliance with SB 610 and 221, a WSA and WSV Report (Appendix M3) was prepared for the Project to assess if sufficient water supplies are, or would be, available to meet the projected water demands of the Project.[1] The WSA and WSV Report was based on the City's 2020 UWMP, which used the San Diego Association of Governments (SANDAG) Series 14 land use forecast. According to the WSA and WSV Report, the Project includes a total water demand that is higher than forecasted for the Project site in the City's 2020 UWMP. As shown in Table 5.12-1, Water Demand for the Midway Rising Specific Plan, the projected water demand of the Project is 784,618 gallons per day (gpd), or 879 AFY. Water demand for the Project assumes that mandatory water efficiency standards are met and result in more water efficient buildings and landscapes compared to older developments.

Table 5.12-1. Water Demand for the Midway Rising Specific Plan

Development Type	Proposed Water Usage (GPD)	Proposed Water Usage (AFY)
Residential[1]	740,320	829
Non-Residential[2]	44,298	50
WSA and WSV Report Demand	**784,618**	**879**

Source: Appendix M3.

Notes: AFY = acre-feet per year; GPD = gallons per day; WSA and WSV Report = Water Supply Assessment and Water Supply Verification Report

[1] For multi-family residential demand, the PUD uses demand factors from the 2020 UWMP, which equals 60 gallons per capita per day x 2.67 persons per household = 160 gallons per day per dwelling unit. These demand factors include landscaping water demand.

[2] For non-residential demand, the PUD uses demand factors from Table 3 of the City of San Diego's 2020 Water Demand Forecast Report. These demand factors include landscaping water demand.

The 2020 UWMP establishes existing water demand and net capacity for future development. The University Heights 1 Pressure Zone affiliated with the Project site has a planned net supply/capacity of 1,501 AFY, which includes adequate supplies for the Project. Although the Project includes a total water demand that is higher than forecasted for the Project site based on the City's 2020 UWMP, as shown in Table 5.12-2, Potential Water Supply for the Pressure Zone, there is additional water supply in the Pressure Zone and within the broader Midway-Pacific Highway Community planning area available to serve the Project. Following Project buildout, the University Heights 1 Pressure Zone would have a remaining net capacity of 622 AFY to serve future development. Therefore, there is sufficient water planned to supply the Project's estimated annual average usage.

[1] The WSA and WSV Report analyzes the Project and includes development on privately owned parcels. No development would occur on those privately owned parcels at this time. As a result, the Project, which has been reduced from a total of 4,627 units to 4,254 units, from a total of 140,000 square feet of commercial use to 130,000 square feet, and no longer includes a 3,500-seat indoor theater, would have a lower demand for water. Thus, the WSA and WSV Report presents a conservative evaluation of the Project's potential water supply impacts.

Table 5.12-2. Potential Water Supply for the Pressure Zone

Pressure Zone/Community Plan	Water Potentially Available	
	GPD	AFY
Existing Midway-Pacific Highway Community Plan[1]	1,3400,00	1,501
Previously Approved WSA Projects (since 2020 UWMP approved)	0	0
Midway Rising Project	784,618	879
Potential Remaining Supply/Capacity	**555,382**	**622**

Source: Appendix M3.

Notes: AFY = acre-feet per year; GPD = gallons per day; UWMP = Urban Water Management Plan; WSA = Water Supply Assessment

[1] The City of San Diego 2020 UWMP establishes existing water demand and potential net capacity for future development.

In addition, the WSA and WSV Report states that the proposed water demand projections for the Project are included in the regional water resource planning documents of the City and the SDCWA. Current and future water supplies, as well as actions necessary to develop future water supplies, have been identified. Therefore, there is sufficient water supply planned to serve this Project's future water demand within the PUD service area in normal, single-dry, and multiple-dry water year forecasts (Appendix M3). Impacts would be **Less than Significant**.

5.12.4.2 Issue 2: Utilities

Would the Project promote growth patterns resulting in the need for and/or provision of new or physically altered utilities, the construction of which could cause significant environmental impacts in order to maintain service ratios, or other performance objectives?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that, because the Midway-Pacific Highway Community planning area is highly impervious and there is limited land available for new development, the volume or rates of runoff are not likely to be increased by new development. Impacts were determined to be **Less than Significant**.

Project-Specific Impact Analysis

Stormwater

Implementation of the Project would result in land use changes that include drainage modification and changes from impervious to pervious surfaces. Currently, the Project site is developed with approximately 97 percent impermeable areas. After construction, the Project would consist of approximately 90 percent impervious surfaces due to the creation of 14.54 acres of parks and public space. The Project would result in a 7 percent reduction in impervious surfaces (or 7 percent increase in pervious surfaces) compared to the existing conditions (Appendix I2). The post-Project condition would maintain existing flow patterns throughout the site and continue to discharge runoff to

downstream outfall locations. On-site runoff would be collected and conveyed through a series of new, underground, private storm drains collecting rooftop and surface drainage. Construction of the Project would include the installation of new 24-inch public storm drains within the Kemper Street extension and Frontier Drive running east–west and a new 36-inch public storm drain within Frontier Drive running north–south (Figure 5.7-1, Conceptual Drainage Plan). Portions of the existing 42-inch public storm drain that crosses the property diagonally at the northwestern corner would be realigned due to conflicts with proposed building sites and replaced with a 54-inch public storm drain within Kemper Street. The Project would provide multiple connections to existing storm drains surrounding the site. No modifications to off-site systems would be required. Frontage improvements would include the replacement and installation of storm drain inlets and cleanouts along Sports Arena Boulevard and Kurtz Street, including new curb inlets at off-site improvements on Rosecrans Street. The new on-site storm drain system would collect and treat stormwater before it discharges off-site through a combination of modular wetland units and private biofiltration planters (refer to the Vesting Tentative Map [PDC 2025~~2024~~] and Figure 3-1, Site Concept Illustrative Map). Facilities would be part of the Project's grading and construction plans.

Therefore, development of the Project would not result the need for new stormwater facilities or the expansion of existing facilities beyond what is proposed for the Project and analyzed in this SEIR. Specifically, the environmental impacts associated with construction of the Project's proposed stormwater facilities are analyzed in other SEIR sections, including Section 5.3, Historical and Tribal Cultural Resources; Section 5.4, Geological Conditions; Section 5.5, Noise; Section 5.6, Health and Safety; Section 5.8, Visual Effects and Neighborhood Character; Section 5.9, Air Quality; Section 5.10, Greenhouse Gas Emissions; Section 5.13, Biological Resources; and Section 5.14, Paleontological Resources. Impacts would be **Less than Significant**.

Sewer

A Public Sewer System Analysis (Appendix M1) was prepared to analyze and determine if the existing public gravity sewer system has adequate capacity for the Project. The sewer generation rates were developed in accordance with the City's Sewer Design Guide (City of San Diego 2015b) and the dwelling unit density (Appendix M1). The Project site would generate an average sewage generation of 626,256 gpd (Appendix M1). Wastewater from the Project site would be conveyed by the City's local 36-inch main sewer line within Sports Arena Boulevard. Based on the gravity sewer analysis in Appendix M1, the 36-inch main sewer line has available capacity for the Project.

The on-site gravity sewer system serving the Project would be composed of public and private gravity sewer lines (Figure 5.12-1, Public Utilities). A new primary collector sewer ranging from 8 to 15 inches would be installed within the Kemper Street extension and Frontier Drive to provide two new connections to the 36-inch sewer line within Sports Arena Boulevard. Eight-inch sewer laterals would be installed to provide sewer connections to each proposed residential building on the Project site. The new entertainment center would have its own 10-inch sewer line that would be

installed between the proposed entertainment center and the eastern property boundary, which would connect to the existing 10-inch sewer within Sports Arena Boulevard. The proposed connection would be made to an existing sewer manhole in Sports Arena Boulevard. Facilities would be part of the Project's grading and construction plans.

Therefore, development of the Project would not result the need for new sewer facilities or the expansion of existing facilities beyond what is proposed for the Project and analyzed in this SEIR. Specifically, the environmental impacts associated with construction of the Project's proposed sewer facilities are analyzed in other SEIR sections, including Section 5.3, Historical and Tribal Cultural Resources; Section 5.4, Geological Conditions; Section 5.5, Noise; Section 5.6, Health and Safety; Section 5.8, Visual Effects and Neighborhood Character; Section 5.9, Air Quality; Section 5.10, Greenhouse Gas Emissions; Section 5.13, Biological Resources; and Section 5.14, Paleontological Resources. Impacts would be **Less than Significant**.

Water Facilities

As discussed in Section 5.12.4.1, Issue 1: Water Supply, development of the Project site would increase the demand for potable water to serve the Project site land uses. As discussed under in Section 5.12.4.1, there is sufficient water supply planned to serve the Project's future water demand within the PUD service area in normal, single-dry, and multiple-dry water year forecasts. A Public Water System Analysis (Appendix M2) was prepared for the Project to determine if the existing water infrastructure system in its current size and configuration has sufficient flows and capacity for the Project. The City's Water Facilities Design Guidelines (City of San Diego 2021b) were used to analyze the water system. According to the Public Water System Analysis (Appendix M2), the Project would comply with the City's maximum velocity criterion and the maximum pressure drop criterion.

The Project site is within the University Heights 390 Pressure Zone. The site is bordered by an existing 12-inch water pipeline within Kurtz Street, an existing 12-inch water pipeline within Sports Arena Boulevard, and an existing 16-inch water pipeline within Rosecrans Street. The Project proposes a new on-site public water system and a private on-site fire protection system. The Project would provide connections to the existing 12-inch water lines within Sports Arena Boulevard and Kurtz Street. The Project would install new 12-inch water mains within the Kemper Street extension and proposed Frontier Drive. In addition, 8-inch fire supply lines would be installed within the paseo greenways and The Plaza (Figure 5.12-1). The entertainment center would construct a 6-inch private fire hydrant lateral off Kurtz Street. This hydrant would provide fire protection service for the entertainment center. No upsizing of existing off-site pipes would be required.

Maximum static pressures on site are expected to range from 163 to 165 pounds per square inch. Individual pressure regulators would need to be installed on building pads to comply with the California Plumbing Code requirement to limit the building supply pressures to a maximum of 80 pounds per square inch. Facilities would be part of the Project's grading and construction plans.

Therefore, development of the Project would not result in the need for new water facilities or the expansion of existing facilities beyond what is proposed for the Project and analyzed in this SEIR. Specifically, the environmental impacts associated with construction of the Project's water facilities are analyzed in other SEIR sections, including Section 5.3, Historical and Tribal Cultural Resources; Section 5.4, Geological Conditions; Section 5.5, Noise; Section 5.6, Health and Safety; Section 5.8, Visual Effects and Neighborhood Character; Section 5.9, Air Quality; Section 5.10, Greenhouse Gas Emissions; Section 5.13, Biological Resources; and Section 5.14, Paleontological Resources. Impacts would be **Less than Significant**.

Communications Systems

Communications systems for telephone, computers, and cable television are serviced by utility providers such as AT&T, Cox, Spectrum (formerly Time Warner), and other independent cable companies. Infrastructure improvements would be provided to the Project site through connecting to existing facilities within the Project vicinity. Facilities would be part of the Project's proposed grading and construction plans.

Therefore, development of the Project would not result the need for new communication facilities or the expansion of existing facilities beyond what is proposed for the Project and analyzed in this SEIR. Specifically, the physical impacts associated with construction of the Project's communication facilities are analyzed in other SEIR sections, including Section 5.3, Historical and Tribal Cultural Resources; Section 5.4, Geological Conditions; Section 5.5, Noise; Section 5.6, Health and Safety; Section 5.8, Visual Effects and Neighborhood Character; Section 5.9, Air Quality; Section 5.10, Greenhouse Gas Emissions; Section 5.13, Biological Resources; and Section 5.14, Paleontological Resources. Impacts would be **Less than Significant**.

Electrical and Gas Distribution

Overhead electrical lines on the southern side of Kurtz Street would be undergrounded from Hancock Street to Greenwood Street. Electrical and gas facilities would be extended along the Kemper Street extension and proposed Frontier Drive from Kurtz Street to Sports Arena Boulevard. Facilities would be part of the Project's proposed grading and construction plans.

Therefore, development of the Project would not trigger the need for new electrical and/or gas facilities or the expansion of existing facilities beyond what is proposed for the Project and analyzed in this SEIR. Specifically, the physical impacts associated with construction of the Project's electrical and/or gas facilities are analyzed in other SEIR sections, including Section 5.3, Historical and Tribal Cultural Resources; Section 5.4, Geological Conditions; Section 5.5, Noise; Section 5.6, Health and Safety; Section 5.8, Visual Effects and Neighborhood Character; Section 5.9, Air Quality; Section 5.10, Greenhouse Gas Emissions; Section 5.13, Biological Resources; and Section 5.14, Paleontological Resources. Impacts would be **Less than Significant**.

5.12.4.3 Issue 3: Solid Waste and Recycling

Would the Project result in impacts to solid waste management, including the need for construction of new solid waste infrastructure including organics management, materials recovery facilities, and/or landfills; or result in a land use plan that would not promote the achievement of a 75 percent target for waste diversion and recycling as required under AB 341 and the City's Climate Action Plan?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR compared solid waste disposal rates of the previous 1991 Community Plan with those attributed to the 2018 Community Plan in 2035 and found that the 2018 Community Plan would result in a decrease in tons of solid waste compared to the previously adopted plan. While density would increase under the 2018 Community Plan, decreases in certain types and amounts of land uses would cause an overall net decrease in solid waste generation. In addition, mandatory compliance with City and state regulations for new development projects would continue to reduce solid waste generation and increase recycling efforts, resulting in a **Less than Significant Impact**.

Project-Specific Impact Analysis

A Waste Management Plan (Appendix M4) was prepared for the Project pursuant to the City's CEQA Significance Determination Thresholds (City of San Diego 2016). The Waste Management Plan provides the proposed methodology for salvage and recycling activities for the Project. Provided below is a discussion of solid waste generation associated with construction and operation of the Project.

Construction

Construction is anticipated to begin in winter 2026 and take approximately 120 months to complete (ending in 2035). Construction would occur in two phases and would start with the eastern half of the Project site and work toward the western boundary. Demolition would include deconstruction/demolition and removal of 14 existing structures, including the existing San Diego International Sports Arena, and asphalt parking lots on site. Construction activities would generate metals; concrete/asphalt, brick/masonry; wood; drywall; carpet/carpet padding; ceramic tile; roofing materials; doors; windows; fixtures; packaging materials and unpainted wood, including wood pallets; and other miscellaneous debris. Construction debris would be separated on site into material-specific containers to facilitate reuse and recycling and to increase the efficiency of waste reclamation.

Total earthwork for the Project would be approximately 517,000 cubic yards of cut and 555,000 cubic yards of fill from mass grading, foundation spoils, hazardous soils, and utility trench spoils. Import and export would be reduced by stockpiling suitable material for on-site reuse. The Project would require the removal of non-hazardous regulated waste soils largely composed of burn ash/burned waste. Refer to Section 5.6 for an analysis of the Project site's hazardous waste. The regulated waste

would require export to the West Miramar Sanitary Landfill. However, the list of facilities authorized to handle such waste is updated quarterly and could change. The decision by the developer on which facility to use would be made at the time of construction.

Management of construction material and recycling would adhere to industry standards such that refuse that cannot be reused or recycled is disposed of at appropriate facilities. Provided below is a list of general procedures that would be implemented to ensure 75 percent of construction waste would be diverted from disposal in landfills in accordance with AB 341 and City requirements:

- Determine recycling, salvage, reuse, and disposal options before the job begins.
- Advertise materials for donation or sale that can be reused to charities and nonprofit agencies.
- Choose refuse haulers based on their responsiveness to the recycling plan, fees, and geographic proximity to the job site.
- Educate contractors and subcontractors regarding Waste Management Plan requirements (solid waste management coordinator would be responsible for this training).
- Clearly identify recycling areas with large bilingual signs.
- Place recycling bins in areas that would minimize misuse or contamination by employees and the public.
- Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible.

Construction debris would be separated on site into material-specific containers to facilitate reuse and recycling and to increase the efficiency of waste reclamation. In accordance with state diversion targets, the Project would implement a target of 75 percent for landfill diversion. Materials to be recycled would be redirected to appropriate recipients selected from the ESD's directory of facilities that recycle construction materials, scrap metal, and yard waste.

Operation

While the construction phase for the Project occurs as a one-time waste generation event, tenant/owner occupancy requires an ongoing plan to manage waste disposal to meet the waste reduction goals established by the City and state.

Entertainment Center

The Waste Management Plan estimated that, at occupancy, the proposed entertainment center would generate 0.53 ton of waste per 1,000 visitors annually. While other building types may calculate waste on a per-employee or per-square-footage basis, public event venues categorize waste based on a per-visitor metric. As shown in Table 5.12-3, Occupancy Phase Annual Waste Generation, the new entertainment center would generate 795,000 tons of waste per year (Appendix M4).

Table 5.12-3. Occupancy Phase Annual Waste Generation

Land Use	Visitors per year	Generation Rate (tons per year, per 1,000 visitors)	Waste Generated (tons/year)	Expected Percent Diverted from Source Separated Recycling (tons per year)	Estimated Diverted (tons/year)	Estimated Disposed (tons/year)
Existing Sports Arena	575,000	0.53	304,750	50	152,375	152,375
Future Entertainment Center	1,500,000	0.53	795,000	50	397,500	397,500
Net Increase	925,000	—	490,250	—	245,125	245,125

Source: Appendix M4.

According to the City's Recycling Ordinance (City of San Diego 2022), organic material (such as food waste, yard waste, and lumber) account for approximately 32 percent of the waste generated in the City and delivered for landfill disposal. The expected increase in operational waste (compared to existing use) generated by the Project annually, considering compliance with City regulations for diversion, would be approximately 245,125 tons for the entertainment center.

To comply with SB 1383, the Project would need to demonstrate diversion of 75 percent of organic waste for the entertainment center. To achieve 75 percent diversion, on-site recycling services would be provided for the entertainment center on the Project site. The entertainment center would receive solid waste collection service and participate in a recycling program that separates recyclable materials from other solid waste and deposits the recyclable materials in the recycling container provided for visitors to the facility. Based on current requirements, these services would include the following:

- Continuous assessment of new technologies for recycling, composting, cogeneration, and disposal to maximize efficient use of resources and environmental protection
- Collection of recyclable materials as frequently as necessary to meet demand
- Collection of plastic bottles and jars, paper, newspaper, metal containers, cardboard, and glass containers
- Collection of other recyclable materials for which markets exist, such as scrap metal and wood pallets
- Collection of food waste for recycling by composting where available
- Use of recycling receptacles or containers that comply with the standards in the Container and Signage Guidelines established by the ESD
- Designated recycling collection and storage areas
- Signage on recycling receptacles, containers, chutes, and/or enclosures that complies with the standards described in the Container and Signage Guidelines established by the ESD

For the Project (as required by SDMC Section 66.0707), the entertainment center operator or other designated personnel would ensure that employees and commercial tenants are educated about the recycling services as follows:

- Information, including the types of recyclable materials accepted, the location of recycling containers, and the occupants' responsibility to recycle, shall be distributed to employees and other commercial tenants.
- New employees or other commercial tenants shall be given information and instructions upon occupancy.
- All employees or commercial tenants shall be given information and instructions upon any change in recycling service to the commercial facility.

Therefore, based on a 75 percent diversion rate for organic materials, which is estimated to be approximately 78,440 tons annually for the entertainment center, diverted organic material would be approximately 58,860 tons annually for the entertainment center. The additional diversion of 58,860 tons of organics (including yard waste) would reduce the net landfill disposal to 186,265 tons annually for the entertainment center (Appendix M4).

Residential and Commercial Uses

In addition to the entertainment center, the Project also proposes residential and commercial development. Based on factors used by the ESD, the generation of waste per year was calculated based on use intensity. During full occupancy, the on-site residential and commercial development is expected to generate approximately 5,468 tons of waste per year (Appendix M4).

According to the City's Recycling Ordinance (City of San Diego 2022), the expected increase in operational waste (compared to existing use) generated by the Project annually would be approximately 2,734 tons for the residential and commercial facilities estimated for disposal, considering compliance with City regulations for diversion.

To comply with SB 1383, the Project would need to demonstrate diversion of 75 percent of organic waste for residential and commercial facilities.

To achieve the 75 percent diversion, the Project would provide on-site recycling services to tenants/residents on the Project site. Tenants/residents on the Project site who receive solid waste collection service would participate in a recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in the recycling container provided for occupants. Recycling services are required by SDMC Section 66.0707. Based on current requirements, these services would include the measures listed above for the entertainment center. In addition, for the Project (as required by SDMC Section 66.0707), the building management or other designated personnel shall ensure that occupants are educated about the recycling services as described above for the entertainment center.

Therefore, based on a 75 percent diversion rate for organic materials, which is estimated to be approximately 875 tons annually for commercial and residential facilities, diverted organic material would be approximately 656 tons annually for commercial and residential facilities. The additional diversion of 656 tons of organics (including yard waste) from the residential and commercial components of the Project would reduce the Project occupancy landfill disposal to 2,078 tons annually (Appendix M4).

The Project would implement measures and requirements identified in the Waste Management Plan. The Waste Management Plan for the Project is designed to implement and adhere to City ordinances and regulations related to waste management, which would reduce the amount of waste being transported to landfills. The Project would be required to adhere to City ordinances, including the Construction and Demolition Debris Diversion Deposit Program, the City's Recycling Ordinance, and the Refuse and Recyclable Materials Storages Regulations. Impacts would be **Less than Significant**.

5.12.5 Significance of Impacts

5.12.5.1 Issue 1: Water Supply

Based on the findings of the WSA and the WSV Report, there is sufficient water supply to serve projected demands of the Project in a normal and dry-year during a 20-year projection. Therefore, impacts to water supply would be **Less than Significant**.

5.12.5.2 Issue 2: Utilities

Implementation of the Project would require the construction of new utility connections to serve the Project. However, the environmental impacts associated with construction of these new connections are analyzed in other sections of this SEIR, including Section 5.3, Historical and Tribal Cultural Resources; Section 5.4, Geological Conditions; Section 5.5, Noise; Section 5.6, Health and Safety; Section 5.8, Visual Effects and Neighborhood Character; Section 5.9, Air Quality; Section 5.10, Greenhouse Gas Emissions; Section 5.13, Biological Resources; and Section 5.14, Paleontological Resources. Impacts would be **Less than Significant**.

5.12.5.3 Issue 3: Solid Waste and Recycling

The Project would generate solid waste during demolition, grading, construction, and operational phases. However, the Project would comply with state and local solid waste management and diversion goals by providing on-site recycling services to reduce solid waste disposed of at the local landfill system. With use of the waste management strategies outlined in the Waste Management Plan, impacts would be **Less than Significant.**

5.12.6 Mitigation

No significant impacts were identified; therefore, no mitigation is required.

5.12.7 Significance of Impacts after Mitigation

5.12.7.1 Issue 1: Water Supply

Less than Significant.

5.12.7.2 Issue 2: Utilities

Less than Significant.

5.12.7.3 Issue 3: Solid Waste and Recycling

Less than Significant.

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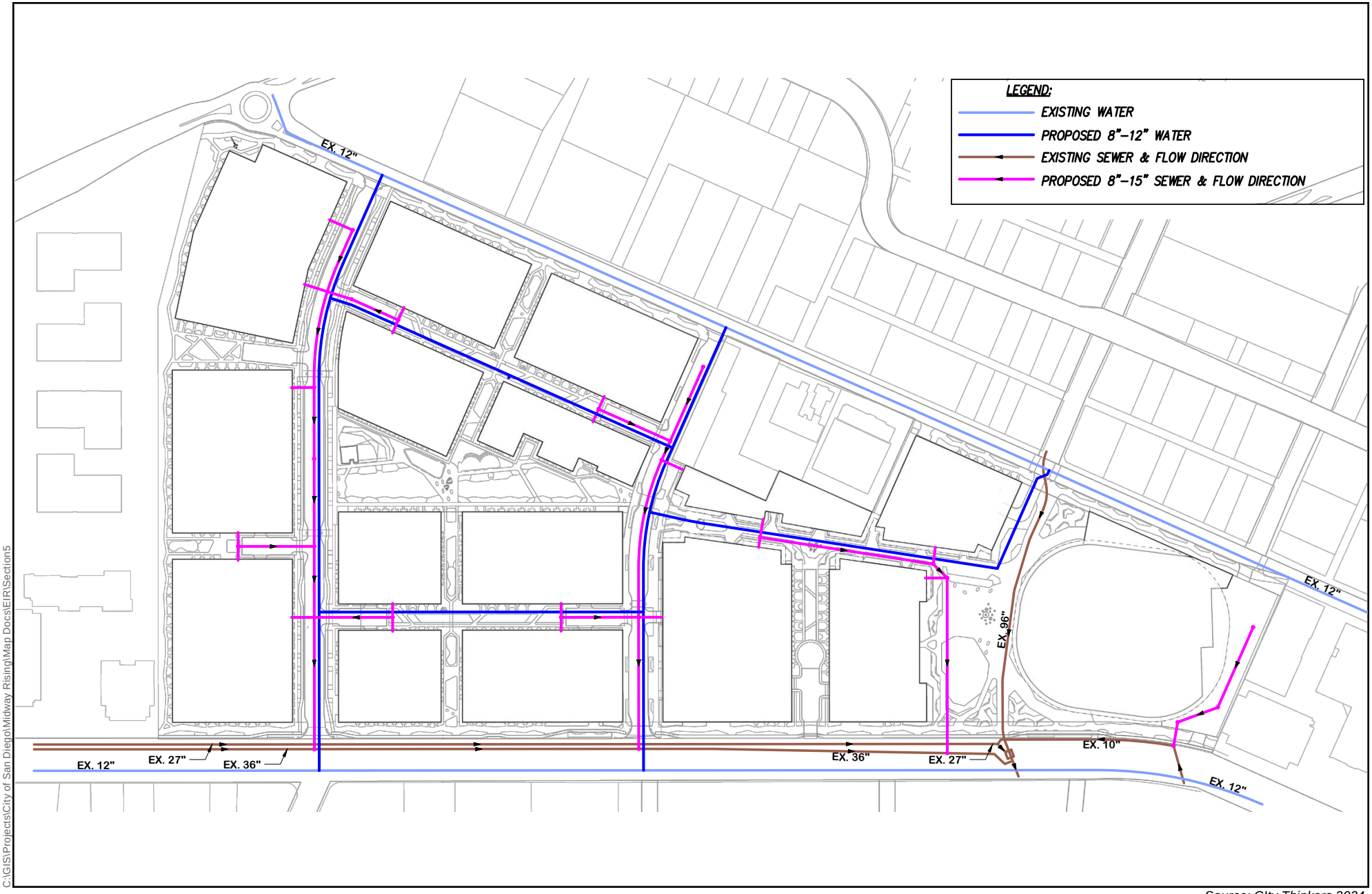

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Source: CIty Thinkers 2024.

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Figure 5.12-1

Public Utilities

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5.13 Biological Resources

This Subsequent Environmental Impact Report (SEIR) section describes the existing biological resources on the Midway Rising Project (Project) site and evaluates the potential for implementation of the Project to impact biological resources.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- Biological Resources Constraints Study prepared by Harris & Associates (2024), included as Appendix N of this SEIR
- 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) (City of San Diego 2018a)

5.13.1 Existing Conditions

Biological resources surveys were conducted on September 5, 2023, and February 27, 2024, for the survey area, which includes the Project site, off-site improvements areas, and 100-foot buffers around these areas.

5.13.1.1 Physical Characteristics

The Project site consists of developed, urbanized, primarily flat land in the City of San Diego (City), is within the San Diego River Watershed, and is adjacent to the Peñasquitos Watershed and San Diego Bay Watershed. The Project site and surrounding area are currently developed. The Project site is underlain by undocumented artificial fill, paralic estuarine deposits, and old paralic deposits primarily associated with the San Diego River delta. According to the U.S. Department of Agriculture's Natural Resources Conservation Service, the Project site is composed of urban soil, which refers to soils that have been significantly changed by human-transported materials, are human-altered materials, or are minimally altered or intact native soils but are in areas of high population density. Urban soils exhibit a wide range of conditions and properties that may include impervious surfaces such as pavement or buildings (Appendix N).

5.13.1.2 Vegetation Communities and Land Cover Types

One land cover type, urban/developed land, was documented on the Project site (Figure 5.13-1, Land Cover Types). Nearly all plant species identified in the survey area are ornamental plants for aesthetic (landscaping) purposes or non-native invasive weed species that typically occupy disturbed areas. No native vegetation communities or habitat types are in the survey area.

Disturbed Habitat/Developed Lands

Urban/Developed Land (12000)

Urban/developed land represents areas that have been constructed on or otherwise physically altered to an extent that native vegetation communities are not supported (Oberbauer et al. 2008). This land cover type generally consists of semi-permanent structures, residences, parking lots, pavement or hardscape, and landscaped areas that require maintenance and irrigation (e.g., ornamental greenbelts). Typically, this land cover type is unvegetated or supports a variety of ornamental plants and landscaping. The survey area is composed of urban/developed land.

5.13.1.3 Jurisdictional Resources

The survey area was assessed for potentially jurisdictional aquatic resources during the biological resource surveys and desktop database review. No aboveground (surface) jurisdictional aquatic resources were observed or previously documented in the survey area. The San Diego River and Mission Bay occur approximately 0.04 mile and approximately 0.4 mile north of the survey area, respectively, and are under the jurisdiction of the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) pursuant to Sections 404 and 401 of the Clean Water Act (CWA). However, the San Diego River is separated from the survey area by Hancock Street and Interstate (I-) 8, while Mission Bay is separated by the SeaWorld San Diego theme park, and no aquatic resources with direct surface connections to these features were observed on the Project site. No formal jurisdictional aquatic resources delineation was conducted.

5.13.1.4 Sensitive Plants

A total of 33 plant species were identified in the survey area during the 2023 and 2024 biological surveys, and 29 of these plant species (88 percent) were non-native species. No sensitive plant species were identified in the survey area; therefore, a focused rare plant survey was not conducted. Sensitive plant species are not expected to occur in the survey area due to its developed condition, abundance of impervious surfaces, and lack of native vegetation communities. Sensitive plant species with potential to occur within 1 mile of the Project site are discussed in Appendix N and shown on Figure 5.13-2, Sensitive Species with Potential to Occur. No sensitive plant species have been previously recorded in the survey area to date.

5.13.1.5 Sensitive Wildlife

Eight wildlife species were observed in the survey area during the 2023 and 2024 biological surveys, none of which are considered sensitive. In total, two mammals, one reptile, and five birds were observed. Common bird species observed in the survey area include western gull (*Larus occidentalis*), American crow (*Corvus brachyrhynchos*), and rock pigeon (*Columba livia*).

The survey area contains no native or non-native vegetation communities that would provide habitat or necessary resources to support an abundance of wildlife. The survey area is made up of almost all impermeable surfaces, including pavement, concrete sidewalks, or buildings and other structures. Some landscaping is present; however, the plant species are ornamental and do not promote biodiversity or provide enough support for wildlife species beyond potentially suitable nesting locations for birds or temporary refugia and limited foraging opportunities for other species, such as lizards and non-native rodents. Litter and debris from human activity in the area likely attract many species adapted to human presence like gull species (i.e., *Larus* spp.), American crow, common raven (*Corvus corax*), raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), and striped skunk (*Mephitis mephitis*).

The Mission Valley Preserve and San Diego River are approximately 0.4 mile and 0.04 mile north of the survey area, respectively. They are physically separated from the Project site by I-8. Species using these habitats could move outside these areas and establish territories in or within proximity to the survey area; however, this is unlikely because the survey area generally lacks resources and habitat to support most species except for nesting opportunities and refugia for birds, bats, reptiles, and small mammals.

Sensitive wildlife species with low or moderate potential to occur within 1 mile of the Project site are discussed in Appendix N and shown on Figure 5.13-2. No sensitive wildlife species were determined to have a high potential to occur. No sensitive wildlife species have been previously recorded in the survey area to date.

Nesting Birds

The survey area contains suitable nesting habitat for several bird and raptor species protected under the California Fish and Game Code (CFGC) and Migratory Bird Treaty Act (MBTA). Existing trees, including eucalyptus and palm species, that are suitable for many species, including hummingbirds and raptors, are present throughout the survey area and surrounding structures. Structures that have eaves, crevices, cracks, and other "cavities," including the San Diego International Sports Arena (currently named Pechanga Arena) may provide nesting opportunities for other nesting birds, such as black phoebes (*Sayornis nigricans*), which attach their nests to undersides of structures with mud, or gulls, which often use building roofs for nesting.

Roosting Bats

To assess the potential for bats to occur on the Project site, a daytime survey for potential roosting habitat was performed during the biological resources survey on September 5, 2023. While no bat species or obvious sign thereof (e.g., guano, staining) were observed, the San Diego International Sports Arena structure was too large and tall for one specialist alone to adequately assess the location during the daytime. The San Diego International Sports Arena has a number of overhang features with obvious crevices below the overhangs that could potentially support crevice roosting bat species such

as the Mexican free-tailed bat (*Tadarida brasiliensis*) and Yuma myotis (*Myotis yumanensis*). These species are common in San Diego County (County) and are often found roosting in crevices provided by large, thermally stable structures such as the San Diego International Sports Arena.

An evening roosting bat survey was conducted on October 23, 2023. The survey was conducted to observe if any roosting bats would be exiting the structure. The five biologists conducting the survey were staged around the entire perimeter of the San Diego International Sports Arena at approximately 5 to 20 meters apart to be able to adequately observe any potential exiting bats. No bats were observed exiting the San Diego International Sports Arena structure during the observation period between 6:00 p.m. and 7:07 p.m. No bat echolocation calls were detected by the handheld Anabat Walkabout bat detector. It was concluded that no bats were roosting or present on site during the observation period. In addition, no observations of nocturnal incidental wildlife, including owls, exiting the San Diego International Sports Arena were made.

The survey area contains ornamental plants, including agave species, primarily surrounding the nearby residential and commercial developments, that could provide suitable foraging habitat for a variety of common and sensitive bat species, including the Mexican long-tongued bat (*Choeronycteris mexicana*). However, this species requires a cave-like structure for roosting, which is not available in the survey area.

It was determined that no suitable roosting habitat is present in the off-site improvements areas; therefore, no focused bat roosting surveys were conducted in those locations.

5.13.1.6 Critical Habitat

No critical habitat for sensitive plants or wildlife occurs in the survey area. The nearest critical habitat to the survey area is for San Diego fairy shrimp (*Branchinecta sandiegonensis*), which is approximately 5.5 miles northeast and 5.5 miles southeast of the survey area.

5.13.1.7 Wildlife Movement

Although the Project site and surrounding areas are developed, they are approximately 0.04 mile south of the San Diego River and 0.4 mile from the surrounding Mission Valley Preserve, which are considered important habitat linkages between core resource areas in the Multiple Species Conservation Program (MSCP), including Point Loma (County of San Diego 1998). The Project site is likely to be used as a wildlife movement corridor and provides some suitable nesting, foraging, and dispersal areas for some wildlife species because of the presence of ornamental vegetation and structures. However, the survey area is separated from the San Diego River and the Mission Valley Preserve habitats by I-8; therefore, the Project site likely only provides major movement opportunities for bird species. The Project site may provide some local movement opportunities for terrestrial species such as reptiles, mesocarnivores (i.e., raccoons), and potentially common, non-sensitive rodent species. However, the surrounding dense urban development restricts use of the survey area for large mammals.

The Project site holds value for MBTA-protected migrating birds flying through to wintering or breeding grounds. The survey area is within the Pacific Flyway, along which millions of birds, especially waterfowl, migrate annually between Alaska and Canada, through California, to Mexico and South America. Coastal San Diego provides an important stopover area for a large variety of birds during their annual migration. The ornamental vegetation and structures throughout the survey area could support migrating birds, particularly due to the survey area's proximity to the San Diego River, Mission Valley Preserve, and Mission Bay. However, the dense residential and commercial development on all sides of the survey area has the potential to limit wildlife movement through the Project site.

5.13.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address biological resources.

5.13.2.1 Federal

Clean Water Act

Section 404 (33 CFR 328.3[a]) regulates the discharge of dredged or fill material in waters of the United States, including wetlands. Activities that discharge dredge or fill material into waters of the United States can be authorized by the USACE.

Migratory Bird Treaty Act

The MBTA is the domestic law that affirms or implements a commitment by the United States to four international conventions (Canada, Mexico, Japan, and Russia) for the protection of a shared migratory bird resource. The MBTA prohibits the take of any migratory bird or any part, nest, or eggs of any such bird. Under the MBTA, "take" is defined as pursue, hunt, shoot, wound, kill trap, capture, or collect, or any attempt to carry out these activities (16 USC 703 et seq.). It covers an extensive number of bird species, which are listed in Code of Federal Regulations, Title 50, Part 10.13. The regulatory definition of "migratory bird" is broad and includes any mutation or hybrid of a listed species and any part, egg, or nest of such birds (50 CFR 10.12). The MBTA, which is enforced by the U.S. Fish and Wildlife Service (USFWS), makes it unlawful "by any means or in any manner, to pursue, hunt, take, capture, [or] kill" any migratory bird or attempt such actions, except as permitted by regulation. The applicable regulations prohibit the take, possession, import, export, transport, sale, purchase, barter, or offering of these activities, except under a valid permit or as permitted in the implementing regulations (50 CFR 21.11). The Project site is a potential corridor for various bird species.

5.13.2.2 State

California Endangered Species Act

The CDFW administers the California Endangered Species Act (CESA) (CFGC Section 2050 et seq.), which prohibits the "take" of plant and wildlife species designated by the California Fish and Game Commission as endangered or threatened in the State of California. Under CESA Section 86, take is defined as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." CESA Section 2053 stipulates that state agencies may not approve projects that will "jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat which would prevent jeopardy."

CESA Sections 2080–2085 address the taking of threatened, endangered, or candidate species by stating that "no person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the [California Fish and Game] Commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided in this chapter, the Native Plant Protection Act (Fish and Game Code, Sections 1900–1913), or the California Desert Native Plants Act (Food and Agricultural Code, Section 80001)."

California Fish and Game Code

According to CFGC Sections 3511 and 4700, which regulate birds and mammals, respectively, a "fully protected" species may not be taken or possessed without a permit from the California Fish and Game Commission, and "incidental takes" of these species are not authorized.

According to Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by this code or any regulation made pursuant thereto. Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

For the purposes of these state regulations, the CDFW currently defines an active nest as one that is under construction or in use and includes existing nests that are being modified. For example, if a hawk is adding to or maintaining an existing stick nest in a transmission tower, then it would be considered active and covered under these CFGC sections.

The Native Plant Protection Act of 1977 (CFGC Section 1900 et seq.) gives the CDFW authority to designate state endangered, threatened, and rare plants and provides specific protection measures for identified populations.

In addition, Section 1600, Streambed Alteration Agreement, requires any person who proposes a project that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake, or their tributaries, or use materials from a streambed to submit a notification for a Streambed Alteration Agreement to the CDFW.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act of 1970 (Porter-Cologne) grants the State Water Resources Control Board and its regional officers power to protect water quality and is the primary vehicle for implementation of the state's responsibilities under CWA Section 401. Porter-Cologne grants the State Water Resources Control Board authority and responsibility to adopt plans and policies, regulate waste disposal sites and discharges to surface and groundwater, and require cleanup of hazardous material and other pollutant discharges. Typically, the State Water Resources Control Board and RWQCB act in concert with the USACE under CWA Section 401 when permitting fill of waters of the United States.

California Natural Communities Conservation Planning Act

The CDFW's Natural Community Conservation Planning (NCCP) program takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. The NCCP program began in 1991 as a cooperative effort to protect habitats and species. It is broader in its orientation and objectives than the CESA and federal Endangered Species Act, as these laws are designed to identify and protect individual species that have already declined in numbers significantly. An NCCP Plan identifies and provides for the regional protection of plants, animals, and their habitats while allowing compatible and appropriate economic activity. Working with landowners, environmental organizations, and other interested parties, a local agency oversees the numerous activities that compose the development of an NCCP Plan. The CDFW and the USFWS provide the necessary support, direction, and guidance to NCCP program participants.

Clean Water Act, Section 401 (Code of Federal Regulations, Title 40, Section 121)

The RWQCB regulates impacts to water quality under CWA Section 401. A project must comply with CWA Section 401 before the USACE can issue a Section 404 Permit. The RWQCB will issue a Section 401 Water Quality Certification or Waiver of Certification depending on the extent of impacts to waters of the United States. The RWQCB also regulates impact to waters of the state (usually limited to "isolated" waters or swales that may not fall under USACE jurisdiction) under Porter-Cologne. The Project would also be subject to the most current Municipal Separate Storm Sewer System (MS4) Permit requirements, which implement a regional strategy for water quality and related concerns and appropriate best management practices.

5.13.2.3 Local

San Diego County Multiple Species Conservation Program

The City is a participant in the regional County MSCP, a cooperative federal, state, and local environmental conservation program aimed at preserving the County's unique native plants and animals (covered species). The program's boundaries extend over multiple jurisdictions and environments, including regional watersheds and migratory wildlife corridors. The program protects the region's diverse native plant and wildlife species, including those that are threatened and endangered. The MSCP also provides provisions and regulations that accommodate future growth and streamline building regulations while protecting natural resources in the region.

1997 City of San Diego Multiple Species Conservation Program Subarea Plan

The City's MSCP Subarea Plan (SAP) was adopted in 1997 and encompasses 206,124 acres within the regional MSCP Study Area (City of San Diego 1997). The MSCP SAP provides a Multi-Habitat Planning Area (MHPA) where preserve planning is focused and permanent conservation of habitat lands will be accomplished and includes a process for the issuance of permits under the California Natural Communities Conservation Planning Act of 1991, federal Endangered Species Act, and CESA. The MSCP SAP is characterized by predominantly urban land uses, including associated parks and open space. The MSCP SAP separates the City into several geographic subunits. The Project is within the Urban Area, which encompasses the central coastal and central eastern portions of San Diego, including Point Loma and other Urban Habitat Areas. More specifically, the Urban Habitat Areas include existing designated open space such as Mission Bay; Tecolote Canyon; Marian Bear Memorial Park; Rose Canyon; San Diego River; the southern slopes along Mission Valley, Carroll, and Rattlesnake Canyons; Florida Canyon; Chollas Creek; and various smaller canyon systems. The majority of these lands consist of canyons with native habitats within proximity to other MHPAs providing habitat. These areas contribute in some form to the MHPA, either by providing habitat for native species to continue to reproduce and find new territories or by providing necessary shelter and forage for migrating species (mostly birds). The Project site is not within or directly adjacent to the MHPA; however, the San Diego River and Mission Valley Preserve, which are within the MHPA, are approximately 0.04 mile and 0.4 mile north of the Project site, respectively. The closest MHPA-designated segment of Mission Bay is approximately 0.86 mile north of the Project site. The Project is required to comply with the General Management Directives outlined in Section 1.5.2 of the MSCP SAP.

2008 City of San Diego General Plan

The Project is in the City and, therefore, is subject to the goals and policies in the 2008 City of San Diego General Plan, as amended (2008 General Plan) (City of San Diego 2008). The 2008 General Plan provides policy guidance to balance the needs of a growing city while enhancing the quality of life for current and future San Diegans. It includes the City of Villages strategy, which outlines how the City can enhance its

many communities and neighborhoods as growth occurs over time. The 2008 General Plan contains 10 Elements that provide a comprehensive "blueprint" for the City's growth over the next 20 plus years.

The 2018 Community Plan was adopted to provide a framework for how the City will grow and develop while addressing community needs for the urbanized community situated north of Downtown between Old Town and Point Loma. The Midway-Pacific Highway Community planning area encompasses approximately 800 acres of mostly flat and developed land with a commercial core containing shopping centers, institutional facilities, multi-family residences, visitor-oriented uses, older industrial areas, and U.S. military properties (City of San Diego 2018a).

The Project is required to comply with 2018 Community Plan Policies CE-3.1 through CE-4.4, which provide a framework for environmental conservation and best practices for coastal areas, including the San Diego River in the Midway-Pacific Highway Community planning area.

City of San Diego Municipal Code

Land Development Code Regulations

The Land Development Code of the San Diego Municipal Code (SDMC) sets forth the procedures used in applying land use regulations, types of development review, and regulations that apply to the use and development of land in the City. These procedures and regulations aim to facilitate fair and effective decision-making and encourage public participation (City of San Diego 2021).

Environmentally Sensitive Lands Regulations

The purpose of the Environmentally Sensitive Lands Regulations (SDMC Chapter 14, Article 3, Division 1, Section 143.0101 et seq.) is to protect, preserve, and where damaged, restore Environmentally Sensitive Lands (e.g., wetlands, sensitive biological resources, steep hillsides, coastal beaches, sensitive coastal bluffs, and Special Flood Hazard Areas) of San Diego and the viability of the species supported by those lands. These regulations are intended to ensure that development, including but not limited to coastal development within the Coastal Overlay Zone, occurs in a manner that protects the overall quality of the resources and the natural and topographic character of the area, encourages a sensitive form of development, retains biodiversity and interconnected habitats, maximizes physical and visual public access to and along the shoreline, and reduces hazards due to flooding in specific areas while minimizing the need for construction of flood control facilities (City of San Diego 2022).

City of San Diego Biology Guidelines

The City developed the Biology Guidelines in the SDMC to aid in the implementation and interpretation of the Environmentally Sensitive Lands Regulations. The guidelines also provide standards for determining impacts and mitigation under the California Environmental Quality Act (CEQA). Sensitive biological resources, as defined by the Environmentally Sensitive Lands

Regulations, include lands within the MHPA and other lands outside the MHPA that contain wetlands; vegetation communities classifiable as Tier I, II, IIIA, or IIIB; habitat for rare, endangered, or threatened species; or narrow endemic species (City of San Diego 2018b).

5.13.3 Significance Determination Thresholds

The thresholds used to evaluate potential biological resources impacts are generally based on the City's CEQA Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU EIR. A significant impact on biological resources could occur if implementation of the Project would result in:

- **Issue 1:** A substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in the MSCP SAP or other local or regional plans, policies or regulations, or by CDFW or USFWS;
- **Issue 2:** A substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development Manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS;
- **Issue 3:** A substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means;
- **Issue 4:** Interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP SAP, or impeding the use of native wildlife nursery sites; or
- **Issue 5:** A conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP SAP or in the surrounding region.

5.13.4 Impact Analysis

5.13.4.1 Issue 1: Sensitive Species

Would the Project result in a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in the MSCP SAP or other local or regional plans, policies or regulations, or by CDFW or USFWS?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The majority of the Midway-Pacific Highway Community planning area is mapped as urban/developed land. The Midway-Pacific Highway CPU PEIR determined that there is no potential for sensitive terrestrial wildlife or sensitive plant species to occur in the proposed development areas. However, the Midway-Pacific Highway CPU PEIR concluded that bird species protected under the MBTA may nest in

the ornamental trees present in the Midway-Pacific Highway Community planning area that could be impacted by future development. Future discretionary development would be required to conduct pre-construction surveys if construction occurs during the general bird breeding season (January 15 through August 31) to determine the presence or absence of breeding birds and to ensure that no impact occurs to any nesting birds or their eggs, chicks, or nests. The Midway-Pacific Highway CPU PEIR also concluded that, although the San Diego River is adjacent to the Midway-Pacific Highway Community planning area, development and growth would be south of I-8, and sensitive species inhabiting the San Diego River north of I-8 would not be indirectly impacted by activities associated with the 2018 Community Plan. The Midway-Pacific Highway CPU PEIR determined that impacts would be **Less than Significant**.

Project-Specific Impact Analysis

Direct Impacts

The survey area is mapped as urban/developed land containing landscape/ornamental vegetation surrounded by hardscape. No plant species listed as candidate, sensitive, or otherwise considered special status were observed during the biological resources surveys, and no sensitive plant species have a high potential to occur in the survey area (Appendix N). Project implementation would not result in a loss of any sensitive vegetation communities that could support sensitive species.

No sensitive wildlife species were observed in the survey area, and no sensitive wildlife species have a high potential to occur. Furthermore, vegetation observed in the survey area consists of landscape/ornamental species that are unlikely to support sensitive wildlife species (Appendix N).

Nesting Birds

Project implementation has the potential to directly impact nesting birds from removal of suitable nesting habitat in the form of some trees and building structures that occur throughout the survey area. However, the Project would comply with the MBTA and CFGC Section 3503 by prohibiting take of birds, nests, or eggs, which would ensure that no direct impacts to nesting birds would occur.

Roosting Bats

The San Diego International Sports Arena may present suitable roosting habitat for several bat species. Additionally, trees throughout the Project site could support tree roosting bats, and ornamental vegetation provides suitable foraging habitat for many sensitive and common species. A daytime survey to determine potential roosting habitat and a nighttime emergence survey for bats were performed at the San Diego International Sports Arena, which confirmed the absence of both common and sensitive bat species on the Project site. No direct impacts to roosting bats would occur.

Direct impacts to sensitive wildlife and plant species would be **Less than Significant**.

Indirect Impacts

Potential indirect effects resulting from Project construction may include elevated levels of noise or lighting; increased erosion, sedimentation, and fugitive dust; and the introduction or increased presence of non-native species. No sensitive plant or wildlife species were observed during the biological resources surveys, and no sensitive plant or wildlife species have the potential to occur in the survey area. The survey area is developed with landscaped/ornamental vegetation and is unlikely to support sensitive plant or wildlife species.

Nesting Birds

Indirect impacts from Project-generated noise and vibration during the digging, clearing, and grubbing activities, if conducted during the bird breeding season, could result in significant temporary indirect impact to bird species protected under the MBTA. However, the Project would comply with the MBTA and CFGC Section 3503 by prohibiting take of birds, nests, or eggs, which would ensure that no direct impacts to nesting birds would occur.

Roosting Bats

A daytime survey to determine potential roosting habitat and a nighttime emergence survey for bats were performed at the San Diego International Sports Arena, which confirmed the absence of both common and sensitive bat species on the Project site. No indirect impacts to roosting bats would occur.

Because no sensitive species occur or have the potential to occur on the Project site, indirect impacts to sensitive plant or wildlife species would be **Less than Significant**.

5.13.4.2 Issue 2: Sensitive Habitats

Would the Project result in a substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development Manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway Community planning area is mapped as urban/developed land, which is a Tier IV habitat, and does not support sensitive vegetation communities. The Midway-Pacific Highway CPU PEIR concluded that, although the San Diego River is adjacent to the Midway-Pacific Highway Community planning area, development and growth would be south of I-8. Sensitive vegetation communities along the San Diego River, north of I-8, would not be directly or indirectly impacted. Therefore, impacts were determined to be **Less than Significant**.

Project-Specific Impact Analysis

Direct Impacts

The survey area is mapped as urban/developed land, which is a Tier IV habitat and is not considered a sensitive natural vegetation community. The Project site is developed with a variety of commercial and entertainment land uses and surface parking. No Environmentally Sensitive Lands are mapped on the Project site. **No Direct Impacts** to sensitive natural vegetation communities would occur from implementation of the Project.

Indirect Impacts

The areas immediately surrounding the survey area are mapped as urban/developed land and do not support native vegetation communities. The nearest sensitive natural vegetation communities occur approximately 0.04 mile north of the Project site in the San Diego River and are separated from the survey area by a major highway, I-8. The Project would comply with the MSCP SAP, 2008 General Plan, and City's Biology Guidelines, which includes the City's CEQA Significance Determination Thresholds with respect to biological resources. In addition, as discussed in Section 5.7, Hydrology/Water Quality, of this SEIR, the Project would be required to implement construction best management practices to avoid and minimize potential direct, indirect, and cumulative water quality impacts to off-site downstream biological resources in compliance with the National Pollutant Discharge Elimination System (NPDES) regulations and City's Stormwater Standards Manual (City of San Diego 2012). **No Indirect Impacts** to sensitive natural vegetation communities would occur from implementation of the Project.

5.13.4.3 Issue 3: Wetlands

Would the Project result in a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

No wetland habitats are in the Midway-Pacific Highway Community planning area. The Midway-Pacific Highway CPU PEIR concluded that **No Impact** to wetlands would occur. The nearest wetland areas are within the San Diego River, approximately 0.04 mile north of the Project site and separated by I-8.

Project-Specific Impact Analysis

Direct Impacts

No aboveground aquatic resources were observed in the survey area during the biological resources surveys; therefore, a formal aquatic resources delineation was not conducted. Observed storm drains, including the storm drain that would be relocated on the Project site, convey urban

stormwater through developed land to jurisdictional resources, including San Diego River and Mission Bay to the north. However, the storm drains are entirely underground and, therefore, are not under the jurisdiction of the USACE, RWQCB, or CDFW pursuant to CWA Sections 404 and 401 and CFGC Section 1600. The Project would comply with the MSCP SAP, 2008 General Plan, and City's Biology Guidelines, which includes the City's CEQA Significance Determination Thresholds regarding wetland resources. As discussed in Section 5.7, the Project would be required to implement construction best management practices to avoid and minimize potential direct, indirect, and cumulative water quality impacts to off-site downstream biological and aquatic resources in compliance with the NPDES regulations and City's Stormwater Standards Manual (City of San Diego 2012). Additionally, all proposed stormwater drainage improvements would be designed to collect and treat stormwater before it discharges off site through a combination of biofiltration planters and modular wetland units. Therefore, **No Direct Impacts** to wetland habitats from Project implementation would occur.

Indirect Impacts

No aboveground aquatic resources under the jurisdiction of the USACE, RWQCB, or CDFW occur in the survey area. Proposed stormwater drainage improvements would convey flows entirely underground to jurisdictional aquatic resources, including the San Diego River and Mission Bay, and would not be under the jurisdiction of the resource agencies. The Project would comply with the City's Stormwater Standards Manual and the NPDES regulations. Additionally, all proposed stormwater drainage improvements would be designed to collect and treat stormwater before it discharges off site through a combination of biofiltration planters and modular wetland units. Therefore, **No Indirect Impacts** to wetland habitats would occur.

5.13.4.4 Issue 4: Wildlife Corridors and Nursery Sites

Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP SAP, or impede the use of native wildlife nursery sites?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway Community planning area is mapped as urban/developed land and does not contain wildlife corridors. The San Diego River, located north of I-8 and the Midway-Pacific Highway Community planning area, functions as a local and regional wildlife corridor. The Midway-Pacific Highway CPU PEIR concluded that since development and growth would be south of I-8, development of land uses proposed in the 2018 Community Plan would not impact the wildlife corridor along the San Diego River. Impacts to wildlife movement corridors and habitat connectivity were determined to be **Less than Significant**.

Project-Specific Impact Analysis

Direct Impacts

The survey area is not within a linkage area identified in the MSCP SAP. The nearest wildlife corridors are approximately 0.04 mile north in the San Diego River and 0.4 mile north in the Mission Valley Preserve, which are in the MHPA and considered important habitat linkages between core resource areas in the MSCP. However, these lands are separated from the Project site by a major highway, I-8. The Project site is not directly adjacent to or within the MHPA. The Project site likely only provides major movement opportunities for bird species and may provide some local movement opportunities for terrestrial species. The Project site is within the Pacific Flyway and may hold value for MBTA-protected migrating birds as a stopover area due to the presence of trees, ornamental vegetation, and structures. Although removal of these resources could impact migratory birds, the Project would comply with the MBTA and CFGC Section 3503 by prohibiting take of birds, nests, or eggs, which would ensure avoidance of impacts to migratory birds. While the off-site improvements areas are within the Pacific Flyway, they likely have limited value for MBTA-protected migrating birds as stopover areas because of the overall absence of suitable trees, ornamental vegetation, and structures.

The Project would adhere to the requirements in SDMC Section 142.0740 related to lighting and glare and incorporate various design features to reduce the potential for bird strikes. According to the USFWS (USFWS 2024), glass is an invisible barrier to birds. During the day, they mistakenly fly toward reflections in glass that may deceive them to be natural habitat, such as sky or plants. At night, they are attracted to artificial lights on landscapes and in residences, drawing them closer to windows and other lit structures. According to the California Green Building Standards Code (2022), bird strikes occur predominantly within the first 40 vertical feet of a building. The Project would comply with SDMC Section 142.0740 related to shielding outdoor lighting and directing lighting downward as recommended by the San Diego Audubon Society (SDAS 2024) to avoid bird strikes. Other ways to reduce light would also include minimizing light trespassing in accordance with green building regulations and turning off non-essential lighting during nighttime hours. In addition, during future building design, the Project would consider various design features to reduce the potential for bird strikes, including non-reflective glass, no 100 percent glazed buildings, and balancing of building facades with architectural features. Corridors between Project buildings would allow for safe pathways in which birds can travel throughout the site. No structures that could result in bird strikes are proposed in the off-site improvements areas.

Direct impacts to wildlife movement corridors and habitat connectivity would be **Less than Significant**.

Indirect Impacts

Wildlife movement corridors and habitat connectivity would be impacted by many of the indirect effects discussed in Issue 1 for impacts to sensitive wildlife species. The Project would be required to comply with the MSCP SAP, 2008 General Plan, City's Biology Guidelines, City's Stormwater Standards Manual, and NPDES regulations, in addition to the MBTA and CFGC Section 3503, and be required to

obtain a San Diego RWQCB MS4 Permit, which would reduce the potential for indirect impacts to wildlife movement. As discussed previously, the Project would adhere to the SDMC requirements related to lighting and glare and incorporate various design features to reduce the potential for bird strikes. No structures that could result in bird strikes are proposed in the off-site improvements areas. Therefore, indirect impacts to wildlife movement corridors and habitat connectivity during construction activities and operation of the Project would be **Less than Significant**.

5.13.4.5 Issue 5: Multiple Species Conservation Program

Would the Project result in a conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP plan area or in the surrounding region?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway Community planning area is within the MSCP but does not contain any MHPA lands (County of San Diego 1998). The MHPA is north of I-8 in the San Diego River. The Midway-Pacific Highway CPU PEIR concluded that development adjacent to MHPA lands could have indirect effects on the MHPA due to increased runoff, trampling, and removal of plant cover due to hiking, biking, and other human activities; increased presence of toxins; increased nighttime light levels; redirection or blockage of wildlife movement; and increased levels of non-native and invasive plants. Future projects adjacent to the MHPA would be subject to the City's MHPA Land Use Adjacency Guidelines and would be required to incorporate features into Project and/or permit conditions that demonstrate compliance with the MHPA Land Use Adjacency Guidelines to minimize indirect effects. Impacts were determined to be **Less than Significant**.

Project-Specific Impact Analysis

The Project site is not within or directly adjacent to the MHPA identified in the MSCP SAP. The Project would comply with the applicable requirements of the MSCP SAP, specifically the General Management Directives outlined in Section 1.5.2, which is the adopted Habitat Conservation Plan for the Project site. The General Management Directives applicable to the Project include managing litter, trash, and materials storage and avoiding the introduction of invasive species on the Project site and into the adjacent MHPA, as outlined in Section 1.5.2 of the MSCP SAP. **No Impact,** direct or indirect, associated with a conflict with the MSCP SAP would occur.

5.13.5 Significance of Impacts

5.13.5.1 Issue 1: Sensitive Species

Implementation of the Project would not result in significant direct or indirect impacts through habitat modifications, on any species identified as a candidate, sensitive, or special status species in the MSCP SAP or other local or regional plans, policies or regulations, or by CDFW or USFWS. Impacts would be **Less than Significant**.

5.13.5.2 Issue 2: Sensitive Habitats

Implementation of the Project would not result in significant direct or indirect impacts to any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development Manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. **No Impact** would occur.

5.13.5.3 Issue 3: Wetlands

Implementation of the Project would not result in direct or indirect impacts to wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means. **No Impact** would occur.

5.13.5.4 Issue 4: Wildlife Corridors and Nursery Sites

Implementation of the Project would not interfere with wildlife movement corridors or habitat connectivity including linkages identified in the MSCP SAP. Impacts would be **Less than Significant**.

5.13.5.5 Issue 5: Multiple Species Conservation Program

Implementation of the Project would not conflict with the MSCP SAP. **No Impact** would occur.

5.13.6 Mitigation

No significant impacts were identified; therefore, no mitigation is required.

5.13.7 Significance of Impacts after Mitigation

5.13.7.1 Issue 1: Sensitive Species

Less than Significant.

5.13.7.2 Issue 2: Sensitive Habitats

No Impact.

5.13.7.3 Issue 3: Wetlands

No Impact.

5.13.7.4 Issue 4: Wildlife Corridors and Nursery Sites

Less than Significant.

5.13.7.5 Issue 5: Multiple Species Conservation Program

No Impact.

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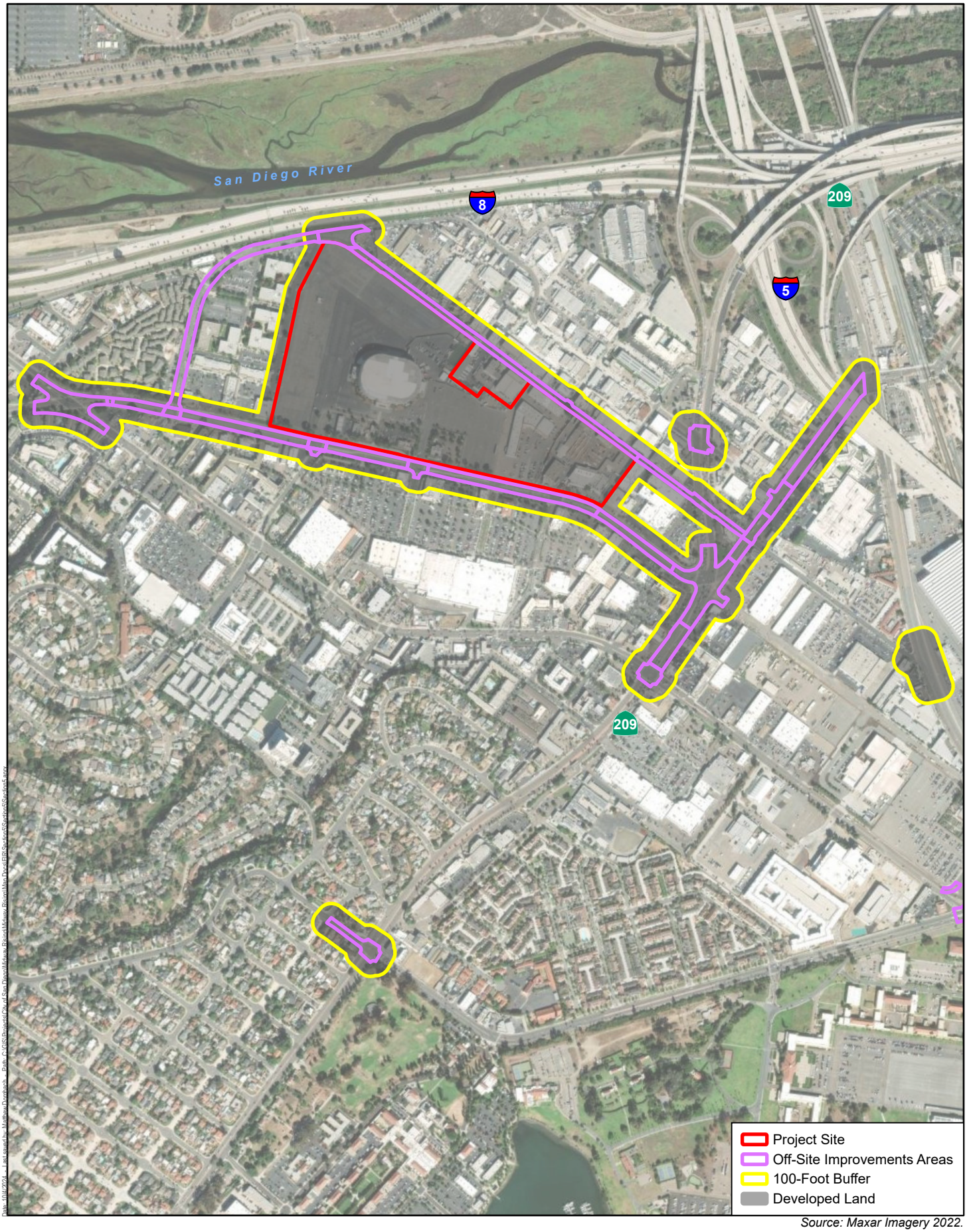

Source: Maxar Imagery 2022.

N

0 450 900

Feet

Figure 5.13-1

Land Cover Types

Midway Rising

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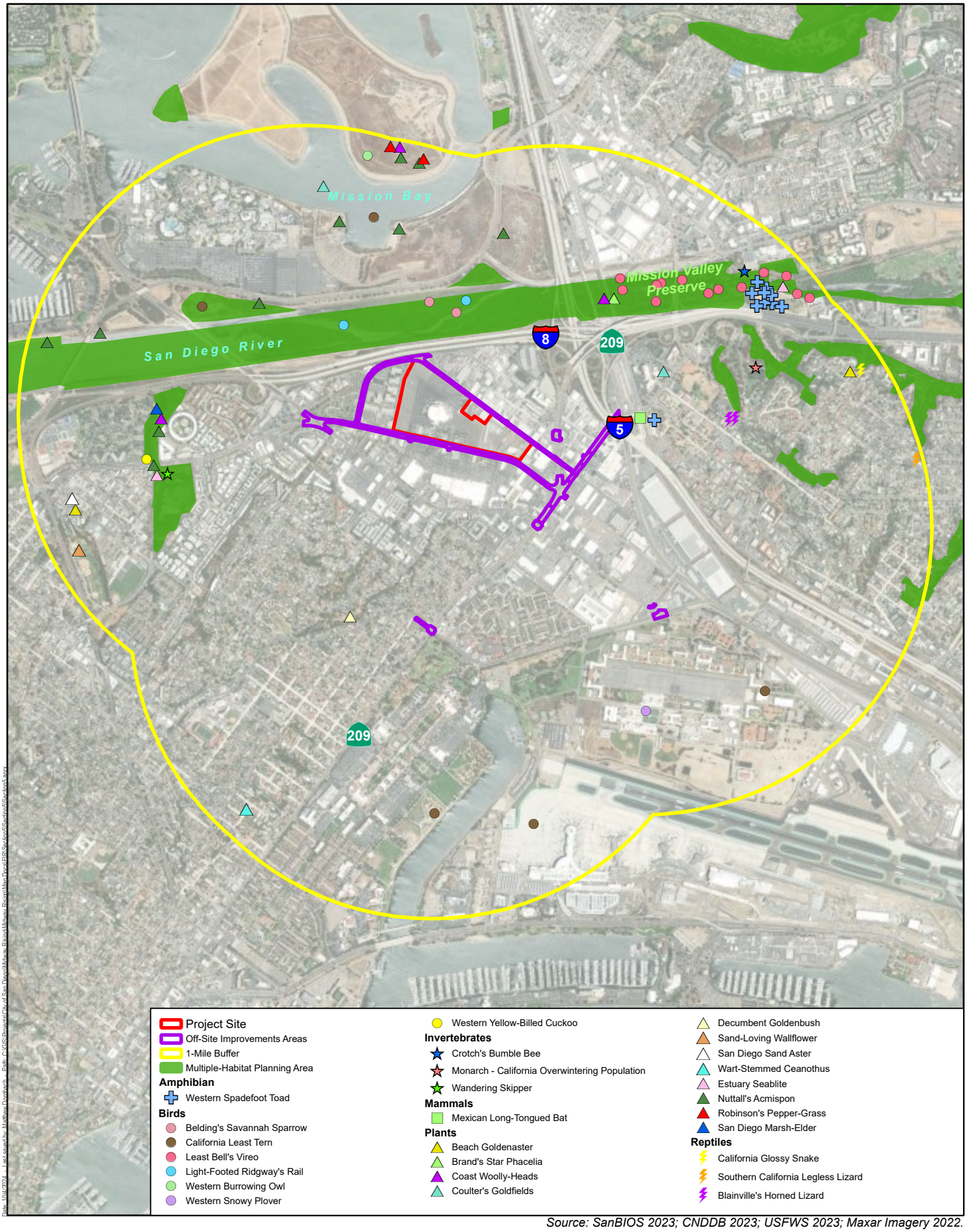

Source: SanBIOS 2023; CNDDB 2023; USFWS 2023; Maxar Imagery 2022.

N

0 1,000 2,000

Feet

Figure 5.13-2

Sensitive Species with Potential to Occur

Midway Rising

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5.14 Paleontological Resources

This section of this Subsequent Environmental Impact Report (SEIR) describes the existing paleontological resources on the Midway Rising Project (Project) site and evaluates the potential for implementation of the Project to impact paleontological resources.

The analysis in this section is based on the following:

- Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) (2018), included as Appendix B of this SEIR
- Preliminary Geotechnical Investigation Report for the Midway Rising Sports Arena Complex (Geotechnical Investigation) prepared by Group Delta (2024), included as Appendix F2 of this SEIR

5.14.1 Existing Conditions

Paleontological resources, or fossils, are the remains and/or traces of prehistoric plant and animal life. Fossils provide direct evidence of ancient organisms and document the patterns of organic evolution and extinction that have characterized the history of life. Fossil remains, such as bones, teeth, shells, and wood, are found in the geologic deposits (formations) within which they were originally buried. Paleontological resources contain not only the actual fossil remains but also the localities where those fossils are collected and the geologic formations containing the localities. Fossil remains are important because they provide indicators of Earth's chronology and history and represent a limited, nonrenewable, and sensitive scientific and educational resource.

The potential for fossil remains at a location can be predicted through previous correlations established between the fossil occurrence and geologic formations within which they are buried. Geologic formations possess a specific paleontological resource potential wherever the formation occurs based on discoveries made elsewhere in that formation.

5.14.1.1 Geologic Formations

The Project site is mapped as underlain by a layer of undocumented artificial fill approximately 7–13 feet thick over the entire site (Appendix F2). Fill material was derived from earlier construction activities on the Project site and was placed to provide topographically high areas for development. No fossils of paleontological interest are found in artificial fill material because it has a low paleontological resource sensitivity due to the loss of the stratigraphic/geologic context of any contained organic remains (e.g., fossils) (SDNHM 2013). Paralic estuarine deposits were observed under the undocumented fill to depths of 100 to 105 feet. These deposits are subdivided into two units, upper and lower paralic estuarine deposits (Appendix F2).

Levels of Paleontological Resource Sensitivity

Paleontological resource sensitivity of geologic formations is typically rated from high to zero. The sensitivity of the paleontological resource determines the significance of a paleontological impact. The following levels of paleontological resource sensitivity are rated for individual formations since the formations contain fossil remains:

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

Table 5.14-1, Paleontological Monitoring Determination Matrix, includes a Paleontological Monitoring Determination Matrix that identifies the geologic formation, its location of potential occurrence, and its sensitivity rating. The note at the bottom of Table 5.14-1 that is highlighted in gray indicates that monitoring is not required when grading documented or undocumented artificial fill.

Table 5.14-1. Paleontological Monitoring Determination Matrix

Geological Deposit/ Formation/Rock Unit	Potential Fossil Localities	Sensitivity Rating
Alluvium (Qsw, Qal, Qls)	All communities where unit occurs	Low
Ardath Shale (Ta)	All communities where unit occurs	High
Bay Point/Marine Terrace (Qbp)[1]	All communities where unit occurs	High
Cabrillo Formation (Kcs)	All communities where unit occurs	Moderate
Delmar Formation (Td)	All communities where unit occurs	High
Friars Formation (Tf)	All communities where unit occurs	High
Granite/Plutonic (Kg)	All communities where unit occurs	Zero
Linda Vista Formation (Qln, Qlb)[2]	Mira Mesa/Tierrasanta	High
	All other communities where unit occurs	Moderate
Lusardi Formation (Kl)	Black Mountain Ranch/Lusardi Canyon Poway/Rancho Santa Fe	High
	All other communities where unit occurs	Moderate
Mission Valley Formation (Tmv)	All communities where unit occurs	High
Mt. Soledad Formation (Tmv)	Rose Canyon	High
	All other communities where unit occurs	Moderate
Otay Formation (To)	All communities where unit occurs	High
Point Loma Formation (Kp)	All communities where unit occurs	High
Pomerado Conglomerate (Tp)	Scripps Ranch/Tierrasanta	High
	All other communities where unit occurs	High
River/Seam Terrace Deposits (Qt)	Suth Eastern/Chollas Valleys/Fairbanks Ranch/Skyline/Paradise Hills/Otay Mesa, Nestor/San Ysidro	Moderate
	All other communities where unit occurs	Low
San Diego Formation (Qsd)	All communities where unit occurs	High
Santiago Peak Volcanics (Jsp) Metasedimentary	Black Mountain Ranch/La Jolla Valley, Fairbanks Ranch/Mira Mesa/Peñasquitos	Moderate
Santiago Peak Volcanics (Jsp) Metavolcanic	All other communities where unit occurs	Zero
Scripps Formation (Tsd)	All communities where unit occurs	High
Stadium Conglomerate (Tst)	All communities where unit occurs	High
Sweetwater Formation	All communities where unit occurs	High
Torrey Sandstone (Tf)	Black Mountain Ranch/Carmel Valley	High
	All other communities where unit occurs	Low

Source: City of San Diego 2016.

Notes:

Sensitivity Rating Grading Thresholds for Required Monitoring: High = >1,000 cubic yards and 10 feet+ deep; Moderate = >2,000 cubic yards and 10 feet+ deep; Zero–Low = monitoring not required

[1] Bay Point: Broadly correlative with Qop 1–8 of Kennedy and Tan (2008) new mapping nomenclature

[2] Linda Vista: Broadly correlative with Qvop 1–13 of Kennedy and Tan (2008) new mapping nomenclature

Monitoring is always required when grading on a fossil recovery site or near a fossil recovery site in the same geologic deposit/formation/rock unit as the Project site as indicated on the Kennedy maps.

Monitoring may be required for shallow grading (i.e., <10 feet) when a site has previously been graded and/or unweathered geologic deposits/formations/rock units are present at the surface.

Monitoring is not required when grading documented or undocumented artificial fill.

5.14.2 Regulatory Setting

This section describes the federal, state, and local regulatory framework adopted to address paleontological resources.

5.14.2.1 Federal

There are no federal regulations related to paleontological resources.

5.14.2.2 State

California Environmental Quality Act

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15065 (California Code of Regulations Sections 15000–15387), a lead agency must find that a project would have a significant effect on the environment when the project has the potential to eliminate important examples of the major periods of California prehistory, including significant paleontological resources. The City's CEQA Significance Determination Thresholds (City of San Diego 2016) are used to make this determination.

California Public Resources Code

California Public Resources Code Section 5097.5 states that a person shall not knowingly and willfully excavate upon or remove, destroy, injure, or deface any historic or prehistoric ruins; burial grounds; archaeological or vertebrate paleontological site, including fossilized footprints; inscriptions made by human agency; rock art; or any other archaeological, paleontological, or historical feature situated on public lands except with the express permission of the public agency with jurisdiction over the lands.

California Code of Regulations, Title 14, Division 3, Chapter 1, Sections 4307 and 4309

The California Code of Regulations, Title 14, Division 3, Chapter 1, provides statewide mandates for the protection of natural resources. Section 4307 covers geological features and prohibits the

destruction, disturbance, mutilation, or removal of earth, sand, gravel, oil, minerals, rocks, paleontological features, or cave features. Under Section 4309, the California Department of Parks and Recreation may grant a permit to remove, treat, disturb, or destroy plants or animals or geological, historical, archaeological, or paleontological materials, and any person who has been properly granted such a permit shall not be liable for prosecution for violation of the foregoing.

5.14.2.3 Local

City of San Diego Municipal Code

The San Diego Municipal Code (SDMC) provides detailed development regulations related to grading and paleontological monitoring. SDMC Section 142.0151 requires paleontological resources monitoring in accordance with the General Grading Guidelines for Paleontological Resources in the City's Land Development Manual (which is incorporated by reference in the SDMC) for any of the following (City of San Diego 2024):

- Grading that involves 1,000 cubic yards or greater, and 10 feet or greater in depth, in a High Resource Potential Geologic Deposit/Formation/Rock Unit; or
- Grading that involves 2,000 cubic yards or greater, and 10 feet or greater in depth, in Moderate Resource Potential Geologic Deposit/Formation/Rock Unit; or
- Grading on a fossil recovery site or within 100 feet of the mapped location of a fossil recovery site.

If paleontological resources are discovered during grading, all grading in the area of discovery is required to cease until a qualified paleontological monitor has observed the discovery and the discovery has been recovered in accordance with the SDMC General Grading Guidelines for Paleontological Resources. The General Grading Guidelines for Paleontological Resources are found in Land Development Manual Appendix P and do not replace the City's CEQA Significance Determination Thresholds for paleontological resources set forth in Land Development Manual Appendix A.

5.14.3 Significance Determination Thresholds

The thresholds used to evaluate potential paleontological resources impacts are generally based on the City's CEQA Significance Determination Thresholds (City of San Diego 2016) to be consistent with the Midway-Pacific Highway CPU PEIR. A significant impact on paleontological resources could occur if implementation of the Project would:

- **Issue 1:** Require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit, or require over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit.

5.14.4 Impact Analysis

5.14.4.1 Issue 1: Paleontological Resources

Would the Project result in development that requires over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit or over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit?

Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that that grading activities associated with future discretionary and ministerial projects that require grading in excess of 1,000 cubic yards, extending to a depth of 10 feet or greater into high sensitivity formations (Mount Soledad and Bay Point Formations), could result in significant impacts to paleontological resources. The Midway-Pacific Highway CPU PEIR identified some of the community planning area as having moderate to high paleontological sensitivity, which would have the potential to result in a significant impact. However, the Project site was mapped as having zero sensitivity for paleontological resources; therefore, **No Impact** would occur.

Project-Specific Impact Analysis

The Project site is underlain by a layer of undocumented artificial fill approximately 7–13 feet thick (Appendix F2). Artificial fill is identified in the Midway-Pacific Highway CPU PEIR as having zero paleontological sensitivity (Figure 5.14-1, Paleontological Sensitivity). No fossils of paleontological interest are found in artificial fill material (SDNMH 2013). Any contained organic remains have lost their original stratigraphic/geologic context due to the disturbed nature of the undocumented artificial fill material. Because of this, the on-site undocumented artificial fill material has a low paleontological resource sensitivity. Total earthwork for the Project would be approximately 517,000 cubic yards of cut and 555,000 cubic yards of fill from mass grading, foundation spoils, hazardous soils, and utility trench spoils. However, grading activities associated with the Project would not require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit or over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit. Therefore, **No Impact** to paleontological resources would occur.

5.14.5 Significance of Impacts

5.14.5.1 Issue 1: Paleontological Resources

The Project is underlain by a layer of undocumented artificial fill and has zero sensitivity for paleontological resources. The Project would not require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit or over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit. Therefore, **No Impact** to paleontological resources would occur.

5.14.6 Mitigation

No significant impacts were identified; therefore, no mitigation is required.

5.14.7 Significance of Impacts after Mitigation

5.14.7.1 Issue 1: Paleontological Resources

No Impact.

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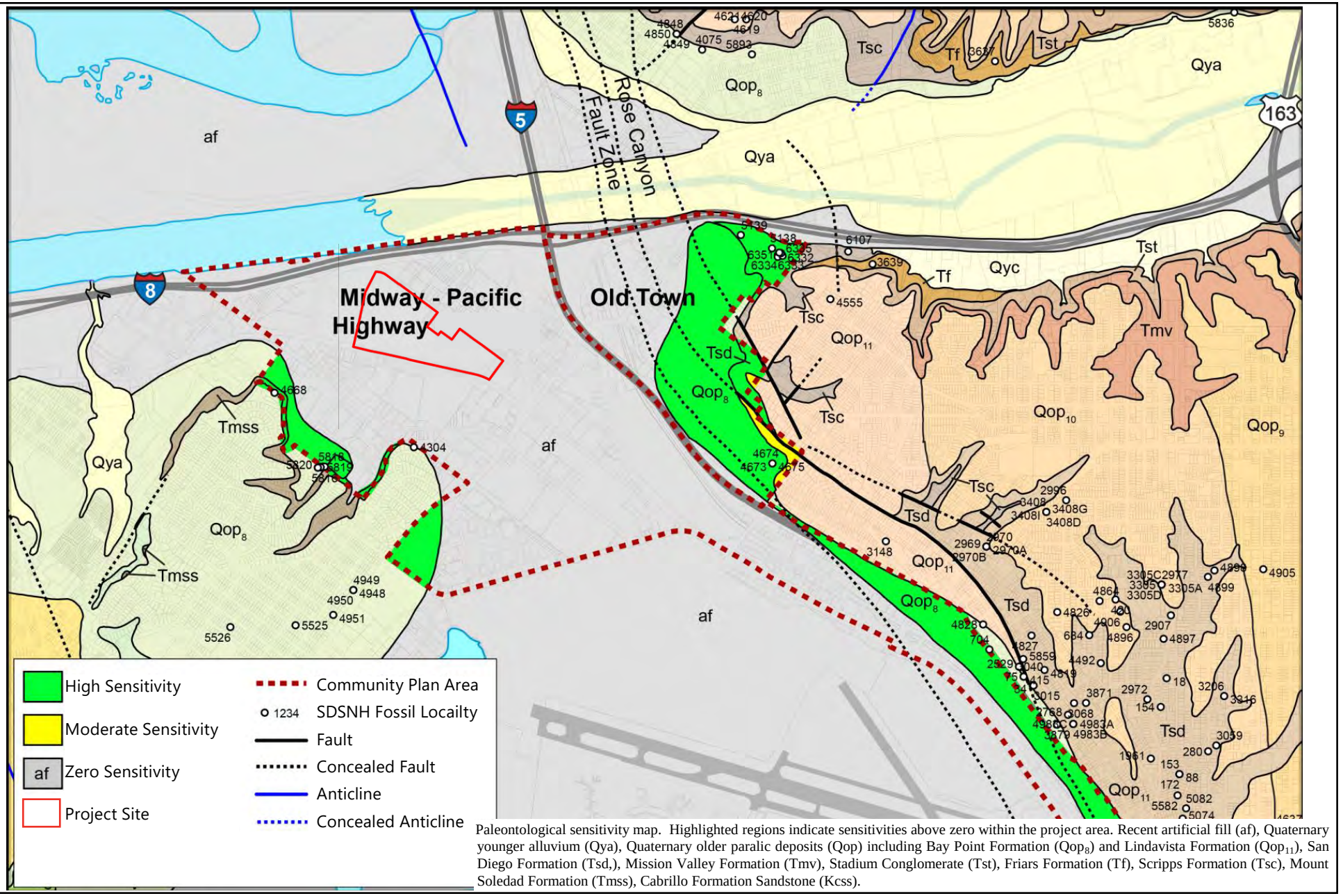

Paleontological sensitivity map. Highlighted regions indicate sensitivities above zero within the project area. Recent artificial fill (af), Quaternary younger alluvium (Qya), Quaternary older paralic deposits (Qop) including Bay Point Formation (Qop_8) and Lindavista Formation (Qop_{11}), San Diego Formation (Tsd,), Mission Valley Formation (Tmv), Stadium Conglomerate (Tst), Friars Formation (Tf), Scripps Formation (Tsc), Mount Soledad Formation (Tmss), Cabrillo Formation Sandstone (Kcss).

Source: San Diego Natural History Museum 2013.

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Paleontological Sensitivity

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Chapter 6.0 Cumulative Impacts

6.1 Introduction

The California Environmental Quality Act (CEQA) Guidelines Section 15355 defines cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." These individual effects may include changes resulting from a single project or a number of separate projects. The cumulative impact is the change in the environment that results from the incremental impact of a project when added to other past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects occurring over a period of time.

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

According to CEQA Guidelines Section 15130(b), the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness. Additionally, one of the following two possible approaches is required for considering cumulative effects:

- A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency (i.e., the List of Projects approach).
- A summary of projections contained in an adopted General Plan or related planning document, or in a prior environmental document that has been adopted or certified, that described or evaluated region- or areawide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency (i.e., the Plan approach).

A combination of these approaches may also be used. Pursuant to CEQA Guidelines Section 15130(d), cumulative impact discussions may rely on previously approved land use documents, such as General Plans, Specific Plans, and Local Coastal Plans, and may be incorporated by reference. In addition, no further cumulative impact analysis is required when a project is consistent with such

plans and the lead agency determines that the regional or areawide cumulative impacts of a project have already been adequately addressed in a certified EIR for that plan. CEQA Guidelines Section 15130(e) also states that "if a cumulative impact was adequately addressed in a prior EIR for a Community Plan, zoning action, or General Plan, and the project is consistent with that plan or action, then an EIR for such a project should not further analyze that cumulative impact, as provided in Section 15183(j)." According to CEQA Guidelines Section 15152(f)(3), adequately addressed means mitigated or avoided by the prior EIR and findings adopted in connection with that prior EIR, or examined in detail sufficient to allow impacts to be mitigated or avoided by site-specific project revisions, the imposition of conditions, or other means in connection with the approval of the later project. CEQA also provides that cumulative impacts caused by other projects do not necessarily mean the project undergoing environmental review has its own cumulative impacts (CEQA Guidelines Sections 15130[d] and [e], 15064[h], and 15152[f][3]).

This Subsequent Environmental Impact Report (SEIR) uses a hybrid approach blending the "Plan" and "List of Projects" approaches for the Project's cumulative analysis in accordance with CEQA Guidelines Section 15130(b). The SEIR cumulative analysis assumes buildout of the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) along with one relevant development project not included in the Community Plan. CEQA Guidelines Section 15125(a)(1) states that a lead agency should describe the physical environmental conditions as they exist at the time the Notice of Preparation is published from both a local and regional perspective. The City published the Project's Notice of Preparation on December 18, 2023. Projects submitted to the City for review after that date are not a part of this analysis. The City possesses the discretion to determine the cutoff point during environmental review to cease considering new applications for cumulative analysis purposes, lest the CEQA process never end. ~~(Gray v. County of Madera [2008] 167 Cal.App.4th 1099, 1128).~~

The redevelopment of the Navy Base Point Loma Old Town Campus (OTC) (Navy OTC Revitalization Project) is included in the Project's cumulative impact analysis because it is proposed within the footprint of the Midway-Pacific Highway Community planning area on property owned by the federal government and not within the City's local land use authority (refer to Figure 6-1, Navy Old Town Campus Revitalization Project Location). Redevelopment of this property, for which a Draft Environmental Impact Statement (EIS) was issued in 2021, was not included in the 2018 Community Plan, and the analysis was initiated prior to December 18, 2023. Therefore, the Navy OTC Revitalization Project is considered a cumulative project for analysis in this SEIR.

6.2 Plans and Projects Evaluated for Cumulative Impacts

The following provides a description of the planning documents and projects evaluated for the Project's cumulative impacts analysis.

6.2.1 2018 Midway-Pacific Highway Community Plan

Buildout of the 2018 Community Plan was assumed for the Project's cumulative effects analysis. The 2018 Community Plan provides a long-range guide for the future physical development of the community. The land use was analyzed at buildout using a total dwelling unit yield. The total dwelling unit yield reflects that some properties would redevelop at the maximum permitted residential density; some properties would develop at residential densities below the maximum due to development constraints and market conditions; and some properties may develop with a density above maximum as permitted under state and local density bonus regulations.

The Midway-Pacific Highway Community Plan Update Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) adequately addressed cumulative impacts resulting from buildout of the 2018 Community Plan, which were based largely on the 2008 City of San Diego General Plan EIR, but also took into consideration the City of San Diego Multiple Species Conservation Program (MSCP) Subarea Plan, City of San Diego Land Development Code, City of San Diego Climate Action Plan (CAP), San Diego International Airport Land Use Compatibility Plan (ALUCP), and San Diego Associations of Governments (SANDAG) San Diego Forward: The Regional Plan (refer to Appendix B, Table 6-2). The City's CEQA Findings for the Midway-Pacific Highway CPU PEIR found cumulatively considerable impacts for the following resource issue areas: (1) transportation (traffic circulation – roadway segments, intersections, and freeway facilities); (2) historical resources; and (3) paleontological resources (due to grading from ministerial projects).

6.2.2 Navy Base Point Loma Old Town Campus EIS

In 2021, the U.S. Navy issued a Draft EIS for the Navy OTC Revitalization Project at Naval Base Point Loma, approximately 0.5 mile from the Project site pursuant to the requirements of the National Environmental Policy Act (NEPA). The Navy OTC currently serves as the headquarters for the Naval Information Warfare Systems Command (NAVWAR). The U.S. Navy proposes to redevelop NAVWAR's facilities at 2 sites, OTC Site 1 and OTC Site 2 (Figure 6-1). The Draft EIS evaluates five action alternatives for redevelopment of the OTC.[1] For purposes of this SEIR analysis, Alternative 2 from the EIS was selected because Alternative 2 represents the worst-case highest intensity development to occur in a 10-year time frame and the Project is modeled in SANDAG's ABM2+ 2021 Regional Plan model. Under Draft EIS Alternative 2, all existing facilities would be demolished at OTC Site 1 and OTC Site 2 and the U.S. Navy would redevelop approximately 1,694,268 square feet for NAVWAR and allow public-private development of 11,899,700 square feet of mixed-use development for a total of 13,593,968 square feet of development. The public-private development would include 6,600

[1] The Draft EIS includes Appendix A, which analyzes additional topics required under CEQA, for informational purposes. The appendix notes that "[i]f the Navy transfers property out of federal ownership or selects an alternative in which SANDAG has a role in the private development, the private developer or SANDAG may be able to utilize the EIS to help meet future CEQA compliance obligations. . . . The EIS is not a joint NEPA/CEQA document and future CEQA actions would be the responsibility of the appropriate state or local agency or private developer." (EIS, p. A-1.)

residential units, 1,000,000 square feet of office space, 2 hotels with 400 total rooms, and 180,000 square feet of retail space. Alternative 2 would include construction of approximately 91 buildings including 6 standalone parking structures. The tallest buildings would be up to 240 feet in height or approximately 22 stories (refer to Figure 6-2, Navy Old Town Campus Revitalization Project Alternative 2). The Draft EIS addressed cumulative impacts and found cumulatively considerable impacts for the following applicable resource issue areas: air quality; transportation; visual resources; land use; public health and safety; infrastructure; and noise.[2]

6.3 Assessment of Cumulative Impacts

The following discussion provides an analysis of the Project's potential cumulative effects. The geographic scope for the analysis of cumulative impacts depends on the nature of the issue and the Project and varies depending on the environmental issue being analyzed. Often, cumulative impacts are not limited by jurisdictional boundaries.

Consistent with CEQA Guidelines Section 15130(d), this section summarizes and incorporates by reference portions of the cumulative effects analysis in the Midway-Pacific Highway CPU PEIR that adequately address each resource issue area. It also provides a project-specific analysis of the cumulative impacts from the Project in combination with the identified cumulative projects.

6.3.1 Land Use

6.3.1.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR analyzed the 2018 Community Plan in accordance with the applicable plans and regulations for the Midway-Pacific Highway Community planning area: 2008 City of San Diego General Plan, as amended (2008 General Plan); San Diego Municipal Code (SDMC); Environmentally Sensitive Lands Regulations; MSCP/Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines; Historical Resources Regulations; SANDAG's 2015 San Diego Forward – The Regional Plan (2015 RP); California Coastal Act of 1976; and the San Diego Unified Port District's Port Master Plan (2021).

The Midway-Pacific Highway CPU PEIR determined that based on the compatibility of the proposed CPU with the 2008 General Plan policy framework and other applicable land use plans and regulations, cumulative land use compatibility and cumulative impacts associated with the 2018 Community Plan would be **Less than Significant.**

[2] The following resources analyzed under NEPA are inapplicable to the current analysis: socioeconomics, environmental justice and protection of children. The informational CEQA review included in Appendix A to the Draft EIS determined the OTC project would result in cumulative air quality, aesthetics (visual resources), land use, population/housing and cultural resources impacts.

6.3.1.2 Project-Specific Impact Analysis

The geographic context for cumulative impacts related to land use is the Midway-Pacific Highway Community planning area. A significant cumulative land use impact would occur if the combined effect of future projects including the Navy OTC Revitalization Project and 2018 Community Plan Buildout create inconsistencies with applicable land use plans or policies adopted to protect the environment. Cumulative projects would be required to show compliance with the applicable regulations and requirements intended to ensure compatibility of land uses. As discussed in Section 5.1, Land Use, the Project would conflict with Historic Preservation Goal A and Policy HP-A.5 of the City's 2008 General Plan and Policy HP-2.1 of the Historic Preservation Element of the Midway Community Plan due to demolition of the San Diego International Sports Arena (currently named Pechanga Arena), a designated historical resource. In addition, the Project would conflict with the Noise Element Policy NE-G.2, Goal I, and Policy NE-I.1 of the 2008 General Plan due to outdoor event noise. Mitigation measures would be implemented; however, the impact cannot be reduced below a level below significance as the Project site would no longer convey the structure's historic significance or replace the demolished arena and it cannot be demonstrated that measures would fully reduce event noise to below a significant level. Therefore, the Project's contribution to a cumulative land use impact would be **Potentially Cumulatively Considerable.** No feasible mitigation is available to reduce cumulative historical resources impacts; therefore, the Project's land use impact would be **Significant and Unavoidable**.

A significant cumulative land use impact would occur if future projects would combine to convert open space or farmland to a more intensive land use. There is no open space or prime farmland located in the Midway-Pacific Highway Community planning area. As discussed in Section 5.1, the Project would not result in the conversion of open space or farmland to a more intensive land use. Therefore, the Project in combination with other cumulative projects would not result in a cumulative impact. The Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for conflicts with the MSCP Subarea Plan is the area covered by the MSCP Subarea Plan. A significant cumulative land use impact would occur if, in combination, cumulative projects would conflict with the provisions of the City's MSCP. As discussed in Section 5.13, Biological Resources, the Project site is within the City's MSCP Subarea but not within the MSCP's MHPA. The Project is required to comply with applicable General Management Directives outlined in Section 1.5.2 of the MSCP Subarea Plan, which is the adopted Habitat Conservation Plan for the Project site. Therefore, the Project would not contribute to a significant cumulative impact. The Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for the analysis of cumulative impacts related to conflicts with an adopted ALUCP would be those projects in the San Diego International Airport (SDIA) and Naval Air Station North Island (NASNI) Airport Influence Areas. A significant cumulative impact would occur if future development projects would combine to be incompatible with applicable ALUCPs. As discussed in

Section 5.1, the Project would not result in land uses that are incompatible with an adopted ALUCP and would require compliance with the SDMC Article 2, Division 15, requirement to obtain a consistency determination from the San Diego County Regional Airport Authority and requirement to obtain a Federal Aviation Administration (FAA) determination of no hazard to air navigation in accordance with the SDIA Airport Influence Area and the NASNI Airspace Protection Boundary. Therefore, the Project would not result in a cumulative impact. The Project's contribution would **Not be Cumulatively Considerable**.

6.3.2 Transportation and Circulation

6.3.2.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR concluded that due to the nature of the project being an update to the adopted Community Plan with no specific development project being proposed at the time of the update, the transportation and circulation analysis was cumulative in nature. The Midway-Pacific Highway CPU PEIR determined that the 2018 Community Plan would result in transportation impacts on roadway segments, intersections, freeway segments, and ramp meters using a level of service (LOS) metric to evaluate the impacts. Identified significant cumulative impacts to roadway segments included the following:

- **Midway-Pacific Highway CPU PEIR Impact 5.2-1:** Three consecutive segments of Kettner Boulevard from Washington Street to Laurel Street.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-2:** Greenwood Street from Sports Arena Boulevard to Kurtz Street.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-3:** Camino Del Rio West from Rosecrans Street to I-5/I-8 ramps.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-4:** Dutch Flats Parkway from Barnett Avenue to Midway Drive.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-5:** Sassafras Street from Pacific Highway to Kettner Boulevard.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-6:** Two consecutive segments of Old Town Avenue from Hancock Street to San Diego Avenue.

Identified significant cumulative impacts to intersections included the following:

- **Midway-Pacific Highway CPU PEIR Impact 5.2-7:** Lytton Street and Rosecrans Street in the AM and PM peak hours.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-8:** West Mission Bay Drive and I-8 westbound off-ramp in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-9:** Midway Drive and Sports Arena Boulevard/West Point Loma Boulevard in the PM peak hour.

- **Midway-Pacific Highway CPU PEIR Impact 5.2-10:** Midway Drive and Rosecrans Street in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-11:** Hancock Street and Washington Street in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-12:** Kettner Boulevard and West Laurel Street in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-13:** Pacific Highway and Sassafras Street in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-14:** Pacific Highway and West Laurel Street in the AM and PM peak hours.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-15:** Nimitz Boulevard/Lowell Street and Rosecrans Street in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-16:** Moore Street and Old Town Avenue in the PM peak hour.

Identified significant cumulative impacts to freeway segments included the following:

- **Midway-Pacific Highway CPU PEIR Impact 5.2-17:** I-5 northbound (AM and PM peak hours) and southbound (PM peak hour) from Clairemont Drive to Sea World Drive.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-18:** I-5 northbound from Sea World Drive to I-8 in the AM and PM peak hours.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-19:** I-5 northbound from Old Town Avenue to Washington Street in the AM and PM peak hours.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-20:** I-8 eastbound from Morena Boulevard to Hotel Circle Drive in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-21:** I-5 southbound from I-8 to Old Town Avenue in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-22:** I-5 southbound from Washington Street to Pacific Highway in the PM peak hour.
- **Midway-Pacific Highway CPU PEIR Impact 5.2-23:** I-5 southbound from Laurel Street to Hawthorn Street in the PM peak hour.

Finally, a cumulative impact related to freeway ramp meters was identified on the I-5 southbound/Sea World Drive on-ramp in the PM peak hour (Midway-Pacific Highway CPU PEIR **Impact 5.2-24**).

Mitigation Measures **TRANS 5.2-1** through **TRANS 5.2-16** were identified to reduce significant impacts to intersections and roadway segments; however, only Mitigation Measure **TRANS 5.2-7b** is included in the 2018 Community Plan's Impact Fee Study (City of San Diego 2018). Other identified mitigation measures that would reduce transportation impacts were determined to be infeasible for several reasons, including consistency with the overall mobility vision, consistency with City goals and policies for walkable neighborhoods and multimodal facilities, lack of available right-of-way to

accommodate additional lanes, maintenance of existing features, allowance for other proposed improvements, removal of on-street parking, and maintenance of geometric continuity along roadway segments. Additionally, Mitigation Measures **TRANS 5.2-17** through **TRANS 5.2-24** would be implemented by California Department of Transportation (Caltrans) to reduce impacts to freeway segments and ramp meters; however, impacts to Caltrans facilities would remain significant and unavoidable because the City could not ensure that the mitigation necessary to avoid or reduce impacts to a level below significance would be implemented before the impact occurred. Therefore, cumulative transportation impacts related to the increase in projected traffic were determined to be **Significant and Unavoidable**.

6.3.2.2 Project-Specific Impact Analysis

Since adoption of the 2018 Midway-Pacific Highway Community Plan, evaluation of transportation and circulation environmental impacts have changed from LOS to Vehicle Miles Traveled (VMT), in accordance with Senate Bill (SB) 743 and per the City of San Diego Transportation Study Manual (City of San Diego 2022a). A VMT analysis, like that prepared for the Project and addressed in Section 5.2, Transportation and Circulation, is by nature a cumulative evaluation. The State of California Office of Planning and Research stated in its December 2018 Technical Advisory that a project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from a project impact (OPR 2018). Accordingly, a finding of a less than-significant project VMT transportation impact would imply a less than significant cumulative impact, and vice versa. Because the VMT analysis measures the VMT efficiency of a project compared to the average VMT efficiency for residential and employment uses of the region covered by SANDAG, the geographic scope for the transportation cumulative analysis is the San Diego region.[3]

As discussed in Section 5.2, VMT impacts associated with the proposed residential and entertainment uses would be less than significant with mitigation. However, the commercial land use component, specifically the regionally serving quality restaurant square footage, would cause a net increase in VMT compared to the existing commercial land use on site resulting in a significant impact. Separate model runs for the Opening Year (2035) and Horizon Year (2050) scenarios were conducted with and without the 40,000 square feet of commercial (regionally serving quality restaurant) land uses. The net change in VMT was determined by comparing the Project's VMT to the San Diego region and the City, which accounts for cumulative development. After implementation of a commercial shuttle (TRANS 5.2-1), the Project's VMT impact from future commercial land use (specifically regionally serving quality restaurants) would remain significant and unavoidable. To reduce VMT impacts from other development, cumulative projects would be mitigated on an individual basis. However, it is unknown if mitigation would effectively reduce impacts for all cumulative projects. Therefore, a significant

[3] A Local Mobility Analysis (Appendix D1), separate from the CEQA analysis, was prepared to analyze the Project's consistency with the 2018 Community Plan and determine whether transportation improvements need to be provided with Project build out.

cumulative VMT impact could occur, and the Project's contribution to a cumulative VMT impact would be **Potentially Cumulatively Considerable.** No feasible mitigation is available to reduce cumulative VMT impacts; therefore, cumulative Project VMT impacts would be **Significant and Unavoidable.**

The geographic context for impacts related to compliance with adopted plans, policies, and goals is the Midway-Pacific Highway Community planning area. Cumulative projects would be required to be consistent with applicable adopted policies, plans, and programs supporting the transportation system, including pedestrian, bicycle, and transit facilities. As discussed in Section 5.2, Project design includes improvements that would enhance existing bicycle and pedestrian transportation modes on and around the site, facilitate access to and the use of public transit, and be consistent with the Mobility Element of the 2008 General Plan and other adopted policies, plans, and programs supporting the transportation system. Impacts would be less than significant. Similar to the Project, cumulative projects would implement transportation improvements as necessary to comply with applicable adopted transportation programs, plans, ordinances, or policies. The Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for impacts related to increases in traffic hazards is the Midway-Pacific Highway Community planning area. Cumulative projects have the potential to increase traffic hazards through design or incompatible uses. As discussed in Section 5.2, the Project does not propose nonstandard design features and is not expected to increase traffic hazards to motor vehicles, bicyclists, or pedestrians. Similar to the Project, cumulative projects would be required to be designed and constructed according to the applicable jurisdictions' roadway design standards to ensure that future geometric designs are adequate for appropriate levels of safety to reduce impacts to less than significant. In addition, future cumulative projects under the City's jurisdiction that are required to prepare a Local Mobility Analysis would be required to conduct a Systematic Safety Review to ensure study area intersections meet the criteria to be identified as a safety hotspot for vehicles, pedestrians, and/or bicycles. The Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for cumulative impacts related to inadequate emergency access is the Midway-Pacific Highway Community planning area. Cumulative projects have the potential to result in inadequate emergency access if they block access roads or if necessary off-site road improvements result in the closure of roads. Construction and operation associated with future development under 2018 Community Plan Buildout and the Navy OTC Revitalization Project could result in activities that could interfere with emergency access, such as temporary construction barricades or other design obstructions that could impede emergency access. As discussed in Section 5.2, the Project would not result in activities including temporary construction barricades or other design obstructions that could impede emergency access on to the Project site. Specifically, access for emergency vehicles would be provided at the main Project entries along Sports Arena Boulevard and Kurtz Street in addition to a 20-foot-wide emergency vehicle access easement on the southeast side of the planned entertainment center and 26-foot-wide fire access lanes throughout the

site. Internal private drives would meet City standards. Similar to the Project, cumulative projects would be required to comply with applicable traffic control requirements and fire apparatus access roadway requirements for emergency access. Compliance with applicable regulations would ensure that cumulative projects do not result in a significant impact associated with inadequate emergency access. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

6.3.3 Historical and Tribal Cultural Resources

6.3.3.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the future development in the proposed Midway-Pacific Highway Community planning area could result in significant impacts to historical and Tribal Cultural Resources. In addition, the Midway-Pacific Highway CPU PEIR determined that future development projects have the potential to contribute to incremental historical and Tribal Cultural Resources impacts and in conjunction with impacts resulting from surrounding Community Plan updates, could contribute to a **Significant Cumulative Impact** to historical and Tribal Cultural Resources.

6.3.3.2 Project-Specific Impact Analysis

The geographic context for the analysis of cumulative impacts to historical and Tribal Cultural Resources is considered to be the County region. California Historical Resources Information System records indicate the presence of 327 previously recorded cultural resources, consisting of historic archaeological and architectural resources, within a 1-mile radius of the Project site (Appendix E1). Cumulative impacts to historic resources would involve projects affecting local resources with the same level or type of designation or evaluation, projects affecting other structures in the same historic district, or projects that involve resources that are significant within the same context as resources associated with the Project. As discussed in Section 5.3, Historical and Tribal Cultural Resources, implementation of the Project would result in the demolition of San Diego International Sports Arena, which is considered a historic resource. Compliance with mitigation measures would reduce project-level impacts by requiring proper treatment and documentation of the affected resources, although not to a less than significant level. Since the historic building would be demolished as a result of the Project, it would no longer convey its historic significance and though mitigation measures are proposed, none of the mitigation would reduce the impact below a level of significance. Future development under 2018 Community Plan Buildout and the Navy OTC Revitalization Project may have the potential to impact historical resources through building demolition, renovation, or changes in important viewsheds that may affect historic buildings. Therefore, the Project's contribution to a cumulative historical resource impact would be **Potentially Cumulatively Considerable.** No feasible mitigation is available to reduce cumulative historical resources impacts; therefore, the Project's historical resources impact would be **Significant and Unavoidable**.

Evidence of human occupation in the Project vicinity is represented by numerous archaeological sites throughout the City and overall region. These sites contain artifacts and features of value in reconstructing cultural patterns of prehistoric life. Due to the scarcity of archaeological resources and the potential for construction activities associated with future development projects in the San Diego region to impact these resources, a potentially significant cumulative impact to archaeological resources may occur. However, as discussed in Section 5.3, Project construction is not anticipated to result in direct impacts to subsurface archaeological resources because the Project site was previously excavated and graded. Therefore, impacts would be less than significant and would **Not be Cumulatively Considerable**.

The presence of numerous archaeological sites throughout the region indicates that prehistoric human occupation occurred throughout the region. Additionally, historic era occupation of the area increases the possibility that humans were interred outside a formal cemetery. Cumulative development projects in the San Diego region would have the potential to encounter unknown, interred human remains during construction activities, which could result in a potentially significant cumulative impact. Similar to the Project, present and future projects would be required to be consistent with applicable regulations in the California Public Resources Code Section 5097.98 and California Health and Safety Code Section 7050.5. Therefore, impacts would be less than significant, and the Project's contribution would **Not be Cumulatively Considerable.**

6.3.4 Geologic Conditions

6.3.4.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that development of the proposed 2018 Community Plan in combination with surrounding community planning areas such as Old Town, Uptown, Peninsula, and Downtown would be less than significant with implementation of recommendations included in site-specific geotechnical investigations required under the California Building Code (CBC) and SDMC. Therefore, cumulative impacts related to geologic hazards were determined to be **Less than Significant.**

6.3.4.2 Project-Specific Impact Analysis

The geographic context for impacts related to geological conditions is site specific rather than cumulative in nature because each development site has unique geologic considerations that would be affected differently during a seismic event. Although the Project and related cumulative projects including the Navy OTC Revitalization Project and 2018 Community Plan Buildout could have potentially significant seismic-related hazard impacts requiring mitigation, these projects are geographically independent to the extent that a seismic event at one site would not necessarily result in the same effects at another site. The specific geologic condition of each individual Project site, soil type, and project excavation requirements would dictate the severity of the potential geologic risks. As discussed in Section 5.4, Geologic Conditions, all potential site-specific geotechnical impacts from the

Project would be avoided or reduced below a level of significance through adherence with the geotechnical recommendations identified in the Project's Geotechnical Investigation and established regulatory requirements. Similar to the Project, potential impacts resulting from seismic and geologic hazards associated with cumulative development would be minimized on a project-by-project basis through the use of standard construction methods and adherence to applicable code requirements. Therefore, impacts would be less than significant, and the Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for the analysis of impacts regarding soil erosion or topsoil loss would be site-specific and limited to the immediate surrounding area. Future development related to the Navy OTC Revitalization Project and 2018 Community Plan Buildout would result in an increase in grading and clearing of vegetation, which has the potential to contribute to a cumulative increase in erosion or topsoil loss. However, development of cumulative projects is subject to runoff and erosion prevention requirements, including National Pollutant Discharge Elimination System (NPDES) regulations to ensure that the potential for soil erosion is minimized. As discussed in Section 5.4, erosion and sedimentation are not considered to be significant short-term or long-term concerns at the Project site. Compliance with mandatory regulatory requirements would ensure that future development projects within the watershed, including the Project and cumulative projects, would have a less than significant cumulative impact related to erosion and sedimentation. The Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for the analysis of impacts resulting from unstable soils is generally site-specific rather than cumulative in nature. Potential impacts related to the Project are not additive with other projects and are therefore not cumulatively significant. As discussed in Section 5.4, liquefaction-induced settlement may occur on the Project site and could cause adverse vertical deformation of the ground surface and soils supporting shallow foundations, and down drag loads on piles. Compliance with applicable regulatory requirements and the site-specific Geotechnical Investigation recommendations would ensure impacts related to geology instability would remain at a less than significant level. Other cumulative projects would be required to implement applicable regulations that may include site-specific recommendations to reduce risk from unstable soils, similar to the Project. Therefore, a significant cumulative impact would not occur. The Project's contribution would **Not be Cumulatively Considerable.**

The geographic context for the analysis of impacts resulting from expansive soils is generally site-specific, rather than cumulative in nature. Potential project impacts are not additive with other cumulative projects and are therefore not cumulatively significant. As discussed in Section 5.4, the Project would be required to comply with requirements of the CBC and implement the recommendations in the Geotechnical Investigation to ensure that impacts to people or structures would be reduced to an acceptable level of risk. Impacts would be less than significant. Therefore, a significant cumulative impact would not occur. The Project's contribution would **Not be Cumulatively Considerable.**

6.3.5 Noise

6.3.5.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR concluded that the analysis provided for noise is cumulative in nature because the analysis considers noise and vibration impacts associated with regional growth within and adjacent to the proposed Midway-Pacific Highway Community planning area, and the traffic assumptions used in the analysis included cumulative traffic associated with growth in neighboring communities. Noise impacts associated with growth in neighboring community planning areas would be localized in nature and land uses within each community planning area would be subject to the same 2008 General Plan policies, noise ordinance requirements, and Title 24 standards discussed in the Midway-Pacific Highway CPU PEIR that reduce noise impacts. In addition, the San Diego County Regional Airport Authority determined that cumulative development across the Midway-Pacific Highway Community planning area would be conditionally consistent with the ALUCP for the SDIA. Therefore, cumulative noise impacts were determined to be **Less than Significant**.

6.3.5.2 Project-Specific Impact Analysis

The geographic context for impacts related to noise is the Midway-Pacific Highway Community planning area. A cumulative ambient noise impact would occur if development associated with cumulative regional land use projects would result in an increase in ambient noise that would exceed the City's noise standards. Buildout of the Project, along with future regional growth, would result in increases in traffic that would cumulatively increase traffic noise. The Project's contribution to the cumulative noise impact is based on the increase in traffic noise attributable to the Project under the Project Buildout Phase 2 (Year 2035) scenario (Appendix G1). A significant cumulative impact would occur at noise sensitive land uses (NSLU) adjacent to Sports Arena Boulevard from West Point Loma Boulevard to Hancock Street as a result of cumulative development. However, the Project's contribution to noise levels on this segment would not exceed 3 decibels (dBA) Community Noise Equivalent Levels (CNEL) and the Project's contribution would **Not be Cumulatively Considerable**.

The Project, combined with cumulative development, would not exceed a 3 dBA increase on any other segment of Sports Arena Boulevard that would exceed the compatibility standard of 65 dBA CNEL without Project implementation. Based on buildout noise modeling, using information from the Local Mobility Analysis (Appendix D1), future growth from cumulative development would result in a readily perceptible (more than 5 dBA CNEL) increase on four remaining segments (Sports Arena Boulevard from Rosecrans Street to Pacific Highway; Kurtz Street from Hancock Street to Frontier Drive; Hancock Street from Sports Arena Boulevard to Channel Way; and Hancock Street from Channel Way to Kurtz Street). However, noise levels on these four segments with implementation of cumulative development and the Project would continue to be compatible with existing development because noise levels would not exceed the compatibility threshold of 65 dBA CNEL.

The impact to these segments with cumulative development and Project implementation would **Not be Cumulatively Considerable**.

In addition to increases in ambient noise level, cumulative development and the Project would have the potential to result in a cumulatively considerable increase in new NSLUs that may be exposed to excessive noise levels from transportation noise. The analysis for transportation noise exposure on the Project site is cumulative in nature because the analysis considers noise associated with regional growth in determining future noise exposure, including the Project, County-wide growth that increases background traffic levels, and the Navy OTC Revitalization Project (Appendix D1). Exposure of future NSLUs to incompatible noise levels would be site specific, and similar to the Project, future NSLU development would be subject to applicable policies, requirements, and Title 24 standards that reduce noise impacts. Thus, cumulative noise impacts related to transportation noise exposure would be less than significant and would **Not be Cumulatively Considerable**.

The geographic context for impacts related to aircraft noise exposure would be those projects in the SDIA and NASNI Airport Influence Areas. The San Diego County Regional Airport Authority determined that cumulative development across the Midway-Pacific Highway Community planning area would be conditionally consistent with the ALUCP for the SDIA. The Project would comply with existing regulatory processes to ensure that building design would attenuate exterior aircraft noise to compatible interior noise levels at future NSLUs. Based on those processes, the Project would not result in new NSLUs that are exposed to incompatible noise levels from aircraft, as defined by the Airport Land Use Compatibility Plan adopted for the SDIA. Additionally, no additional aviation uses are planned to be introduced within the immediate vicinity of the Project site, and the Project does not propose any new air traffic. No existing or future off-site NSLUs would be exposed to excessive noise levels from aviation as a result of the Project. Impacts related to nuisance noise from overflights are site specific and are not cumulative in nature. Therefore, a cumulative impact related to NSLU exposure to aircraft noise would be less than significant. The Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for impacts related to noise ordinance compliance would be the Midway-Pacific Highway Community planning area. Future development under the City's jurisdiction within the Midway-Pacific Highway Community planning area that would potentially include new noise sources, such as heating, ventilation, and cooling (HVAC) systems and recreational facilities, would be subject to continued enforcement of SDMC and 2018 Community Plan policies to require noise compatibility between uses. Additionally, the Midway-Pacific Highway Community planning area is currently developed and subject to roadway noise, including freeway noise. Noise sources from other allowable development, such as new HVAC systems, would be mitigated on site and are not anticipated to combine with intermittent special event noise at the Project site to exceed noise ordinance standards. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

Construction noise impacts are localized in nature because they are limited to the construction site where construction equipment is operating. As discussed in Section 5.5, Noise, sound levels from Project construction would be up to 75 dBA Leq (12-hour average sound level) at 170 feet from the source. Although specific cumulative project details are not currently available, due to the length of Project construction, it is likely that cumulative construction projects would occur simultaneously elsewhere in the Midway-Pacific Highway Community planning area. Cumulative projects in the area under the City's jurisdiction and the Project would be subject to the SDMC construction noise limits, Midway-Pacific Highway CPU PEIR Mitigation Measure **NOISE 5.5-2**, and 2018 Community Plan Policy NE-1.13. Individual receptors would be exposed to existing ambient noise levels from multiple sources, including transportation and existing commercial activity. In addition, as described in Section 5.5, existing traffic noise levels are generally 58 dBA or above, and portions of the Midway-Pacific Highway Community planning area are within 65+ dBA CNEL airport and roadway noise contours. Noise levels of 75 dBA at 50 feet would be reduced to below 58 dBA beyond 350 feet of the construction area. Due to existing noise levels, it is unlikely that construction noise from multiple projects would be simultaneously noticeable at a given receptor. Cumulative construction noise impacts would be less than significant, and the Project's contribution would **Not be Cumulatively Considerable.**

Construction vibration impacts are localized in nature because they are limited to the site where construction equipment is operating. Due to the length of Project construction, it is likely that cumulative construction projects would occur simultaneously elsewhere in the Midway-Pacific Highway Community planning area. Vibration is reduced to below building damage or disturbance levels at short distances from equipment operation. The location of cumulative construction equipment at a given time is currently unknown; however, given the size of the community planning area and the Project site, equipment from multiple projects would generally not be expected to be operating within the screening distance of each other. Therefore, vibration generated simultaneously by Project construction and other cumulative projects would not combine to generate cumulative vibration impacts. Cumulative construction vibration impacts would be less than significant, and the Project's contribution would **Not be Cumulatively Considerable**.

6.3.6 Health and Safety

6.3.6.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR concluded that potential hazards associated with hazardous material sites are site specific and would not combine with hazards in other community planning areas to create a cumulative impact. In addition, future projects would be required to comply with federal, state, regional, and local health and safety laws and regulations would address potential health and safety impacts. Potential health and safety impacts associated with wildfires, hazardous substances, emergency response and evacuation plans, and aircraft hazards would not combine to create cumulative impacts when viewed together with the potential growth that could occur within

the proposed 2018 Community Plan and surrounding community planning areas. Therefore, cumulatively significant impacts related to health and safety would be **Less than Significant**.

6.3.6.2 Project-Specific Impact Analysis

The geographic context for cumulative impacts related to wildland fire risk is the Midway-Pacific Highway Community planning area. Construction and operation of cumulative projects could result in a significant cumulative impact associated with risk of loss, injury, or death involving wildland fires. As discussed in Section 5.6, Health and Safety, while portions of the City are located within a Very High Fire Severity Zone, the Project site is not. The Project is located adjacent to high-density commercial uses, which do not contain wildland fuel sources likely to burn in the event of a wildfire. Similarly, future development related to the Navy OTC Revitalization Project and 2018 Community Plan Buildout would be located in a highly urbanized environment that does not contain wildland fuel sources. Cumulative projects would be required to comply with requirements of the SDMC and the California Fire Code. Therefore, a significant cumulative impact would not occur, and the Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for the analysis of cumulative impacts related to hazards to school would be projects within 0.25 mile of the existing public and private schools in the 2018 Community Plan. As discussed in Section 5.6, demolition of structures containing asbestos containing materials and lead based paints could result in the release of hazardous materials within 0.25 mile of a school. Improper removal of these materials during Project construction activities would have the potential to expose construction workers to a hazardous release of asbestos and lead. Mitigation requiring proper abatement prior to demolition and proper transportation and disposal would be implemented to reduce impacts to less than significant. Future development would be required to comply with regulations applicable to the use, disposal, and transportation of hazardous materials. Impacts would be less than significant. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for the analysis of cumulative impacts relative to emergency plan consistency is the Midway-Pacific Highway Community planning area. Construction and operation associated with future development in the community planning area could result in activities that could interfere with adopted emergency response or evacuation plans, such as temporary construction barricades or other obstructions that could impede emergency access. As discussed in Section 5.6, the Project includes roadway improvements that are intended to improve traffic flow through the area, would not impact emergency response, and would not impair the implementation of or compliance with an adopted Emergency Response or Evacuation Plan. In the event of an emergency, emergency response vehicles have the right of way and are exempt from the rules of the road. Specifically, upon the approach of an emergency vehicle sounding a siren, surrounding traffic is required to immediately move to the right-hand edge or curb, clear intersections, and stop until the emergency vehicle has passed (Vehicle Code Section 21806). Emergency vehicles also have the ability to override traffic signals. If required, drivers of emergency vehicles are trained to use

center turn lanes or travel in the opposing through lane to pass through congested intersections. Cumulative projects would have the potential to impair existing emergency response and evacuation plans if they would block evacuation or access roads or if road improvements would result in the closure of roads in the Midway-Pacific Highway Community planning area. As discussed in Section 5.2, the Greenwood Street extension included in the 2018 Community Plan would be eliminated as a result of the Project. The Greenwood Street extension was intended to connect Sports Arena Boulevard and Kurtz Street to provide emergency access within the village area. Instead, the Project would include an emergency access path directly behind the new entertainment center, serving the same purpose as the former Greenwood Street extension by facilitating emergency access throughout the site. Similar to the Project, cumulative projects would be required to comply with the requirements in SDMC Chapter 5, such as fire hydrants, fire hydrant markers (i.e., blue reflectors installed in the roadway), adequate vertical clearances, adequate turning radii, and fire ladder clearances and building standards in the California Fire Code. Compliance with applicable regulations would ensure that cumulative projects would not result in a significant impact associated with the impairment of an emergency response and evacuation plan. Therefore, implementation of the Project, in combination with other cumulative projects, would not result in a significant cumulative impact associated with emergency response and evacuation plans. The Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for the analysis of cumulative impacts relative to hazardous materials sites is site specific. Potential impacts related to the Project are not additive with other projects and are therefore not cumulatively significant. As discussed in Section 5.6, excavation and grading of the Project could encounter contaminated soil, which could result in adverse health and safety impacts to on-site construction personnel. To reduce the potential risks associated with grading and excavation of soils potentially containing hazardous materials, three options have been identified for remediating the portion of the West Point Loma Dump within the Project disturbance area prior to or during construction of the Project. In addition, the Project would prepare and implement a comprehensive Soil Management Plan that describes the means and methods for the proper management of impacted soils during construction and grading activities. In conjunction with the Soil Management Plan, and pursuant to the requirements of the San Diego Local Enforcement Agency, a Community Health and Safety Plan shall be prepared to address potential off-site impacts, particularly the monitoring and suppression of dust generated by on-site activities. Regardless of the remediation option selected, adherence to regulatory process(es) administered by the applicable regulatory oversight agency would reduce the Project's potential to result in an impact to less than significant. As discussed in Section 5.6, during Project operation, there is a risk of exceedances of commercial and residential screening levels for benzene in indoor air and a risk of exceedances of commercial and residential screening levels for m,p-xylene, ethylbenzene, and perchloroethylene in indoor air, which could create a significant hazard to future residential occupants of the Project. Implementation of Mitigation Measure **HS 5.6-4** would reduce impacts to a less than significant level. Similarly, other cumulative projects would have to comply with applicable regulations directing clean up and

rehabilitation of hazardous materials sites to obtain project approvals. Due to the site-specific nature of hazardous materials impacts, a significant cumulative impact would not occur. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for the analysis of cumulative impacts related to aircraft hazards would be in the SDIA and NASNI Airport Influence Areas. Potential risks associated with development in the vicinity of the SDIA and NASNI would be a factor in any decision to approve or deny future development proposals. As discussed in Section 5.5, the Project site is located within the SDIA and NASNI Airport Influence Areas. The Project is required to comply the SDMC Article 2, Division 15, requirement to obtain a consistency determination from the San Diego County Regional Airport Authority and requirement to obtain an FAA determination of no hazard to air navigation in accordance with the SDIA Airport Influence Area and the NASNI Airspace Protection Boundary to ensure that the Project would result in a less than significant airport safety hazard impact. Land uses that may be impacted by the airports are reviewed and regulated through the FAA and ALUCPs. As a result, cumulative risks to future development associated with proximity to the SDIA and NASNI would not result in a significant impact. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

6.3.7 Hydrology/Water Quality

6.3.7.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that future development within the proposed Midway-Pacific Highway Community planning area and surrounding areas could have a cumulative impact on hydrology and water quality, including downstream problems with flooding, sizing of drainage facilities, erosion, and sedimentation. However, all future development would be required to comply with all NPDES permit requirements, the City's Storm Water Standards Manual for drainage design and best management practices (BMPs) for treatment. Therefore, cumulative impacts were determined to be **Less than Significant**.

6.3.7.2 Project-Specific Impact Analysis

The geographic scope for hydrology and water quality is the San Diego Hydrologic Unit (No. 907.00), Mission San Diego Hydrologic Subarea 907.11, the Lindbergh Hydrologic Subarea 908.21 and Point Loma Hydrologic Subarea 908.10 per the Water Quality Control Plan for the San Diego Basin. Lands and water bodies within the watershed are part of an interrelated hydrologic system, such that modifications to a portion of a watershed or water pollution produced by development in one location may result in hydrology and water quality impacts that affect other water bodies in the watershed.

Development of the Project and cumulative projects under the 2018 Community Plan Buildout and Navy OTC Revitalization Project would result in an increase of impervious surfaces in the area, which has the potential to result in increased surface runoff, alteration of the regional drainage pattern, and flooding. As discussed in Section 5.7, Hydrology/Water Quality, the Project would not result in

substantial changes to drainage patterns. The volume and rate of overall surface runoff on the Project site would be reduced compared to existing conditions. Similar to the Project, future development would be subject to federal, state, and local regulations, such as the NPDES permit, that are designed to reduce stormwater runoff from project sites by promoting infiltration, minimizing impervious surfaces, and requiring a no-net increase in flows over the existing condition through hydromodification processes. Any short-term impacts resulting from alterations of drainage and hydrology would be minimized with the incorporation of appropriate construction BMPs and operational compliance with the NPDES permit and City's Stormwater Standards Manual. Cumulative projects would be designed to reduce the discharge of stormwater pollutants and improve water quality. Cumulative project compliance with applicable laws and regulations and incorporation of required construction and operational BMPs would ensure that a significant cumulative impact would not occur. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

Future growth and redevelopment would result in an increase in impermeable surfaces and an increase of runoff of stormwater pollutants contributing to a cumulative increase in impacts to water quality. As discussed in Section 5.7, pollutants generated from the Project would be addressed through the implementation of post-construction (or permanent) site design, source control, and treatment control BMPs as defined in the City's Stormwater Standards Manual. Similar to the Project, future development would be subject to applicable regulations and would be designed to reduce the discharge of stormwater pollutants and to improve water quality. With the cumulative projects' compliance with applicable laws and regulations and their incorporation of required construction and operational BMPs, a significant cumulative impact would not occur. Therefore, the Project's contribution would **Not be Cumulatively Considerable.**

6.3.8 Visual Effects and Neighborhood Character

6.3.8.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR concluded that changes in visual character and quality resulting from individual development projects within the proposed Midway-Pacific Highway Community planning area and development within the Old Town, Uptown, Peninsula, and Downtown communities could contribute incrementally to cumulative impacts with regard to aesthetics. However, based on the existing urbanized character of the proposed community planning area and surrounding communities and implementation of existing regulations and policies in the proposed CPU and surrounding communities' land use plans, cumulative impacts to visual effects and neighborhood character would be **Less than Significant**.

6.3.8.2 Project-Specific Impact Analysis

The Project includes mixed-use development consisting of residential, commercial, and entertainment land uses in a Transit Priority Area per SB 743; therefore, potential aesthetic or visual

impacts are not considered a significant impact on the environment (California Public Resources Code Section 21099[d][1]). As a result, the Project's contribution to a cumulative visual effects and neighborhood character impact would **Not be Cumulatively Considerable**. The following discussion is for informational purposes only.

The geographic context for the analysis of cumulative impacts related to visual effects and neighborhood character is the Midway-Pacific Highway Community planning area. A cumulative impact would occur if cumulative projects including buildout of the 2018 Community Plan and Navy OTC Revitalization Project in conjunction with the Project would impede views or cause a blockage of scenic vistas. The most sensitive viewers are typically recreational users of public parks/trails, residents in neighborhoods adjacent to the Midway-Pacific Highway Community planning area, and residents at higher elevations than the Project site, such as in the Uptown and Peninsula Community Plan areas.

The 2018 Community Plan does not identify any scenic vistas, scenic views, or prominent view corridors within the Midway-Pacific Highway Community planning area. Future development under buildout of the 2018 Community Plan is likely to take place on infill sites or as redevelopment of previously developed locations. Development standards in the SDMC that implement the land use designations of the 2018 Community Plan would allow maximum heights to range from 30 feet to 100 feet or higher in areas with no height limit. Alternative 2 identified in the Draft EIS for the Navy OTC Revitalization Project would allow a maximum development height of 240 feet. Combined buildout of the 2018 Community Plan and Navy OTC Revitalization Project have the potential to alter the existing visual environment of the area, which could contribute incrementally to a significant cumulative impact related to visual effects and neighborhood character.

As discussed in Section 5.8, Visual Effects and Neighborhood Character, 15 representative key viewpoints were identified to demonstrate the potential change in public views from Project development. Project buildings (including a 250-foot high-rise building, 105-foot mid-rise mixed-use buildings, and 165-foot entertainment center) would be constructed on relatively low ground (10 to 15 feet above mean sea level) and would be visible from some surrounding public spaces.

The 2018 Community Plan contains policies to ensure that new development is consistent with the existing character and protects public views. However, it is anticipated that viewers would notice a change in views due to the proximity and heights of future development on the Project site from the increase in building heights allowed by the Project coupled with cumulative development. The majority of the Midway-Pacific Highway Community planning area is currently developed to a maximum height of 30 feet, with allowed heights up 100 feet or higher in areas with no height limit since the approval of Ballot Measure E amended the SDMC to remove the Midway-Pacific Highway Community planning area from the existing 30-foot height limit. Voters reaffirmed the removal of the height limit from the Midway-Pacific Highway Community planning area in November 2022 by approving Ballot Measure C. In addition, the Navy OTC Revitalization Project development would allow heights up to 240 feet. Cumulative development would affect the scenic quality of the

surrounding area, including views from public areas. In accordance with SB 743, the potential aesthetic or visual impacts on scenic vistas and views from Project implementation would not be considered a significant impact on the environment because the Project is a residential and mixed-use development in a Transit Priority Area (as described in the introduction to this SEIR section and in Section 5.8.2.2). Similar, development and redevelopment projects associated with the 2018 Community Plan and Navy OTC Revitalization Project would also be subject to SB 743. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

Cumulative buildout of the 2018 Community Plan and the Navy OTC Revitalization Project could have the potential to change the overall visual character of the area. As discussed in Section 5.8, the Project would be consistent with the Urban Design Element Goals and Policies identified in the 2018 Community Plan. Similar to the Project, future development would be required to comply with applicable regulations to ensure compatibility with the visual character of the area. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

Cumulative projects would have the potential to result in a combined loss of any distinctive or landmark trees or any stand of mature trees as identified by the 2018 Community Plan. As discussed in Section 5.8, no distinctive or landmark trees, stand of mature trees, or trees with historical importance are on the Project site. Similar to the Project, future development would be subject to applicable policies requiring protection of trees, which would ensure that the cumulative loss of any distinctive or landmark trees or stand of mature trees, are avoided. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

Combined buildout of the 2018 Community Plan and the Navy OTC Revitalization Project could result in a substantial change in the existing landform resulting in a cumulative impact. As discussed in Section 5.8, the Project site is relatively flat and does not have any distinct landform or site features other than existing development and would not result in a substantial change to the existing, relatively flat landform. Similar to the Project, new development and redevelopment would be required to comply with applicable policies, which support conservation of existing landforms and public space and support the design of buildings that respect existing landforms and comply with the SDMC for grading and impacts would be less than significant. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

Buildout of the 2018 Community Plan and Navy OTC Revitalization Project could increase nighttime light and glare in the Midway-Pacific Highway Community planning area. Increased light would be generated by streetlights, residential lighting, parking lot lights, new commercial and mixed-use development, and signage. Increased lighting would potentially adversely affect adjacent properties and the overall nighttime lighting levels. Increased glare could potentially occur because of new development including building materials, roofing materials, or windows that would reflect sunlight. As discussed in Section 5.8, implementation of the Project would create light, glare, and shade, but it would not adversely affect daytime and nighttime views in the area as the Project would be required to comply with policies,

regulations, and guidelines that minimize light and glare impacts. Similar to the Project, development and redevelopment projects associated with the 2018 Community Plan and Navy OTC Revitalization would be required to comply with applicable policies, regulations, and guidelines pertaining to light and glare, which would ensure that any potential spillover would be minimized and would not result in a cumulative impact. Therefore, the Project's contribution would **Not be Cumulatively Considerable.**

6.3.9 Air Quality

6.3.9.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the net change in emissions from implementation of the 2018 Community Plan compared to the buildout of the prior Community Plan would generate air emissions that would not exceed the thresholds of significance. Since the Regional Air Quality Strategy (RAQS) is established for the San Diego Air Basin (SDAB), which is the cumulative study area for air emissions, buildout of the land uses within the Midway-Pacific Highway Community planning area would not have the potential to result in a significant cumulative impact. In addition, the Midway-Pacific Highway CPU PEIR concluded the 2018 Community Plan would not contribute to a cumulative Carbon Monoxide (CO) Hotspot or a cumulative odor impact. Therefore, cumulative impacts were determined to be **Less than Significant**.

6.3.9.2 Project-Specific Impact Analysis

The RAQS and State Implementation Plan (SIP) are intended to address cumulative impacts in the SDAB based on future growth predicted by SANDAG. As described in Section 5.9, Air Quality, implementation of the Project would be consistent with the emissions projections in the RAQS and SIP. Cumulative development is not expected to result in a significant impact in terms of conflicting with the San Diego County Air Pollution Control District Air Quality Management Plans and the SIP because the majority of cumulative projects would propose development that is consistent with the applicable growth projections incorporated into local Air Quality Management Plans, including buildout of the 2018 Community Plan. Implementation of the Project, in combination with other cumulative projects, would not conflict with or obstruct implementation of the RAQS or SIP Air Quality Plans. A cumulative impact would not occur. This impact would be **Less than Significant.**

As described in Section 5.9, the San Diego County Air Pollution Control District thresholds are designed to identify those projects that would result in significant levels of air pollution and to assist the region in attaining the applicable state and federal ambient air quality standards, and as such are cumulative in nature. Projects that would not exceed the standards of significance would not contribute a considerable amount of criteria air pollutant emissions to the region's emissions profile and would not impede attainment and maintenance of ambient air quality standards. However, if the region is in non-attainment status for a particular criteria air pollutant and a project's individual emissions exceed the threshold levels, its incremental contribution could be considered cumulatively considerable (County of San Diego 2007). A project that is consistent with the San

Diego County Air Pollution Control District thresholds would result in less than cumulatively considerable emissions. Construction of the Project would not exceed the significance thresholds. Operational emissions would have the potential to result in volatile organic compound emissions that would exceed the significance threshold; however, mitigation measure MM AIR 5.9-1 would reduce volatile organic compound emissions to below the threshold. Therefore, the Project's contribution would **Not be Cumulatively Considerable with Mitigation**.

Cumulative growth in the Midway-Pacific Highway Community planning area would have the potential to increase congestion and potentially result in CO hotspots. The discussion of CO hotspots in Section 5.9 includes traffic volumes at study area intersections in combination with cumulative trips. Total traffic volumes would not result in congestion at any intersection during construction or operation that exceeds screening criteria. Therefore, the cumulative impact related to CO hotspots would be less than significant and the Project's contribution would **Not be Cumulatively Considerable.**

Cumulative projects would also have the potential to result in a significant cumulative impact associated with sensitive receptors if, in combination, they would expose sensitive receptors to a substantial concentration of toxic air contaminants that would significantly increase cancer risk. The cumulative projects in the Midway-Pacific Highway Community planning area, including the Navy OTC Revitalization Project, generally consist of residential and commercial projects that are not typical sources of substantial toxic air contaminants (CARB 2005). The Midway-Pacific Highway CPU PEIR determined that cumulative development in the area would not result in an increased risk to sensitive receptors due to the nature of allowable mixed-use development and existing regulatory processes. As discussed in Section 5.9, the Project would not result in a new source of toxic air contaminants. As described in Section 6.3.6.2, impacts related to contaminated soils would be site specific, and cumulative projects would also be required to implement management plans consistent with federal, state, and local regulations. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

Impacts relative to objectionable odors are limited to the area immediately surrounding the odor source and are not cumulative in nature because the air emissions that cause odors disperse beyond the sources of the odor. As the emissions disperse, the odor becomes decreasingly detectable. Cumulative development, including buildout of the 2018 Community Plan and the Navy OTC Revitalization Project, would include residential and commercial projects that would not be expected to result in objectionable odors. In addition, implementation of the Project would not generate a new source of objectionable odors. The Project and cumulative projects would be required to comply with SDMC Section 142.0710, Air Contaminant Regulations, that prohibit nuisance odors. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

6.3.10 Greenhouse Gas Emissions

6.3.10.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that the impact analysis for greenhouse gas (GHG) emissions is cumulative by nature because GHG emissions are a cumulative issue caused by global GHG emissions and not an individual project. GHG emissions were calculated in the Midway-Pacific Highway CPU PEIR for the 2018 Community Plan and the previous 1991 Community Plan, as well as estimated total construction emissions from 2018 Community Plan implementation. With these calculations, the Midway-Pacific Highway CPU PEIR determined that potential impacts related to GHG emissions from implementation of the 2018 Community Plan would be less than significant because future development under the 2018 Community Plan would be consistent with the CAP and 2008 General Plan. Therefore, cumulative impacts were determined to be **Less than Significant**.

6.3.10.2 Project-Specific Impact Analysis

The potential for a significant GHG impact is limited to cumulative impacts because the relatively small levels of emissions generated by an individual project are not expected to result in significant direct impacts with respect to climate change. However, given the magnitude of the impact of GHG emissions on the global climate, GHG impacts from combined new development under buildout of the 2018 Community Plan and Navy OTC Revitalization Project could result in significant cumulative impacts with respect to climate change. As summarized in Section 5.10, Greenhouse Gas Emissions, implementation of the Project would be consistent with the 2022 CAP, which is a plan to address cumulative Citywide GHG emissions and would not result in significant GHG emissions. The City's 2022 CAP is intended to capture the City's fair share of emission reductions from cumulative statewide emissions to achieve statewide emissions reduction targets from development within the City's jurisdiction. A significant cumulative impact related to statewide emissions targets may occur as result of projects that are not included in the City/CAP jurisdiction (Navy OTC Revitalization Project). However, the Project is consistent with the City's 2022 CAP; thus, it is consistent with the City's less than cumulatively considerable contribution to statewide emissions (City of San Diego 2022b). Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

6.3.11 Public Service and Facilities

6.3.11.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR concluded that new or improved public services and facilities infrastructure would be required to meet the needs of the City's future growth occurring through infill and redevelopment as well as on vacant and developable lands. However, the specific public facilities improvements that would be constructed in the cumulative area of Midway-Pacific Highway and adjacent community planning areas and the degree of future impacts and applicability, feasibility, and success of future mitigation measures could be adequately known at the program

level. Thus, the Midway-Pacific Highway CPU PEIR determined that cumulative impacts related to public facilities would be **Less than Significant** at the program level.

6.3.11.2 Project-Specific Impact Analysis

Public services and facilities generally serve residents on a community-wide basis. Thus, the geographic scope for analysis of public services and facilities is the Midway-Pacific Highway Community planning area.

Cumulative projects, including buildout under the 2018 Community Plan and the Navy OTC Revitalization Project, would result in additional demand for police protection services. As discussed in Section 5.11, Public Services and Facilities, the Project would introduce 4,254 dwelling units to the Project site, resulting in the introduction of an additional population base (approximately 5,346 more people) that would require police services. However, the additional population would be in an area currently served by the same police service division and would not result in physical impacts related to the construction of facilities for police protection. Cumulative projects could result in increased demand for police protection, but future projects would have to demonstrate that response times and/or service ratios are adequate and any required facilities would undergo their own separate CEQA review. Therefore, the Project's contribution would **Not be Cumulatively Considerable.**

The Project, as well as the cumulative projects in the community, would add to the cumulative demand for park and recreation facilities in the Midway-Pacific Highway Community. The City has the Recreational Value Standard, as established in the 2021 Parks Master Plan (City of San Diego 2021), as the guideline for providing adequate park space, with which the Project shall be required to comply. The value is determined based on features related to recreational opportunities, access, amenities, activations, and overall value delivered. Similar to the Project, future projects would be required to demonstrate compliance with the Recreational Value Standard and analyze the physical impacts related to the provision of new or physically altered park facilities if new parks would be required. ~~and~~ Therefore, impacts would be less than significant. Thus, to the Project's contribution would **Not be Cumulatively Considerable**.

The cumulative projects in the community, including buildout under the 2018 Community Plan and the Navy OTC Revitalization Project, would result in additional demand for fire protection services. As discussed in Section 5.11, the Project would provide up to 4,254 dwelling units, which is an increase of 2,088 dwelling units from those identified in the Midway-Pacific Highway CPU PEIR. The increase in population (approximately 5,346 more people) would generate an additional demand for fire protection and emergency services within the service area.

~~Development impact fees would be required prior to the issuance of building permits to fund the Project's fair share toward ongoing operational costs. While there is an existing need to potentially upgrade Fire Station 20, as identified in Section 5.11, cumulative projects would not trigger the need for new or altered fire facilities. In addition,~~

The Midway-Pacific Highway CPU PEIR refers to the 2018 Community Plan and Impact Fee Study regarding fire and rescue services. The 2018 Community Plan identifies that Fire Station 20 provides fire and rescue services to the Midway-Pacific Highway community. The Impact Fee Study discusses the need for the design and construction of a new 12,500-square-foot Fire Station 20 with three bays to meet the future emergency response needs of the Midway-Pacific Highway and the surrounding communities. As further described in the Midway-Pacific Highway CPU PEIR , existing infrastructure may require capacity improvements to serve the additional population. The Midway-Pacific Highway CPU PEIR anticipated that new or improved public services and facilities may be required to meet the needs of the City's future growth occurring through infill and redevelopment. Enhancements were also anticipated, specifically at Fire Station 20. Cumulative projects would be assessed to determine their fair-share contribution towards these enhancements to fund upgrades to Fire Station 20.

T~~t~~here is currently no known plan or ~~a~~ submitted application to build or alter ~~a~~ the fire station, and without specific development plans, it would be too speculative to evaluate the physical impacts of unknown construction pursuant to CEQA Guidelines Section 15145. The focus of the analysis should be on the physical impacts of constructing public service facilities, and as there is no alteration or new construction proposed of such facilities at this time, no physical impacts would occur. ~~Because the Project does not propose the construction of new or altered fire facilities, no physical impacts associated with the construction of such facilities would occur. The need for additional fire protection services is considered an economic or social change, not an environmental impact that requires mitigation as part of the Project's cumulative analysis.~~ No cumulative impacts have been identified. Therefore, cumulative impacts related to fire service would **Not be Cumulatively Considerable**.

Cumulative projects that have a residential component within the San Diego Unified School District (SDUSD) would generate students that need to be accommodated. As discussed in Section 5.11, the Project site is located within the SDUSD boundary. Thus, the Project would be served by SDUSD for the provision of school services. The Project applicant would be required to contribute development fees to SDUSD. Cumulative projects in the SDUSD service area that would result in increased demand on schools would be required to pay school fees to offset the increase demand, similar to the Project. As such, with contribution of required development fees by the Project and related projects, impacts would not be significant. Thus, Project's contribution would **Not be Cumulatively Considerable**.

A significant cumulative impact on existing libraries would occur if the development of future cumulative projects were to result in adverse effects on the City of San Diego Library facilities from physical deterioration of existing facilities, or lack of funding for the development of future facilities. As discussed in Section 5.11, the nearest municipal libraries to the Project are the 25,890-square-foot Point Loma/Hervey Library and the 15,000-square-foot Mission Hills-Hillcrest/Harley & Bessie Knox Library. The existing branches are adequately sized at 15,000 square feet or larger based on the 2008 General Plan requirements. Cumulative projects would result in increased demand for

libraries, but impacts would be less than significant because the existing libraries are adequately sized. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

6.3.12 Public Utilities

6.3.12.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR concluded that the 2018 Community Plan would be consistent with the water demand assumptions included in the regional water resource planning documents of the San Diego County Water Authority and the Metropolitan Water District and would not result in cumulative impacts related to water supply. In addition, cumulative impacts related to utilities were determined to be less than significant at the program level. Future projects would be required to comply with City regulations regarding solid waste, including those intended to divert solid waste from the Miramar Landfill to preserve capacity. In addition, discretionary projects of 40,000 square feet or more generating more than 60 tons of waste would be required to develop and implement Waste Management Plans targeting 75 percent waste diversion. Thus, cumulative impacts related to solid waste impacts were determined to be **Less than Significant**.

6.3.12.2 Project-Specific Impact Analysis

The geographic context for public utilities cumulative analysis is the San Diego region. Public utilities can be specific to jurisdictions; however, some service providers offer service throughout a region and across multiple jurisdictions. Thus, changes in development influence the demand for utilities across the region and can drive the need for new or expanded utility infrastructure. Pending and future projects would be required to analyze public utilities demand and supply to avoid conflicts and provide upgrades or pay development impact fees toward new infrastructure facilities, as needed.

Individual cumulative development projects under buildout of the 2018 Community Plan and Navy OTC Revitalization Project would require the construction of necessary infrastructure (water and wastewater lines, storm drain facilities, dry utility infrastructure, and others) to serve the projects. These new facilities could result in new significant environmental impacts on the environment, mostly associated with construction activities and placement within sensitive resource areas. As discussed in Section 5.12, Public Utilities, development of the Project would not trigger the need for new utilities beyond what is proposed for the Project, and any impacts from construction of necessary utilities to serve the Project were previously identified in Chapter 5.0, Environmental Analysis, of this SEIR. The Project and cumulative development projects would have to coordinate with service providers to obtain services, and connections to existing utility lines would be made in accordance with the applicable requirements of the utility provider and City, as applicable. The Project in conjunction with cumulative development would not result in significant environmental impacts related to the construction and installation of utility infrastructure and would not result in a cumulative impact.

The Project's water demand has been considered in conjunction with other past, present, and reasonably foreseeable future development in the City through the Water Supply Assessment and Verification Report (Appendix M3). This analysis determined that sufficient water supplies would be available to serve the Project in conjunction with other development; therefore, cumulative impacts would be less than significant. Therefore, the Project's contribution to a water supply impact would **Not be Cumulatively Considerable.**

All projects in the City of San Diego would be required to comply with the City's Recycling Ordinance and prepare Waste Management Plans (for those that meet the 40,000-square-foot threshold) to show waste diversion measures as is required by the regional Integrated Waste Management Plan. The additional diversion of organics (including yard waste) would reduce occupancy landfill disposal annually for the Project, but would not reduce the estimated solid waste generation during Project occupancy below the 60 tons per year threshold established for cumulative solid waste impacts. As a condition of approval, the Project would implement a Long-Term Waste Management Plan to ensure that the facility meets or exceeds the requirements of the City's Construction and Demolition Debris Diversion Deposit Program, Recycling Ordinance, Refuse and Recyclable Materials Storage Regulations, and Zero Waste Plan, once operational. The Long-Term Waste Management Plan would comply with the Recycling Ordinance including provision of exterior storage space for refuse, recycled materials, and organic materials and organics diversion. Cumulative projects would be required to implement applicable regulations pertaining to the solid waste disposal. Compliance with regulatory requirements would ensure the Project's contribution would **Not be Cumulatively Considerable.**

6.3.13 Biological Resources

6.3.13.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

Cumulative development that would occur within the community planning area would not result in a significant cumulative impact to biological resources due to the urban and developed nature of this community planning area combined with the existing regulatory framework that would ensure that impacts to sensitive biological resources are avoided. Although each individual future project may contribute to incremental biological resource impacts, compliance with policies and ordinances protecting biological resources in the 2018 Community Plan, the MSCP Subarea Plan, Environmentally Sensitive Lands Regulations, and the Biology Guidelines would ensure that cumulative impacts from future development would be **Less than Significant.**

6.3.13.2 Project-Specific Impact Analysis

The geographic context for biological resources cumulative analysis is the City of San Diego. Future development under buildout of the 2018 Community Plan is likely to take place on infill sites or as redevelopment of previously developed locations. However, a significant cumulative impact would occur if, in combination, cumulative projects would result in a substantial adverse impact on any species identified as a candidate, sensitive, or special-status species in local or regional plans,

policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. As discussed in Section 5.13, the Project would not result in significant direct or indirect impacts to sensitive plant or wildlife species and impacts would be less than significant. Cumulative projects would be required to implement applicable regulations pertaining to special status species. Therefore, compliance with regulatory requirements would ensure the Project's contribution would **Not be Cumulatively Considerable**.

A significant cumulative impact would occur if, in combination, cumulative projects would have a substantial adverse impact on any sensitive vegetation communities identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service or substantial adverse impact on a state or federally protected wetland through direct removal, filling, hydrological interruption, or other means. Cumulative projects under buildout of the 2018 Community Plan and the Navy OTC Revitalization Project with potential impacts to jurisdictional aquatic resources would be required to comply with applicable federal and/or state regulations, such as Section 404 of the federal Clean Water Act, Sections 9 and 10 of the Rivers and Harbors Act, Section 1600 of the California Fish and Game Code, and the Porter-Cologne Water Quality Control Act, to ensure no-net loss of resources. As discussed in Section 5.13, the Project would not result in significant direct or indirect impacts to sensitive habitats or vegetation communities nor direct or indirect impacts to wetlands. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

A significant cumulative impact would occur if, in combination, cumulative projects would interfere substantially with the movement of any native resident or migratory fish or animal species or with established native resident or migratory wildlife corridors or impede the use of native animal nursery sites. As discussed in Section 5.13, the Project site is within the Pacific Flyway and may hold value for Migratory Bird Treaty Act-protected migrating birds as a stopover area due to the presence of trees, ornamental vegetation, and structures. Although removal of these resources could impact migratory birds, the Project would comply with the Migratory Bird Treaty Act and California Fish and Game Code Section 3503, which would ensure avoidance of impacts to migratory birds. The Project would also adhere to the requirements in SDMC Section 142.0740 related to lighting and glare and incorporate various design features to reduce the potential for bird strikes. As with the Project, projects under buildout of the 2018 Community Plan and the Navy OTC Revitalization Project would be required to comply with applicable policies and regulations related to the protection of biological resources to ensure impacts would be less than significant. The Project's contribution would **Not be Cumulatively Considerable**.

The geographic context for the analysis of cumulative impacts to regional conservation planning is the area covered by the City's MSCP Subarea Plan. A significant cumulative impact would occur if, in combination, cumulative projects would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan. As discussed in Section 5.13, the Project would comply with the

applicable requirements of the MSCP Subarea Plan, specifically the General Management Directives outlined in Section 1.5.2, which is the adopted Habitat Conservation Plan for the Project site. The Project, along with cumulative development, would be required to limit impacts and comply with the applicable biological resources conservation goals of the MSCP and provide mitigation for significant impacts, as appropriate. Cumulative projects would be required to comply with applicable policies and regulations related to regional conservation. Cumulative impacts would be less than significant, and the Project's contribution would **Not be Cumulatively Considerable.**

6.3.14 Paleontological Resources

6.3.14.1 Summary of Midway-Pacific Highway CPU PEIR Impact Analysis

The Midway-Pacific Highway CPU PEIR determined that future development allowed pursuant to the 2018 Community Plan and development within surrounding communities could involve excavation of previously undeveloped areas, some of which may consist of unique paleontological resources with fossil-bearing potential resulting in a cumulative loss of paleontological resources throughout the County. The 2018 Community Plan determined that buildout of the Midway-Pacific Highway Community planning area may result in the loss of unique paleontological resources or geologic formations with fossil-bearing potential and included mitigation measures that attempt to reduce significant project-level impacts from future development. However, there is only a mechanism to apply the mitigation framework to discretionary projects, not ministerial projects. Thus, within the proposed Midway-Pacific Highway Community planning area and surrounding communities, significant impacts to paleontological resources could occur with grading for ministerial projects. Therefore, the Midway-Pacific Highway CPU PEIR determined that future ministerial projects within the proposed Midway-Pacific Highway Community planning area would result in a **Significant Cumulative Impact** to paleontological resources.

6.3.14.2 Project-Specific Impact Analysis

The geographic context for the analysis of cumulative impacts to paleontological resources is considered to be the County. According to the San Diego County General Plan, there are a number of distinct geological rock units (i.e., formations) within the County that contain paleontological resources, such as bones, teeth, shells, and wood. Cumulative projects in the County have the potential to disturb these geologic formations and the fossils that they contain. However, previous development has also led to the discovery of many fossil sites that have been documented and added to the natural history records for the region.

As described in Section 5.14, Paleontological Resources, the Project site is underlain by a layer of undocumented artificial fill that was identified in the Midway-Pacific Highway CPU PEIR as having zero paleontological sensitivity. Any contained organic remains have lost their original stratigraphic/geologic context due to the disturbed nature of the undocumented artificial fill material. Because of this, undocumented artificial fill material has a low paleontological resource

sensitivity. Cumulative projects would be required to screen for grading quantities and geologic formation sensitivity and apply the appropriate requirements for paleontological monitoring in accordance with applicable regulations. Regulatory compliance for future discretionary projects reviewed in accordance with CEQA would be assured through permit conditions or as notes on plans and would ensure that impacts to paleontological resources would be less than significant. While other cumulative projects could result in a significant cumulative impact to paleontological resources, the Project site has zero paleontological sensitivity. Therefore, the Project's contribution would **Not be Cumulatively Considerable**.

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Source: Maxar Imagery 2022.

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Figure 6-1

Navy Old Town Campus Revitalization Project Location

Midway Rising

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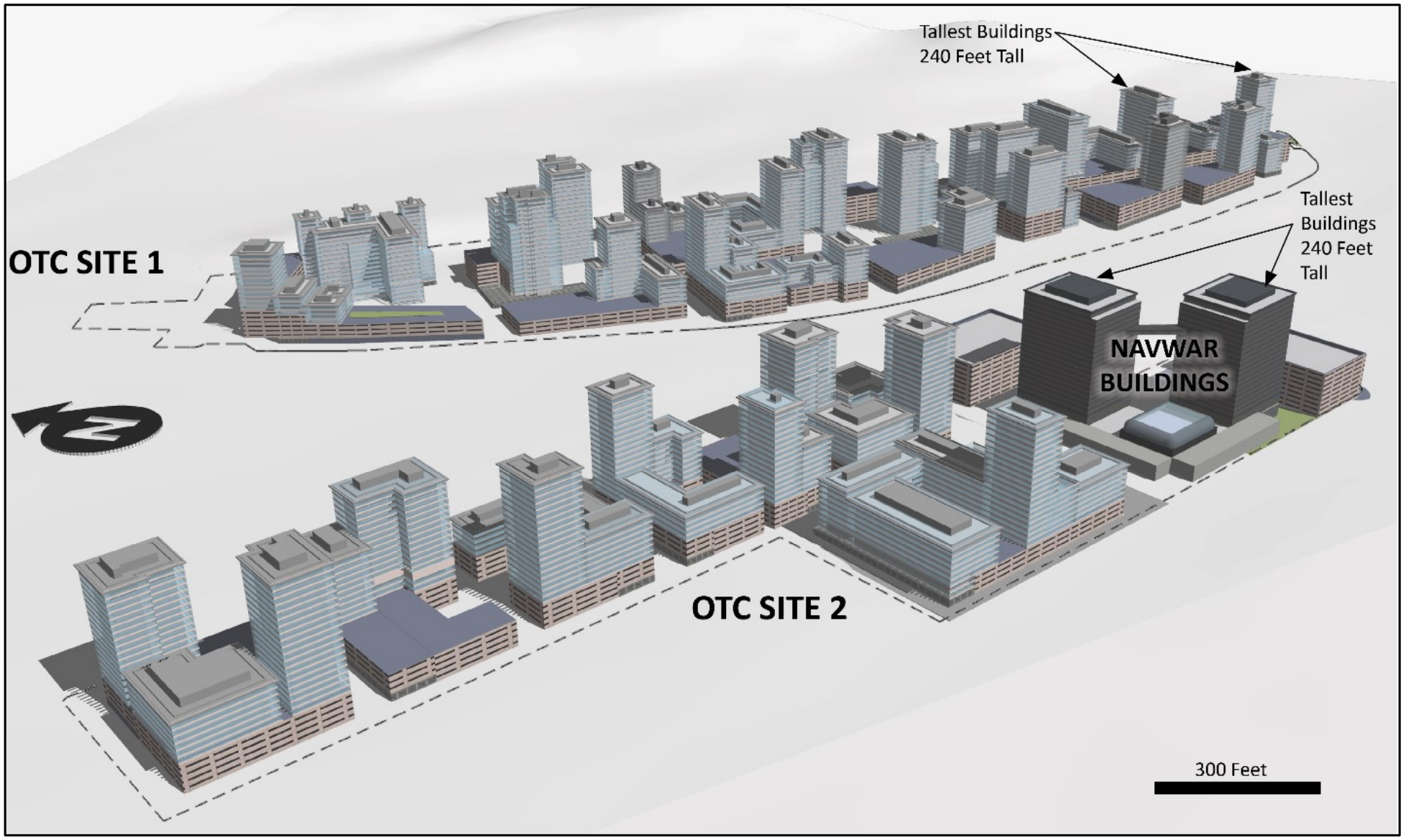

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Source: Department of the Navy 2021.

Figure 6-2

Navy Old Town Campus Revitalization Project Alternative 2

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Chapter 7.0 Other Mandatory Discussion Areas

The California Environmental Quality Act (CEQA) Guidelines require that an Environmental Impact Report (EIR) contain a discussion of impacts associated with growth inducement, effects found not to be significant, unavoidable significant environmental impacts, and significant irreversible environmental changes. Each of these discussion areas is addressed in the following sections.

7.1 Growth Inducement

This Subsequent EIR (SEIR) must examine the potential growth-inducing impacts of the proposed Midway Rising Project (Project). More specifically, CEQA Guidelines Section 15126.2(e) requires that an EIR:

> Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

The City of San Diego's (City's) CEQA Significance Determination Thresholds (City of San Diego 2016) state that a project would have a significant impact related to growth inducement if it would:

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

The entire Project site falls within the boundaries of the adopted 2018 Midway-Pacific Highway Community Plan (2018 Community Plan), which serves as a comprehensive, long-term plan for the physical development of the Midway-Pacific Highway Community planning area. The Project would

contribute to the long-term growth identified in the 2018 Community Plan through the continued development and planned increase in the Midway-Pacific Highway Community planning area population. The Project supports alternative transportation modes, such as walking and biking, and the Project site currently connects to existing City roadways, bicycle paths, pedestrian paths, and transit routes.

Future Project construction would be associated with a demand for construction trade skills and labor. It is anticipated that this demand would be met predominantly by the local labor force and would not require importation of a substantial number of workers or cause an increased demand for temporary or permanent local housing.

Based on the proposed land use designation and zoning, the Project would allow development of up to 3,545 residential units. With the potential for a density bonus, the Project could include an additional 709 residential units, which would result in a total of 4,254 residential units, including up to 2,000 affordable units. Therefore, the Project would provide housing for low- and moderate-income households in the region to assist the City in meeting its Regional Housing Needs Assessment allocation, including critical affordable housing. It would also provide housing within proximity to transit opportunities, including the Old Town Transit Center approximately 0.7 to 1 mile from the Project site and other San Diego Metropolitan Transit System bus stops within 0.5 mile.

Based on the population rate coefficient of 2.56 persons per household, the Project would introduce an estimated 10,890 people to the area (SANDAG 2013),[1] Under the 2018 Community Plan, the site would develop 2,166 residential units and introduce 5,544 people. Therefore, the Project would introduce 5,346 more people than what the 2018 Community Plan anticipated for the Project site. The Project would require General Plan and Community Plan Amendments, as well as a rezone to allow for the proposed residential development on site. Future residents living on the Project site may stimulate economic growth in the area by patronizing the new and existing retail/commercial businesses within the vicinity. The area surrounding the site currently has an extensive number of supporting retail and services to accommodate the population growth expected on the Project site. The Project serves to support planned, sustainable development easily accessible to transit and surrounding services. Therefore, the Project would be growth inducing, but growth was always anticipated in the Midway-Pacific Highway Community planning area.

Development of the Project would not put significant pressure on local housing supply or demand beyond what is already occurring in the region. Proposed residential development would accommodate planned growth without requiring the extension or expansion of roadways, public services, utilities, or infrastructure into areas currently without service. The Project site is in an area of the City with aging infrastructure that will eventually need to be replaced but not as a result of the Project.

The Project would result in the construction of additional housing on a site that has been designated for residential development in the Housing Element of the City's 2008 City of San Diego General Plan, as amended (2008 General Plan). Development of the Project would not remove any physical

[1] There are multiple sources for estimations of a "person per household" rate depending on the different type of analysis. The SANDAG Series 13 Regional Growth Forecasts represent a combination of economic and demographic projections and existing land use plans and policies and is intended to represent a likely prediction of future growth but is not intended to be a prescription for growth.

barriers to growth. Therefore, the Project would be growth inducing, but it would accommodate future anticipated growth and would provide further comprehensive planning for the Midway-Pacific Highway Community planning area.

7.2 Effects Found Not to Be Significant

CEQA Guidelines Section 15128 requires that an EIR contain a brief statement disclosing why various possible significant effects of a project were found not to be significant and, therefore, are not discussed in detail in an EIR. Potential impacts related to implementing the 2018 Community Plan were previously evaluated in the Midway-Pacific Highway Community Plan Update Revised Final Program EIR (Midway-Pacific Highway CPU PEIR), which determined that the 2018 Community Plan would have less than significant impacts to agricultural resources, mineral resources, population and housing, and energy. Wildfire was not a CEQA Guidelines environmental checklist issue in 2018 when the Midway Pacific Highway CPU PEIR was adopted; the topic was added in 2020.

Based on tiering from the Midway-Pacific Highway CPU PEIR and subsequent review of the Project, the following environmental issue areas were determined not to have the potential to cause adverse effects as a result of the Project and, therefore, have not been addressed in detail in this SEIR:

- Agriculture and Forestry Resources
- Mineral Resources
- Energy
- Population and Housing
- Wildfire

7.2.1 Agriculture and Forestry Resources

The Project site and surrounding area are designated as Urban and Developed Land (CDC 2024). The site does not contain land designated as Prime Agricultural Soils by the U.S. Department of Agriculture Natural Resources Conservation Service (USDA 2019) or Prime Farmlands designated by the California Department of Conservation (CDC 2024). No farmland is within proximity of the Project site. Additionally, the site is not subject to or near a Williamson Act contract site pursuant to California Government Code Sections 51200–51207.

The Project site is within an urbanized area and does not include existing forest land, timberland, or timberland zoned Timberland Production that would conflict with existing zoning. Therefore, no impact to agriculture and forestry resources would occur.

7.2.2 Mineral Resources

The Project site is currently developed with commercial and entertainment uses and surface parking. According to the Conservation Element of the 2008 General Plan, the Project site is entirely within the Mineral Land Classification Mineral Resource Zone (MRZ)-1, which is an area where adequate geologic

information indicates that no significant mineral deposits are present or where it is judged that little likelihood for their presence exists (City of San Diego 2008). The Project site is not designated as a Mineral Resource Area, and the potential for loss of mineral deposits due to development would be low. The Project would not result in the loss of availability of any mineral resources that would be of value to the region. Therefore, no impact to mineral resources would occur.

7.2.3 Energy

The Project would result in energy consumption during construction and operation, as discussed below.

7.2.3.1 Construction

During Project construction, energy use would primarily include fossil fuel consumption from diesel equipment use and vehicle and truck trips. Project construction would reuse materials on site to the extent feasible, which would reduce fossil fuel use from haul truck trips. Project construction would include the use of alternative fuel (electric) construction equipment to reduce fossil fuel consumption (refer to equipment list in Section 5.9, Air Quality). Temporary electric power would be required for this equipment, lighting and electronic equipment (such as computers inside temporary construction trailers and heating, ventilation, and air conditioning), and hand tools required for interior construction. It is assumed that this electricity would be provided by San Diego Gas & Electric. The amount of electricity used during construction would be minimal compared to the existing site demand. Additionally, the site currently results in the use of fossil fuels because it is an existing vehicle destination.

Construction activities would be temporary, and no known conditions on the Project site would require non-standard equipment or construction practices that would increase fuel-energy consumption above typical rates. The Project would include practices to minimize fuel use, including soil reuse on site and use of some electric-powered heavy construction equipment. For further discussion on construction waste from the Project, refer to Section 5.12, Public Utilities, of this SEIR. The Project would not result in unusual energy use beyond what would be typical for the Project size. Energy use during construction would not be wasteful, inefficient, or unnecessary. This impact would be less than significant.

7.2.3.2 Operation

Energy from transportation and buildings because of Project operation are addressed below.

Transportation Energy Consumption

Transportation energy use associated with the Project would be attributed to trips by individuals traveling to and from the Project site using passenger vehicles or public transit. Most passenger vehicles would be powered by gasoline, with some fueled by diesel or electricity. Public transit would be powered by gasoline, diesel, or natural gas and could potentially be fueled by electricity. As

addressed in more detail in Section 5.10, Greenhouse Gas Emissions, of this SEIR, the Project would include features that specifically support City-wide efforts to reduce greenhouse gas emissions from transportation and associated energy use. The Project would increase overall development density on the site, which would decrease residential and commuter vehicle trip lengths compared to regional averages. The Project would achieve transit-supporting density and design, including mixed-use development and new pedestrian and bicycle facilities that connect all internal site uses and adjacent properties. Improvements include new multi-use paths; new bicycle lanes, including a connection to the Old Town Transit Center; a new bus stop; and improvements to existing bus stops. The Project would also include electric vehicle charging stations for vehicles and e-bikes. Therefore, the Project would not create a land use pattern that would result in a wasteful, inefficient, or unnecessary use of transportation-related energy. Impacts would be less than significant.

Building-Related Energy Use

The Project's operational phase would require electricity for operating various Project components, such as recreation, entertainment, residential, and commercial uses. The site is currently a source of electricity and natural gas demand from existing commercial and entertainment uses. As addressed in more detail in Section 5.10 of this SEIR, the Project would support City efforts to reduce building energy consumption, which would reduce the Project's net increase in energy demand. Buildings would be all-electric except for natural gas use in commercial kitchens and emergency generators, which would be consistent with the City's approach to decarbonization. In addition, the Project would include the installation of photovoltaic cells on all buildings except for the entertainment center, and renewable energy service would be provided from San Diego Community Power. Refer to Section 5.10 of this SEIR for more detail on the Project's consistency with the City's 2022 Climate Action Plan and Climate Action Plan Consistency Regulations. Additionally, the Project would be required to meet the mandatory energy standards of the California Green Building Standards Code (CALGreen) and the California Energy Code (24 CCR Part 6) in effect at the time of development and would benefit from the efficiencies associated with these regulations as they relate to building heating, ventilation, and air conditioning mechanical systems; water heating systems; and lighting.

Project buildings would meet enhanced building energy efficiency standards compared to existing land uses because more stringent energy efficiency standards have been adopted since previous site development. Buildings would be designed consistent with state energy efficiency requirements at the time of construction. Use of carbon-free energy and on-site energy generation has been incorporated into Project design, and the Project would be consistent with the City's 2022 Climate Action Plan strategies to decarbonize buildings. Therefore, implementation of the Project would not result in a wasteful, inefficient, or unnecessary use of building-related energy. Impacts would be less than significant.

7.2.4 Population and Housing

Currently, the Project site does not contain housing; therefore, redevelopment of the Project site would not displace people or existing housing, which could necessitate the construction of replacement housing elsewhere. The Project proposes housing that would result in an increase in the population. However, the Project would be aligned with the 2018 Community Plan, which envisions a Sports Arena Community Village that would include a mix of pedestrian and transit-oriented entertainment, office, retail, residential, public, and park uses. The Project is intended to accommodate projected population growth in the City and provide housing for various income levels. It would not induce unplanned population growth because housing is needed to serve the projected population levels. In addition, the Project site is in a designated Transit Priority Area, consistent with the 2008 General Plan City of Villages strategy, and would incentivize housing consistent with the 2008 General Plan Housing Element goals. It is anticipated that most of the new housing units would be absorbed by existing residents in the San Diego area. The number of additional housing units and the corresponding forecasted number of new residents would contribute to the housing provision goals of the 2008 General Plan Housing Element by accommodating growth projected for the Project site, the City, and the region as a whole. The foundation for the Housing Element is the Regional Housing Needs Assessment, in which the State estimates each region's housing needs for all income groups for the upcoming eight years. The City's portion of the Regional Housing Needs Assessment target for the 2021–2029 Housing Element period is 108,036 homes. The Project would provide 4,254 new residential units to help the City meet its Regional Housing Needs Assessment housing capacity/production target and would provide new affordable housing units where none currently exist. Thus, development of the Project would support planned population growth in an area where development has been encouraged. Additionally, because the Project does not propose the extension of new roads or other infrastructure into a previously undeveloped area, it does not have the potential to indirectly increase population or housing but would encourage redevelopment in the area in line with the 2018 Community Plan vision. Therefore, the Project does not have the potential to result in significant adverse environmental effects associated with population and housing.

7.2.5 Wildfire

The Project site is not within a designated Very High Fire Hazard Severity Zone by the City (SDFD 2024). The entire Project site is developed with 97 percent impermeable areas. No native habitat occurs on the Project site or in the surrounding area. Therefore, the Project would not exacerbate wildfire risk. Further, buildings developed under the Project would comply with current building codes at the time of construction. The Project would be designed in accordance with and built to SDMC, CBC, and fire code requirements, including provision of fire hydrants, fire hydrant markers (i.e., blue reflectors installed in the roadway), vertical clearances, turning radii, and fire ladder clearances. Proposed buildings would be constructed with fire-resistant construction materials and would include a protective system of fire sprinklers, as required by the California Fire Code. Refer to Section 5.11, Public Services and Facilities, for further discussion of fire facilities pertaining to the Project.

In addition, the Project proposes a new public on-site water system and a private on-site fire protection system designed to handle fire flows. Further, the findings of the Water Supply Assessment and Verification Report (Appendix M3) determined that there is sufficient water supply to serve projected demands of the Project in a normal year and a dry year during a 20-year projection. Refer to Section 5.12 for further discussion. Impacts would be less than significant.

7.3 Unavoidable Significant Environmental Impacts

In accordance with CEQA Guidelines Section 15126.2(c) any significant unavoidable impacts of a project, including those impacts that can be mitigated but not reduced to below a level of significance despite implementation of feasible mitigation measures, must be identified in an EIR. For the Project, impacts related to land use, transportation, historical resources, and noise would remain significant and unavoidable. Refer to Section 5.1, Land Use; Section 5.2, Transportation and Circulation; Section 5.3, Historical and Tribal Cultural Resources; and Section 5.5, Noise, of this SEIR for more detail.

7.4 Significant Irreversible Environmental Changes

CEQA Guidelines Section 15126.2(d) requires an evaluation of significant irreversible environmental changes that would occur should the Project be implemented. Irreversible changes typically fall into one of three categories:

- **Primary impacts**, such as the use of nonrenewable resources (i.e., biological habitat, agricultural land, mineral deposits, water bodies, energy resources, and cultural resources)
- **Primary and secondary impacts**, such as highway improvements that provide access to previously inaccessible areas
- **Environmental accidents** potentially associated with development of the Project

CEQA Guidelines Section 15126.2(d) states that irretrievable commitments of resources should be evaluated to assure that current consumption of such resources is justified.

Construction of the Project would require the irreversible consumption of natural resources and energy. Natural resources consumption would include lumber and other forest products, sand and gravel, asphalt, steel, copper, other metals, and water. Building materials, while perhaps recyclable in part at some long-term, future date, for practical purposes, would be permanently consumed. Energy derived from nonrenewable sources, such as fossil fuels, would be consumed during Project construction and operation as a result of lighting, heating, and cooling equipment and transportation uses. This commitment of natural resources and energy would be irreversible. The commitment of natural resources required for the construction and operation of the Project would limit the availability of such resources for future generations or for other uses during the life of the Project. Therefore, the Project would result in significant irreversible environmental changes.

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Chapter 8.0 Alternatives

The California Environmental Quality Act (CEQA) Guidelines Section 15126.6 requires that an Environmental Impact Report (EIR) compare the effects of a "reasonable range of alternatives" to the effects of a project. The CEQA Guidelines further specify that the alternatives selected should attain most of the basic project objectives and avoid or substantially lessen one or more significant effects of the project. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives. The "range of alternatives" is governed by the "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit an informed and reasoned choice by the lead agency and to foster meaningful public participation (CEQA Guidelines Section 15126.6[f]).CEQA generally defines "feasible" to mean an alternative that is capable of being accomplished in a successful manner within a reasonable period of time while also taking into account economic, environmental, social, technological, and legal factors (CEQA Guidelines Section 15126.6[f][1]).

As discussed in the direct and cumulative impact analyses in Chapter 5.0, Environmental Analysis, and Chapter 6.0, Cumulative Impacts, respectively, the Midway Rising Project (Project) would result in significant and unavoidable direct impacts, after application of feasible mitigation measures, for the following issue topics: land use (inconsistencies with historical resources and noise policies), transportation and circulation (vehicle miles traveled [VMT] for regionally serving commercial land use), historical and Tribal Cultural Resources (historical resources), and noise (Noise Ordinance compliance during outdoor events). The Project's potentially significant direct impacts on health and safety (hazardous building materials and underground storage tanks), noise (construction noise and vibration), transportation and circulation (VMT for entertainment center), and air quality (operational volatile organic compounds (VOCs), construction cancer risk) would be mitigated to below a level of significance. The Project would result in significant and unavoidable impacts, after application of feasible mitigation measures, for the following issue topics: land use (inconsistencies with historical resources and noise policies), transportation and circulation (VMT), historical and Tribal Cultural Resources (historical resources), and noise. In developing the alternatives to be addressed in this chapter, consideration was given regarding the alternatives' ability to meet the basic objectives of the Project and the potential to eliminate or substantially reduce the significant and unavoidable environmental impacts.

The following specific objectives identified in this Subsequent EIR (SEIR) support the purpose of the Project, assist the City of San Diego (City) as the lead agency in developing a reasonable range of alternatives to evaluate in this SEIR, and will ultimately aid the lead agency in preparing findings and overriding considerations, if necessary. The primary objectives of the Project are as follows:

1. Create a focused long-range plan for an underutilized infill site that is intended to promote increased residential density and employment opportunities consistent with the General Plan, Midway-Pacific Highway Community Plan, and the Climate Action Plan.

2. Increase the City's housing supply by providing a mix of housing opportunities, including both market rate and deed-restricted affordable units, proximate to transit, jobs, amenities, and services.
3. Implement and support the General Plan and Midway-Pacific Highway Community Plan smart growth principles and goals for the Sports Arena Community Village by developing a centralized, mixed-use neighborhood that would include entertainment, housing, commercial, public parks, and recreation opportunities near transit nodes.
~~5~~4. Promote multimodal travel by establishing a pedestrian and transit-oriented village with a network of promenades, ~~widened streets,~~ pedestrian paths, and bicycle facilities to provide access to internal and adjacent transit services, commercial/retail uses, and other amenities.
~~6~~5. Encourage redevelopment of an underutilized infill site by increasing the urban tree canopy, instituting sustainable landscaping, and introducing shade to the area to support the City's Climate Action Plan goals.
~~7~~6. Develop a modern entertainment center that would recognize and value the historic San Diego International Sports Arena.
~~8~~7. Establish a phasing and implementation program that takes into account the existing long-term City property leases to provide public facilities, including on-site parks, that will serve new and existing community residents.

Based on the criteria described above, this SEIR considers the following Project alternatives:

- No Project/No Build Alternative
- No Project/Community Plan Buildout Alternative
- Retain San Diego International Sports Arena Alternative
- No Commercial Development Alternative

The performance of an alternative relative to a project is evaluated to determine the "comparative merits of the alternative" (CEQA Guidelines Section 15126.6[a]). The alternatives analysis is based on a comparison to the Project's impacts. General descriptions of the characteristics of each of these alternatives, along with a discussion of their ability to reduce the significant environmental impacts associated with the Project are provided below.

8.1 Alternatives Considered and Eliminated

The following alternatives were identified during the Project review process; however, they were rejected and eliminated from detailed consideration in the EIR for the reasons described below.

8.1.1 Renovate San Diego International Sports Arena

This alternative would involve renovation of the existing San Diego International Sports Arena (currently named Pechanga Arena) to address programmatic deficiencies of the existing structure,

including the lack of production space and services, an undersized loading dock, no main kitchen commissary, and the lack of premium space offerings. Renovation would address these deficiencies by adding programs with additional building footprint at every level. A new premium level for suites would be added at the top of the seating bowl which would require a comprehensive seismic retrofit and new building envelope to address the added program space. Due to the height of the long-span trusses within the existing structure, the overall height of the seating bowl would be limited, resulting in a maximum capacity of 10,000 seats, which would be 6,000 seats less than the Project. Under this alternative, the San Diego International Sports Arena would be closed during renovations, and no concerts or events would occur during construction, unlike the Project which would construct a new entertainment center while the existing San Diego International Sports Arena is in operation. This alternative was not selected due to the significant cost of the renovations, fewer events being held at the arena due to reduced capacity, and reduced ability to meet the City's goal to increase housing by providing fewer affordable and market rate residential units than the Project because the footprint of the redevelopment would have to accommodate the existing arena, thereby reducing the overall unit count of any associated redevelopment project.

8.1.2 Adaptive Reuse of San Diego International Sports Arena

This alternative would maintain the exterior of the San Diego International Sports Arena but would construct a new, approximately five-story residential building inside the interior of the San Diego International Sports Arena consisting of 214 units and a ground-floor lobby. The 214 units would average approximately 886 square feet of rentable space. Because no modifications would be made to the exterior of the San Diego International Sports Arena, the interior residential building would have outward facing windows looking at the interior of San Diego International Sports Arena. This alternative was not selected due to structural difficulties associated with construction constraints.

8.1.3 Alternative Location

Consideration was given to alternative sites located within the Midway-Pacific Highway Community, as well as other areas in the City where the Project could be constructed. In accordance with CEQA Guidelines Section 15126.6(f)(2), identifying possible alternative locations focused on sites where any of the significant effects of the Project would be avoided or substantially lessened by developing in another location. Only locations that would avoid or substantially lessen any of the significant effects of the Project would need to be considered for inclusion in the EIR. There is no suitable alternative location of adequate size with similar access to transit that is owned by the City to support the Project. For these reasons, no alternative site was analyzed in detail within the SEIR.

8.2 Alternatives Selected for Further Analysis

8.2.1 No Project/No Build Alternative

8.2.1.1 Description

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

In accordance with CEQA Guidelines Section 15126.6(e), the No Project is the No Project/No Build Alternative. Under the No Project/No Build Alternative, the existing 49.23-acre site would not be redeveloped. The existing commercial and entertainment uses, including the San Diego International Sports Arena, would remain on the site (Figure 8-1, No Project/No Build Alternative). In addition, the Midway Rising Entertainment Center District ~~Overlay~~ would not be proposed. Under this Alternative, the environmental setting would stay the same as described in Chapter 2.0, Environmental Setting, of this SEIR. A General Plan Amendment and Community Plan Amendment would not be required for this alternative. This alternative would eliminate all significant and unavoidable impacts identified for the Project.

8.2.1.2 Analysis of No Project/No Build Alternative

Land Use

Under the No Project/No Build Alternative the site would continue to operate with the existing commercial and entertainment uses, and no redevelopment or transportation improvements would be implemented. Continued operation of the existing facilities on the Project site would not result in potential impacts relative to land use, as the existing uses are consistent with the underlying zoning and land use designations. Under this alternative, the San Diego International Sports Arena would remain and the Project's conflict with the Historical Preservation Element in the 2008 City of San Diego General Plan, as amended (2008 General Plan), and the 2018 Midway-Pacific Highway Community Plan (2018 Community Plan) Historic Preservation goals would not occur. In addition, under this alternative, large special events accommodated in Project outdoor public space areas would not occur and the Project's conflict with the 2008 General Plan Noise Element policies would not occur. However, this alternative would not implement the 2008 General Plan City of Villages strategy envisioned for the site as no residential uses would be constructed at the site. A General Plan Amendment and Community Plan Amendment would not be required for this alternative.

The No Project/No Build Alternative would result in reduced land use impacts compared to the Project. The significant and unavoidable land use impact related to inconsistency with historical resources and noise policies identified for the Project would not occur under this alternative.

Transportation and Circulation

Under the No Project/No Build Alternative the site would continue to operate with the existing commercial and entertainment uses, and no redevelopment or transportation improvements would be implemented. Because no redevelopment would occur, the No Project/No Build Alternative would not result in additional vehicle trips, and there would be no increase in VMT compared to existing conditions. This alternative would have no transportation and circulation impact and therefore would eliminate the significant and unavoidable VMT impact associated with the commercial land use identified for the Project.

Under the No Project/No Build Alternative, existing conditions would remain the same since no development would occur. Similar to the Project, there would be no conflict with transportation-related plans or policies, and no traffic hazards would be created under this alternative. However, the No Project/No Build Alternative would not construct new streets, improve existing streets, or construct sidewalks, multi-use paths, bicycle facilities, promenades, and pedestrian paseo greens and paseo greenways in the area to improve multimodal transportation in the area. The No Project/No Build Alternative would not implement improvements that would result in an increase in hazards due to a design feature or incompatible uses or impair or interfere with emergency access. Therefore, the No Project/No Build Alternative would result in reduced transportation and circulation impacts compared to the Project. The significant and unavoidable VMT impact identified for the Project would not occur under this alternative.

Historical and Tribal Cultural Resources

Under the No Project/No Build Alternative, the San Diego International Sports Arena would remain in place and would not be demolished. The No Project/No Build Alternative would not result in the alteration of a historic building, structure, object, or site and would avoid the significant and unavoidable historical resources impact identified for the Project. The No Project/No Build Alternative would not result in an adverse change to prehistoric and historic archaeological resources, Sacred Sites, and human remains because no ground disturbance would occur. Therefore, the No Project/No Build Alternative would result in reduced historical and Tribal Cultural Resources impacts compared to the Project. The significant and unavoidable historical resources impact identified for the Project would not occur under this alternative.

Geologic Conditions

Under the No Project/No Build Alternative, the Project site would not be redeveloped. No site grading or ground disturbance would occur that could result in impacts to seismic hazards, soil

erosion, geological instability, or expansive soils. Therefore, the No Project/No Build Alternative would result in reduced impacts to geologic conditions compared to the Project.

Noise

Under the No Project/No Build Alternative the Project site would continue to operate with the existing commercial and entertainment uses. The noise levels generated by the existing operations would continue under this alternative. No new operational noise sources would be created within the surrounding community because increased traffic associated with the Project would not occur. This alternative would eliminate the significant and unavoidable noise impact associated with the large special events accommodated in Project outdoor public space areas that would have the potential to exceed San Diego Municipal Code (SDMC) hourly noise standards identified for the Project. In addition, no construction noise or vibration would occur because the site would not be redeveloped. Therefore, the No Project/No Build Alternative would result in reduced noise impacts compared to the Project. The significant and unavoidable noise impact identified for the Project would not occur under this alternative.

Health and Safety

Under the No Project/No Build Alternative the Project site would continue to operate with the existing commercial and entertainment uses, and no site redevelopment would occur. The existing on-site buildings would not be demolished, and no construction activities would occur. Unlike the Project, this alternative would not propose construction or grading activities that would exacerbate the release of adverse hazards and hazardous materials including asbestos-containing material (ACM), lead-based paint (LBP), or contaminated soils and would not require mitigation to reduce these impacts. Therefore, the No Project/No Build Alternative would result in reduced impacts associated with exposure of construction workers to a hazardous release of ACM or LBP within one-quarter mile of a school or encounter contaminated soils that could result in adverse impacts to construction/grading personnel. Compared to the Project, the No Project/No Build Alternative would not trigger compliance with the SDMC Article 2, Division 15, requirement to obtain a consistency determination from the San Diego County Regional Airport Authority and requirement to obtain a Federal Aviation Administration (FAA) determination of no hazard to air navigation in accordance with the San Diego International Airport (SDIA) Airport Influence Area (AIA) and the Naval Air Station North Island (NASNI) Airspace Protection Boundary because no redevelopment would occur. In addition, the No/Project No Build Alternative would not physically interfere with an Emergency Response Plan or Emergency Evacuation Plan because no redevelopment would occur. The No Project/No Build Alternative would result in reduced health and safety impacts compared to the Project.

Hydrology/Water Quality

Under the No Project/No Build Alternative, the Project site would continue to operate with the existing commercial and entertainment uses, and no redevelopment would occur. Under this

alternative, no construction activities would occur that could violate water quality standards or waste discharge requirements. However, the existing site condition is more impervious than the Project condition. Under this alternative, a network of parks and public spaces would not be developed that would improve the permeability of the site compared to the Project. Unlike the Project, the No Project/No Build Alternative would not implement stormwater drainage improvements that would reduce long-term operational pollutants and flooding at the site. Therefore, the No Project/No Build Alternative would result in increased hydrology and water quality impacts compared to the Project.

Visual Effects and Neighborhood Character

Under the No Project/No Build Alternative the Project site would continue to operate with the existing commercial and entertainment uses, and no redevelopment would occur. Under this alternative, the existing visual character of the landscape would not change and no obstruction of a vista or scenic view from a public viewing area would occur. In addition, there would be no change to neighborhood character, no loss of any distinctive or landmark trees or any stand of mature trees, no change in the existing landform, and no introduction of new lighting or glare sources because no redevelopment would occur. Therefore, the No Project/No Build Alternative would result in similar, less than significant visual effects and neighborhood character impacts as identified for the Project.

Air Quality

Under the No Project/No Build Alternative, the Project site would not be redeveloped. No demolition, grading, or construction would occur. Air emissions associated with existing commercial and entertainment land uses would continue. The existing site operations would not impair the implementation of the Regional Air Quality Strategy (RAQS) and State Implementation Plan (SIP), as existing development was taken into account in the preparation of those documents. Significant impacts associated with area and energy sources of air pollutant emissions associated with the Project would not occur under this alternative and the Project's mitigation measure would not be required. No objectional odors or exposure to toxic air contaminants and carbon monoxide (CO) hotspots would occur, because there would be no increase in vehicle trips. Unlike the Project, this alternative would avoid the significant health risk impact associated with diesel emissions during construction and would not require mitigation to reduce the impact to a less than significant level. Therefore, the No Project/No Build Alternative would result in reduced air quality impacts compared to the Project.

Greenhouse Gas Emissions

Under the No Project/No Build Alternative, site redevelopment and associated construction would not occur. Greenhouse gas (GHG) emissions associated with construction equipment, construction vehicles (e.g., haul trucks and vendor/delivery trucks), and worker vehicles would be avoided

compared to the Project. Operational activities associated with existing commercial and entertainment uses would continue to be consistent with the City's 2022 Climate Action Plan (2022 CAP) because these uses were accounted for in the existing emissions inventory and are required to comply with applicable future City regulations adopted as part of 2022 CAP implementation, such as SDMC changes that apply to existing development. Therefore, generation of construction-related GHG emissions would be reduced under the No Project/No Build Alternative compared to the Project. This alternative would result in similar, less than significant GHG impacts as identified for the Project.

Public Service and Facilities

Under the No Project/No Build Alternative, existing conditions would remain the same since no development would occur. The No Project/No Build Alternative would not increase population. The site would continue to operate under existing conditions and not impact service ratios, response times, or other performance objectives compared to the Project. Similar to the Project, no new facilities or improvements to existing public facilities would be required to serve this alternative, the construction of which could cause significant environmental impacts. While the Project would not result in significant impacts to public services and facilities, this alternative's environmental effect would be reduced compared to the Project.

Public Utilities

Under the No Project/No Build Alternative, supply and demand for sewer, water, gas, and electric services would continue as they are today. The No Project/No Build Alternative would not trigger the need for new or expansion of stormwater facilities, sewer, water facilities, communication systems, or electrical and gas distribution because no redevelopment would occur. The No Project/No Build Alternative would not result in an impact to solid waste, as no construction waste or increased operational waste generation would occur. Under this alternative, no long-term Waste Management Plan would be required. While the Project would not result in significant impacts to public utilities, this alternative's environmental effect would be incrementally reduced compared to the Project.

Biological Resources

Under the No Project/No Build Alternative, the Project site would not be redeveloped, and construction activities associated with the Project would not occur. This alternative would not have the potential to directly impact nesting birds from removal of suitable nesting habitat and indirectly from Project-generated noise and vibration during construction activities because no redevelopment would occur. While the Project would not result in significant impacts to biological resources, this alternative's environmental effect would be incrementally reduced compared to the Project.

Paleontological Resources

The No Project/No Build Alternative would not involve construction-related grading or earth-disturbing activities. Similar to the Project, this alternative would not impact high sensitivity geologic formations or fossil recovery sites and would not result in a significant impact to sensitive paleontological resources. The No Project/No Build Alternative would result in similar, less than significant paleontological resources impacts as identified for the Project.

8.2.1.3 Relationship to Project Objectives

The No Project/No Build Alternative would not meet any of the Project objectives, as no development on the Project site would occur. The existing commercial and entertainment uses, including the San Diego International Sports Arena, would remain on the site. The No Project/No Build Alternative would not provide a focused long-range plan for an underutilized infill site (Project objective 1). The existing commercial and entertainment uses would remain on site; therefore, the No Project/No Build Alternative would not meet Project objectives 2 and 3 because it would not provide a mix of housing opportunities and would not develop a centralized, mixed-use neighborhood that would include entertainment, housing, commercial, public parks, and recreation opportunities near transit nodes. The No Project/No Build Alternative would not meet Project objective 4 because it would not include any transportation improvements to promote multimodal travel by establishing a network of promenades, ~~widened streets,~~ pedestrian paths, and bicycle facilities. The No Project/No Build Alternative would not meet Project objective 5 as it would not make any improvements to the site and would not increase the urban tree canopy, introduce a sustainable landscape, or introduce shade to the area. The No Project/No Build Alternative would not meet Project objective 6 because it would not develop a modern entertainment center. Finally, the No Project/No Build Alternative would not meet Project objective 7 because it would not address the implementation of public facilities, including on-site parks, to serve new and existing residents in the community.

In summary, the No Project/No Build Alternative would not meet any of the Project objectives.

8.2.2 No Project/Community Plan Buildout Alternative

8.2.2.1 Description

The No Project/Community Plan Buildout Alternative would not construct the Project as described in Chapter 3.0, Project Description. The No Project/Community Plan Buildout Alternative would allow for development of the Project site consistent with the land uses and zoning provided in the 2008 General Plan and the 2018 Community Plan. The Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) identified the Project site as likely to redevelop with commercial retail, office, and residential uses (Figure 8-2, No Project/Community Plan Buildout Alternative) (Appendix B). The Midway-Pacific Highway CPU

PEIR determined that a "without San Diego International Sports Arena" future land use scenario would be expected to generate more future vehicle trips and result in greater impacts associated with transportation, noise, and air quality than a "with San Diego International Sports Arena" future land use scenario. Therefore, the Midway-Pacific Highway CPU PEIR analyzed a "without San Diego International Sports Arena" future land use scenario as the project. Under the No Project/Community Plan Buildout Alterative, the San Diego International Sports Arena would be demolished, and no entertainment center would be constructed on site. In addition, the No Project/Community Plan Buildout Alternative would not propose a Midway Rising Entertainment Center District ~~Overlay~~.

Under this alternative, the maximum residential development capacity of the site would be 2,166 dwelling units. Although the development intensity of the site would be reduced, the overall site development footprint would be the same as the Project. The planned streets identified in the 2018 Community Plan would be built, including the construction of Frontier Drive, extension of Kemper Street, and extension of Greenwood Street from Kurtz Street to Sports Arena Boulevard.

This alternative was fully analyzed programmatically in the 2018 Midway-Pacific Highway CPU PEIR. A General Plan Amendment and Community Plan Amendment would not be required for this alternative. A Specific Plan would be required.

8.2.2.2 Analysis of the No Project/Community Plan Buildout Alternative

Land Use

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses and zoning allowed in the 2008 General Plan and the 2018 Community Plan. Similar to the Project, this alternative would conflict with Historic Preservation Goal A and Policy HP-A.5 of the 2008 General Plan and Policy HP-2.1 of the Historic Preservation Element of the 2018 Community Plan because it would demolish the San Diego International Sports Arena, a designated historical resource. In addition, similar to the Project, the No Project/Community Plan Buildout Alternative could provide a variety of public space areas for recreational and gathering opportunities for special events with amplified sound. A special event permit for an Entertainment Center District would not be proposed under this alternative, but individual events would still have the potential to exceed SDMC hourly noise standards and would require special event permits. Although the capacity of special events may be reduced under this alternative, special events with amplified sound would continue to have the potential to conflict with the 2008 General Plan Noise Element Policy NE-G.2, Goal I, and Policy NE-I.1. It would not result in conflicts with applicable plans, conversion of open space or farmland, conflicts with the Multiple Species Conservation Program (MSCP) Subarea Plan, or conflicts with an adopted Airport Land Use Compatibility Plan (ALUCP). Therefore, the No Project/Community Plan Buildout Alternative would result in similar land use impacts compared to the Project and the

significant and unavoidable land use impact related to inconsistency with historical resources and noise policies identified for the Project would be similar under this alternative.

Transportation and Circulation

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses and zoning allowed in the 2008 General Plan and the 2018 Community Plan. Overall, trips generated under the No Project/Community Plan Buildout Alternative would be reduced compared to the Project due to the reduced number of dwelling units and the elimination of the San Diego International Sports Arena compared to the Project. Under the No Project/Community Plan Buildout Alternative, 2,166 dwelling units would be constructed compared to 4,254 under the Project. Under this alternative, the planned street classifications, including the planned roadways and extensions of existing roadways, identified in the 2018 Community Plan would be implemented. Similar to the Project, this alternative would not conflict with the 2008 General Plan Mobility Element, 2018 Community Plan, and Mobility Choices Program.

Under the No Project/Community Plan Buildout Alternative, 2,166 dwelling units would be constructed. Therefore, similar to the Project, the VMT per resident would be below the City's significance threshold for residential land uses. Similar to the Project, there would be a net increase in VMT compared to the existing commercial land use because the regionally serving quality restaurant uses could occur at the site under this alternative, which would result in a significant VMT impact. Similarly, the No Project/Community Plan Buildout Alternative would be required to implement all feasible mitigation measures but a significant transportation VMT impact would still occur. In addition, since no entertainment center is proposed under this alternative, there would be no net change in VMT related to the entertainment center and mitigation for the entertainment center would not be required under this alternative.

Similar to the Project, the No Project/Community Plan Buildout Alternative would include the construction of vehicular access points and parking areas in accordance with the standards in the SDMC, City's Standard Drawings, and City's Street Design Manual and would comply with requirements for emergency vehicle access such as the City's fire apparatus access roadway requirements. Since the No Project/Community Plan Buildout Alternative would not include an entertainment land use, there would be no significant VMT impact associated with entertainment center and no mitigation would be required. The Project would result in a significant, but mitigated VMT impact associated with the entertainment center; therefore, under this alternative, impacts would be reduced compared to the impacts identified for the Project. However, the significant and unmitigated transportation VMT impact associated with the regionally serving commercial land use, specifically regionally serving quality restaurants, would remain under this alternative.

Historical and Tribal Cultural Resources

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses in the 2008 General Plan and the 2018 Community Plan and zoning. Under this alternative, the San Diego International Sports Arena would be demolished, and a new entertainment center would not be constructed on the site. Similar to the Project, this alternative would directly impact the historic San Diego International Sports Arena as a result of its demolition and would result in a potential significant and unavoidable impact. Similar to the Project, the No Project/Community Plan Buildout Alternative would not result in an adverse change to prehistoric and historic archaeological resources, Sacred Sites, or human remains because the site disturbance area would be the same and there is low potential for resources to be on the site. Therefore, the No Project/Community Plan Buildout Alternative would result in similar historical resources impacts as identified for the Project.

Geologic Conditions

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses allowed in the 2008 General Plan and the 2018 Community Plan and zoning. Similar to the Project, the No Build/Community Plan Buildout Alternative would be required to comply with the SDMC and the California Building Code (CBC), which would reduce impacts from strong seismic ground shaking and seismic-related ground failure, including liquefaction. In addition, similarly, this alternative would be required to comply with the SDMC and the National Pollutant Discharge Elimination System (NPDES) Construction General Permit to reduce impacts from wind and soil erosion. Finally, the No Project/Community Plan Buildout Alternative would be required to implement recommendations in site-specific geological investigations that would ensure that potential risks to life or property associated with expansive soils would be minimized. Therefore, the No Project/Community Plan Buildout Alternative would result in similar, less than significant geological conditions impacts as identified for the Project.

Noise

The No Project/Community Plan Buildout Alternative would develop the Project site consistent with the land uses and zoning allowed in the 2008 General Plan and the 2018 Community Plan. Overall, trips generated under the No Project/Community Plan Buildout Alternative would be reduced compared to the Project due to the reduced number of dwelling units and the elimination of the San Diego International Sports Arena compared to the Project. Compared to the Project, the No Project/Community Plan Buildout Alternative would result in reduced ambient noise levels to noise sensitive land uses due to a reduction in traffic volumes. Increases in vehicle traffic noise levels at nearby noise sensitive land uses would be reduced under this alternative due to lower traffic volumes along affected roadway segments compared to the Project. Similar to the Project, the No Project/Community Plan Buildout Alternative would be required to submit Project-level consistency

determination applications until such time as the Airport Land Use Commission (ALUC) determines that the City has incorporated the noise policies and criteria of the ALUCP into the SDMC. A Title 24 consistency determination would also be required to demonstrate compliance with the interior noise standard of 45 A-weighted decibel (dBA) Community Equivalent Noise Level (CNEL), consistent with the compatibility guidelines of the 2008 General Plan for new residences in areas where exterior noise levels exceed 60 dBA CNEL. Similar to the Project, the No Project/Community Plan Buildout Alternative could provide a variety of public space areas for recreational and gathering opportunities for special events with amplified sound. A special event permit for an Entertainment Center District would not be proposed under this alternative, but individual events would still have the potential to exceed SDMC hourly noise standards and would require special event permits. Although the capacity of special events may be reduced under this alternative, special events with amplified sound would continue to exceed SDMC hourly noise standards. Mitigation would be required although it would not reduce this impact to below a level of significance. Similar to the Project, even with mitigation, impacts would remain significant and unavoidable.

The No Project/Community Plan Buildout Alternative would result in reduced operational noise due to reduced development intensity and elimination of indoor entertainment uses including associated loading docks, mechanical equipment (such as generators and heating, ventilation, and air conditioning [HVAC] units), truck deliveries, trash-hauling activities, and customer and employee use of entertainment facilities compared to the Project. Similar to the Project, during construction the No Project/Community Plan Buildout Alternative would have the potential to result in construction equipment noise levels that exceed 75 dBA. Similar to the Project, implementation of mitigation would be required to reduce impacts to a less than significant level. Finally, similar to the Project during construction the No Project/Community Plan Buildout Alternative would have the potential to result in the operation of vibrating equipment levels to exceed 65 vibration decibels (VdB). Similar to the Project, implementation of mitigation would be required to reduce impacts to a less than significant level. Therefore, since the No Project/Community Plan Buildout Alternative would redevelop the site with reduced development intensity, noise impacts would be reduced compared to the Project.

Health and Safety

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses allowed in the 2008 General Plan and the 2018 Community Plan and zoning. Compared to the Project, the No Project/Community Plan Buildout Alternative would develop the site with a maximum of 2,166 dwelling units and no entertainment center. Although development intensity would be reduced, development would occur in the same area as the Project. Similar to the Project, the No Project/Community Plan Buildout Alternative would be located in an urbanized area of the City surrounded by commercial uses and is not adjacent to wildland areas and is not in an area identified as a Very High Fire Hazard Severity Zone (VHFHSZ), and no impact would occur.

Similar to the Project, the No Project/Community Plan Buildout Alternative would potentially result in the release of ACM and LBP during demolition, which could result in adverse hazards and hazardous materials impacts within one-quarter mile of a school. Similar to the Project, implementation of mitigation measures would reduce impacts to a less than significant level.

Similar to the Project, the No Project/Community Plan Buildout Alternative would be consistent with requirements for emergency vehicle access, and no components of the alternative would impair the implementation of or compliance with an adopted evacuation plan. Similar to the Project, the No Project/Community Plan Buildout Alternative excavation and grading could encounter contaminated soil, which could result in adverse health and safety impacts to on-site construction personnel. To reduce the potential risks associated with grading and excavation of soils potentially containing hazardous materials, three options could be implemented to remediate the portion of the West Point Loma Dump within the disturbance area prior to or during construction. In addition, the No Project/Community Plan Buildout Alternative would be required to prepare and implement a comprehensive Soil Management Plan and a Community Health and Safety Plan. Similar to the Project, under the No Project/Community Plan Buildout Alternative there is a risk of exceedances of commercial and residential screening levels for benzene and a risk of exceedances of commercial and residential screening levels for m- and p-xylene, ethylbenzene, and PCE in indoor air, which could create a significant hazard to future residential occupants of the Project. Similar to the Project, implementation of mitigation measures would reduce impacts to a less than significant level. Finally, the Project site is located within the SDIA AIA and within the NASNI Airspace Protection Boundary. Similar to the Project, the No Project/Community Plan Buildout Alternative would be required to comply with the SDMC Article 2, Division 15, requirement to obtain a consistency determination from the San Diego County Regional Airport Authority as the ALUC and requirement to obtain a determination of no hazard to air navigation from the FAA in accordance with the SDIA AIA and the NASNI Airspace Protection Boundary would ensure impacts would be less than significant. Therefore, the No Project/Community Plan Buildout Alternative would result in similar impacts associated with health and safety as identified for the Project.

Hydrology/Water Quality

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses in the 2008 General Plan, the 2018 Community Plan, and zoning. Compared to the Project, the Project/Community Plan Buildout Alternative would develop the site with 2,166 dwelling units and no entertainment center. Although development intensity would be reduced, development would occur in the same area as the Project. Similar to the Project, under the No Project/Community Plan Buildout Alternative would be required to implement Low Impact Development best management practices (BMPs) in accordance with NPDES permit requirements to reduce volume and rate of surface runoff compared to existing conditions and would not result in

flooding due to an increase in impervious surfaces or changes in absorption rates, drainage patterns, or the rate of surface runoff.

The No Project/Community Plan Buildout Alternative would result in similar types of construction-generated and long-term operational pollutants because it would redevelop the site with residential, commercial, retail, and office uses, similar to the Project. However, construction-generated pollutants would be temporary and addressed through preparation of a Project-specific Stormwater Pollutant Prevention Plan (SWPPP) in accordance with the City's Stormwater Standards Manual and the City's Grading Ordinance and would include construction BMPs. Similar to the Project, this alternative would be required to implement post-construction site design, source control, and treatment control BMPs consistent with the City's Grading Ordinance and Stormwater Standards Manual which would reduce the discharge of pollutants from the site.

Similar to the Project, the No Project/Community Plan Buildout Alternative would not require the use of groundwater supplies and no groundwater wells would be drilled. Therefore, the No Project/Community Plan Buildout Alternative would result in similar hydrology and water quality impacts as identified for the Project.

Visual Effects and Neighborhood Character

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses in the 2008 General Plan and the 2018 Community Plan and zoning and as amended. Compared to the Project, the development intensity would be reduced because the No Project/Community Plan Buildout Alternative would develop the site with a maximum of 2,166 dwelling units and no entertainment center. Under the No Project/Community Plan Buildout Alternative, the buildings could be reduced in height due to the reduced number of dwelling units compared to the Project. Building height under this alternative would be limited by the zoning code in the SDMC compared to the heights proposed under the Project. However, similar to the Project, under the No Project/Community Plan Buildout Alternative potential aesthetic or visual impacts on scenic vistas and views from implementation would not be considered a significant impact on the environment because it would involve residential or mixed-use development in a Transportation Priority Area. Similar to the Project, under the No Project/Community Plan Buildout Alternative, the redevelopment of the site with residential, commercial, retail, and office uses would establish the Sports Arena Community Village in the Midway District and improvements would be considered a benefit to the overall character of the Project site and surrounding neighborhood. Similar to the Project, the No Project/Community Plan Buildout Alternative would include a street tree and landscape plan consistent with the public space and urban canopy goals of the City's 2022 CAP and would not result in the loss of any distinctive or landmark trees or a stand of mature trees. Similar to the Project, the No Project/Community Plan Alternative would not result in a substantial change to the existing, relatively flat site landform. Finally, similar to the Project, this alternative would be required to be consistent with 2018 Community Plan Urban Design Element policies (UD-7.3, UD-7.5,

and UD-7.7) and comply with SDMC Sections 142.0740 and 142.0730 to minimize glare and reduce adverse effects to daytime and nighttime views in the area. Therefore, the No Project/Community Plan Buildout Alternative would result in similar visual effects and neighborhood character impacts as identified for the Project.

Air Quality

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses allowed in the 2008 General Plan and the 2018 Community Plan and zoning. Compared to the Project, the development intensity would be reduced because the No Project/Community Plan Buildout Alternative would develop the site with a maximum of 2,166 dwelling units and no entertainment center. Similar to the Project, the No Project/Community Plan Buildout Alternative would be consistent with the growth projections and emissions forecasts used in the RAQS and SIP because it would be consistent with the 2008 General Plan and the 2018 Community Plan, which were used to develop the RAQS and SIP. Compared to the Project, the No Project/Community Plan Buildout Alternative would result in reduced construction and operational air pollutant emissions due to the reduction in maximum number of dwelling units and the elimination of the entertainment center. However, emissions could still result in a significant impact requiring mitigation. Compared to the Project, the No Project/Community Plan Buildout Alternative would result in reduced CO hotspots emissions due to a reduction in peak hour traffic volumes resulting from reduced development intensity. In addition, the No Project/Community Plan Buildout Alternative would result in reduced emissions related to diesel particulate matter from construction activities due to reduced construction emissions resulting from lower development intensity. However, the No Project/Community Plan Buildout Alternative would still have the potential to result in a health risk impact due to this alternative having a similar development footprint, as such construction activities would have the potential to disturb soils containing hazardous materials. Soil disturbance without proper precaution may result in exposure to soil vapors or result in fugitive dust containing hazardous materials. The impact would require mitigation to reduce the impact to a less than significant level. Under this alternative, similar to the Project, future site occupants may be exposed to the upward migration of VOCs in soil vapor which could exceed commercial and residential screening. The impact would require mitigation to reduce the impact to a less than significant level. Finally, the No Project/Community Plan Buildout Alternative would result in less intensive odor emissions due to the reduction in construction activities, reduced intensity of development and elimination of entertainment land uses. Therefore, the No Project/Community Plan Buildout Alternative would result in reduced air emissions, although impacts would be similar to the impacts identified for the Project

Greenhouse Gas Emissions

The No Project/Community Plan Buildout Alternative would develop the Project site consistent with the land uses allowed in the 2008 General Plan and the 2018 Community Plan and zoning.

Compared to the Project, development intensity of the site would be reduced because the No Project/Community Plan Buildout Alternative would allow for the development of fewer residential units and no entertainment center, resulting in lower construction and operational GHG emissions. Similar to the Project, the No Project/Community Plan Buildout Alternative would be consistent with the City's 2022 CAP, 2008 General Plan, and CAP Consistency Regulations. This alternative would also be consistent with the Climate Resilient SD Plan, San Diego Association of Governments' (SANDAG's) 2021 Regional Plan, and CARB's 2022 Scoping Plan. Therefore, the No Project/Community Plan Buildout Alternative would result in similar GHG emissions impacts as identified for the Project.

Public Services and Facilities

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses allowed in the 2008 General Plan and the 2018 Community Plan and zoning. Compared to the Project, the No Project/Community Plan Buildout Alternative would develop the site with a maximum of 2,166 dwelling units and no entertainment center. Similar to the Project, additional population resulting from buildout of the No Project/Community Plan Buildout Alternative would be in an area currently served by the existing local police service division and would not require new or expanded facilities. Similar to the Project, the No Project/Community Plan Buildout Alternative would be required to meet the 2021 City of San Diego Parks Master Plan (2021 Parks Master Plan) minimum Value Standard requirement and pay the applicable fees. Under the No Project/Community Plan Buildout Alternative, the San Diego Fire-Rescue Department would continue to meet the required response times. In addition, the No Project/Community Plan Buildout Alternative would result in an increase in demand for library services but less than the Project's demand due to the decrease in the number of dwelling units. Similar to the Project, this impact would be less than significant. Finally, the new student population generated by the No Project/Community Plan Buildout Alternative could cause the schools serving the site to reach or exceed capacity, requiring in the need for new or expanded facilities. Similar to the Project, this alternative would be required to pay fees pursuant to California Government Code Sections 65995 and 65996 and California Education Code Section 53080 to address any increased enrollment that may result.

Therefore, similar to the Project, no new facilities or improvements to existing public facilities would be required to serve this alternative, the construction of which could cause significant environmental impacts. The No Project/Community Plan Buildout Alternative would result in similar public services and facilities impacts as identified for the Project.

Public Utilities

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses in the 2008 General Plan and the 2018 Community Plan and zoning. Compared to the Project, the No Project/Community Plan Buildout Alternative would develop the site with a

maximum of 2,166 dwelling units and no entertainment center. The reduced intensity of development would result in less demand for potable water supply compared to the Project. Similar to the Project, the No Project/Community Plan Buildout Alternative would not trigger the need for new or expanded stormwater facilities, sewer, water facilities, communication systems, or electrical and gas distribution beyond what is needed to serve the development. This alternative would generate solid waste during the grading, construction, and operational phases at a lower rate than the Project because less development would occur. Similar to the Project, No Project/Community Plan Buildout Alternative would be required to implement strategies outlined in a Project-specific Waste Management Plan through conditions of approval and compliance with applicable City regulations related to solid waste. Therefore, the No Project/Community Plan Buildout Alternative would result in reduced public utilities impacts compared to the Project.

Biological Resources

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses in the 2008 General Plan and the 2018 Community Plan and zoning. The overall site development footprint would be the same as the Project. Similar to the Project, the No Project/Community Plan Buildout Alternative would have the potential to directly impact nesting birds from removal of suitable nesting habitat and indirectly from Project-generated noise and vibration during construction activities. However, similar to the Project, this alternative would comply with the Migratory Bird Treaty Act and California Fish and Game Code Section 3503, which would ensure that no direct impacts to nesting birds would occur. Similar to the Project, the No Project/Community Plan Buildout Alternative is not located within a sensitive natural vegetation community or located near jurisdictional resources. Similar to the Project, this alternative would adhere to the requirements in SDMC Section 142.0740 related to lighting and glare and incorporate various design features to reduce the potential for bird strikes. Finally, similar to the Project, the No Project/Community Plan Buildout Alternative is not within the MHPA and would comply with the applicable requirements of the MSCP SAP, specifically the General Management Directives, including managing litter, trash, and materials storage and avoiding the introduction of invasive species on the site and into the adjacent MHPA. Therefore, the No Project/Community Plan Buildout Alternative would result in similar biological resource impacts as identified for the Project.

Paleontological Resources

The No Project/Community Plan Buildout Alternative would redevelop the Project site consistent with the land uses in the 2008 General Plan and the 2018 Community Plan and zoning. The overall site development footprint would be the same as the Project. Similar to the Project, grading activities associated with the No Project/Community Plan Buildout Alternative would not require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit or over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit. No impacts to paleontological resources would occur. Therefore, the No Project/Community

Plan Buildout Alternative would result in no paleontological resource impacts, similar to the impacts identified for the Project.

8.2.2.3 Relationship to Project Objectives

The No Project/Community Plan Buildout Alternative would meet Project objective 1 as it would create a focused long-range plan for an underutilized infill site that is intended to promote increased residential density and employment opportunities consistent with the 2008 General Plan, Midway-Pacific Highway Community Plan, and the 2022 CAP. The No Project/Community Plan Buildout Alternative would partially meet Project objective 2 but would not contribute to an increase in the City's housing supply to the same extent that the Project would because it would provide 2,088 fewer dwelling units than the Project.

The No Project/Community Plan Buildout Alternative would meet Project objective 3 as it would implement and support the 2008 General Plan and Midway-Pacific Highway Community Plan smart growth principles and goals for the Sports Arena Community Village by developing a centralized, mixed-use neighborhood, but it would not to the same extent as the Project as no entertainment center would be constructed.

The No Project/Community Plan Buildout Alternative would meet Project objective 4, as it would construct the planned streets identified in the 2018 Community Plan to promote multimodal travel by establishing a pedestrian and transit-oriented village with a network of promenades, ~~widened streets,~~ pedestrian paths, and bicycle facilities to provide access to internal and adjacent transit services, commercial/retail uses, and other amenities. The No Project/Community Plan Alternative would provide increased urban tree canopy and introduce a sustainable landscape, which would meet Project objective 5. The No Project/Community Plan Buildout Alternative would not meet Project objective 6 as it would not develop a modern entertainment center that would recognize and value the historic San Diego International Sports Arena's importance to the City. Finally, the No Project/Community Plan Buildout Alternative would meet Project objective 7, as it would address the implementation of public facilities, including on-site parks, to serve new and existing residents in the community. In summary, the No Project/Community Plan Buildout Alternative would meet Project objectives 1, 4, 5, and 7, partially meet Project objectives 2 and 3, and not meet Project objective 6.

8.2.3 Retain San Diego International Sports Arena Alternative

8.2.3.1 Description

The Retain San Diego International Sports Arena Alternative would redevelop the site with a mix of residential and commercial uses, including retail and restaurant uses around the existing San Diego International Sports Arena, which would not be demolished (Figure 8-3, Retain San Diego International Sports Arena Alternative). This alternative would provide up to 3,631 housing units, including up to 1,772 affordable units, and approximately 72,000 square feet of commercial uses.

The proposed commercial uses could be a combination of locally serving commercial uses, such as community retail and high-turnover sit-down restaurant, and regionally serving commercial land use, such as regionally serving quality restaurant.

The development intensity and overall site development footprint would be reduced compared to the Project because the San Diego International Sports Arena would not be part of the development footprint.

The existing San Diego International Sports Arena would remain in its current location with no significant upgrades and would continue to host a variety of entertainment events. However, the Midway Rising Entertainment Center District would be designated under this alternative. The surface parking lots around the San Diego International Sports Arena would be demolished and redeveloped with residential and commercial uses and public spaces similar to the Project. Parking associated with entertainment and retail uses would be integrated with the parking structures of residential uses, similar to the Project.

This alternative would add a network of public spaces similar to The Green, The Square, The Plaza, paseo greens, and paseo greenways. The public space areas would consist of the promenades, streetscapes, and residential buffers. Similar to the Project, the Retain San Diego International Sports Arena Alternative would construct The Square that would be a public plaza or outdoor entertainment center for cultural and community events directly adjacent to the entertainment center. Under this alternative, The Square would be scaled down compared to the Project to provide fewer and smaller entertainment events.

This alternative would provide the same multimodal network as the Project including new streets, improved streets, sidewalks, multi-use paths, and bicycle facilities. Internal circulation for this alternative would be facilitated by two new on-site roadway segments, the extension of Kemper Street and Frontier Drive, which would run north-south through the Project site and connect Sports Arena Boulevard and Kurtz Street. Similar to the Project, the Greenwood Street extension would not be constructed in this alternative.

A General Plan Amendment and Community Plan Amendment would be required for this alternative to redesignate the site and address modifications to the 2018 Community Plan, respectively. This alternative would also require the preparation of a Specific Plan. This alternative was selected because it would reduce or eliminate the following significant and unavoidable impacts identified for the Project: land use (consistency with historical resources policies), and historical and Tribal Cultural Resources (historical resources).

8.2.3.2 Analysis of Retain San Diego International Sports Arena Alternative

Land Use

The Retain San Diego International Sports Arena Alternative would redevelop the site with a lower density mix of residential and commercial uses and would not demolish the San Diego International Sports Arena. Compared to the Project, this alternative would not conflict with Historic Preservation Goal A and Policy HP-A.5 of the 2008 General Plan and Policy HP-2.1 of the Historic Preservation Element of the 2018 Community Plan because it would not demolish the San Diego International Sports Arena, a designated historical resource. The significant and unavoidable land use impact related to consistency with historical resources policies identified for the Project would not occur under this alternative.

However, similar to the Project, the Retain San Diego International Sports Arena Alternative would provide a variety of public space areas for recreational and gathering opportunities during both daytime and evening hours and would conflict with the 2008 General Plan Noise Element Policy NE-G.2, Goal I, and Policy NE-I.1 due to outdoor event noise. Similar to the Project, even with mitigation, impacts would remain significant and unavoidable due to inconsistencies with 2008 General Plan noise policies.

Similar to the Project, the Retain San Diego International Sports Arena Alternative would not lead to the development or conversion of 2008 General Plan or 2018 Community Plan designated Open Space or Prime Farmland. In addition, similar to Project, this alternative would be required to comply with applicable General Management Directives outlined in Section 1.5.2 of the MSCP SAP, which is the adopted Habitat Conservation Plan for the site. Similar to the Project, this alternative would be required to determine consistency from the ALUC with the ALUCP and would be subject to the requirements of the ALUCP and associated FAA and City requirements.

Therefore, the Retain San Diego International Sports Arena Alternative would result in reduced land use impacts compared to the Project, because it would not result in a significant and unavoidable land use impact related to consistency with historical resources policies.

Transportation and Circulation

The Retain San Diego International Sports Arena Alternative would redevelop a portion of the site with a lower intensity mix of residential and commercial uses than the Project and would not demolish the San Diego International Sports Arena. Similar to the Project, circulation for the Retain San Diego International Sports Arena Alternative would provide a multimodal network that would include new streets, improved streets, sidewalks, multi-use paths, and bicycle facilities. Therefore, the alternative would not conflict with the 2008 General Plan Mobility Element, 2018 Community Plan, and the Mobility Choices Program.

Overall, vehicle trips generated under the Retain San Diego International Sports Arena Alternative would be reduced compared to the Project due to the reduced number of dwelling units and square footage of commercial uses. Under the Retain San Diego International Sports Arena Alternative, approximately 3,631 dwelling units would be constructed compared to 4,254 units under the Project, and like the Project, the residential land use under this alternative would not result in a significant transportation VMT impact. Similar to the Project, there would be a net increase in VMT compared to the existing commercial land use because regionally serving commercial land use could occur at the site under this alternative, which would result in a significant VMT impact. Similarly, the Retain San Diego International Sports Arena Alternative would be required to implement all feasible mitigation measures but a significant transportation VMT impact would still occur. Under this alternative, the existing San Diego International Sports Arena would remain in place so there would be no net change in VMT for the entertainment use, and no mitigation would be required.

Similar to the Project, the Retain San Diego International Sports Arena Alternative would include the construction of vehicular access points and parking areas in accordance with the standards in the SDMC, City's Standard Drawings, and City's Street Design Manual and would comply with requirements for emergency vehicle access such as the City's fire apparatus access roadway requirements and would not result in significant impacts relative to hazards or emergency vehicle access.

Therefore, this alternative would avoid the significant and mitigated VMT impact identified by the Project from the entertainment use. However, the significant and unmitigated transportation VMT impact associated with the regionally serving commercial land use, specifically regionally serving quality restaurants, would remain under this alternative.

Historical and Tribal Cultural Resources

The Retain San Diego International Sports Arena Alternative would redevelop the site with a mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. Compared to the Project, the Retain San Diego International Sports Arena Alternative would have reduced impacts related to historical resources because it would not demolish the San Diego International Sports Arena, which is a designated historical resource. The Retain San Diego International Sports Arena Alternative would not require Project-specific mitigation measures because no impact would occur. Similar to the Project, the Retain San Diego International Sports Arena Alternative would not result in an adverse change to prehistoric and historic archaeological resources, Sacred Sites, or human remains because the site is in an area of low sensitivity rating because the site is developed. The potential for identification of additional resources in these areas would be low. Therefore, historical resources impacts under this alternative would be reduced compared to the Project. The significant and unavoidable historical resources impact identified for the Project would not occur under this alternative.

Geologic Conditions

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a lower intensity mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. Similar to the Project, the Retain San Diego International Sports Arena Alternative would be required to implement recommendations from the geotechnical investigation to minimize potential safety risks caused by seismic-related ground failure, including liquefaction, and would be required to conform to the CBC. Similar to the Project, the Retain San Diego International Sports Arena Alternative would require excavation, demolition, or grading activities that may result in erosion. Temporary erosion and sedimentation impacts during construction would be addressed through conformance with applicable elements of the City's Stormwater Standards Manual and the NPDES requirements. Similar to the Project, under this alternative post-construction drainage through the site would be adequately controlled through a series of new underground private storm drains collecting rooftop and surface drainage. In addition, proposed landscaping would include a mix of trees, shrubs, and ground cover, which would further minimize soil erosion and topsoil loss after construction. Similar to the Project, the Retain San Diego International Sports Arena Alternative would be required to comply with applicable regulatory requirements and the site-specific geotechnical investigation recommendations that would reduce impacts related to geology instability caused by liquefaction-induced settlement. Similar to the Project, the Retain San Diego International Sports Arena Alternative may encounter expansive soils during construction in the on-site undocumented artificial fill and would be required to comply with requirements of the CBC and implement the recommendations in the geotechnical investigation to ensure that impacts to people or structures would be reduced to an acceptable level of risk. Therefore, the Retain San Diego International Sports Arena Alternative would result in similar impacts related to geologic conditions as identified for the Project.

Noise

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a lower-intensity mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. Overall, vehicle trips generated under the Retain San Diego International Sports Arena Alternative would be reduced compared to the Project due to the reduced number of dwelling units and commercial uses. Compared to the Project, the Retain San Diego International Sports Arena Alternative would result in reduced ambient noise levels on noise sensitive land uses due to the reduction in traffic volumes compared to the Project. Vehicle traffic noise levels at affected noise sensitive land uses would be reduced under this alternative due to lower traffic volumes along nearby roadway segments compared to the Project. Similar to the Project, the Retain San Diego International Sports Arena Alternative would be required to submit Project-level consistency determination applications until such time as the ALUC determines that the City has incorporated the noise policies and standards of the ALUCP into the SDMC. A Title 24

consistency determination would also be required to demonstrate compliance with the interior noise standard of 45 dBA CNEL, which implements the compatibility guidelines of the 2008 General Plan for new residences in areas where exterior noise levels exceed 60 dBA CNEL. Similar to the Project, the Retain San Diego International Sports Arena Alternative would provide a variety of public space areas for recreational and gathering opportunities during both daytime and evening hours that may use amplified sound which would have the potential to exceed SDMC hourly noise standards requiring mitigation. However, the Square would be scaled down compared to the Project to provide fewer and smaller entertainment events. Similar to the Project, even with a smaller space and implementation of mitigation, impacts would remain significant and unavoidable.

The Retain San Diego International Sports Arena Alternative would result in reduced impacts related to other operation noise sources including loading docks, mechanical equipment (such as generators and HVAC units), truck deliveries, trash-hauling activities, and customer and employee use of commercial facilities compared to the Project due to the reduction in development intensity. Similar to the Project, construction of the Retain San Diego International Sports Alternative would have the potential to result in construction equipment noise levels that exceed 75 dBA. Similar to the Project, implementation of mitigation would be required to reduce the impact to a less than significant level. Finally, similar to the Project, during construction, the Retain San Diego International Sports Arena Alternative would have the potential to result in the operation of vibrating equipment levels to exceed 65 VdB. Similar to the Project, implementation of mitigation would be required to reduce impacts to a less than significant level. Therefore, the Retain San Diego International Sports Arena Alterative would result in similar noise impacts as identified for the Project. Noise impacts would remain significant and unavoidable.

Health and Safety

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a less intensive mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. Similar to the Project, the Retain San Diego International Sports Arena Alternative is located in an urbanized area of the City surrounded by commercial uses, is not adjacent to wildland areas, and is not in an area identified as a VHFHSZ; therefore, no impact would occur. Similar to the Project, the Retain San Diego International Sports Arena Alternative would demolish on-site structures, except for the San Diego International Sports Arena, and could result in the release of ACM and LBP during demolition, which could result in adverse hazards and hazardous materials within one-quarter mile of a school. Similar to the Project, implementation of mitigation would reduce impacts to a less than significant level.

Similar to the Project, the Retain San Diego International Sports Arena Alternative would be consistent with requirements for emergency vehicle access, and no components of the alternative would impair the implementation of or compliance with an adopted evacuation plan. Similar to the Project, the Retain San Diego International Sports Arena Alternative could encounter soil

contamination during grading and excavations that could result in potentially significant hazards and hazardous materials impacts to on-site construction/grading personnel. Similar to the Project, to reduce the potential risks associated with grading and excavation of soils potentially containing hazardous materials, three options could be implemented to remediate the portion of the West Point Loma Dump within the disturbance area prior to or during construction. In addition, the Retain San Diego International Sports Arena Alternative would be required to prepare and implement a comprehensive Soil Management Plan and a Community Health and Safety Plan. Similar to the Project, under the Retain San Diego International Sports Arena there is a risk of exceedances of commercial and residential screening levels for benzene in indoor air and a risk of exceedances of commercial and residential screening levels for m- and p-xylene, ethylbenzene and PCE in indoor air, which could create a significant hazard to future residential occupants of the Project. Similar to the Project, implementation of mitigation measures would reduce impacts to a less than significant level. In addition, because the Project site is located within the SDIA AIA and the NASNI Airspace Protection Boundary, this alternative would comply with the SDMC Chapter 13, Article 2, Division 15, requirement to obtain a consistency determination from the San Diego County Regional Airport Authority as the ALUC and requirement to obtain a determination of no hazard to air navigation from the FAA in accordance with the SDIA AIA and the NASNI Airspace Protection Boundary. Similar to the Project, this would ensure impacts would be less than significant. Therefore, the Retain San Diego International Sports Arena Alternative would result in similar health and safety impacts as identified for the Project.

Hydrology/Water Quality

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a lower intensity mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. Although development intensity would be reduced, development would occur in the same development area as the Project, except for the existing San Diego International Sports Arena footprint. Similar to the Project, the Retain San Diego International Sports Arena Alternative would be required to implement Low Impact Development BMP in accordance with NPDES permit requirements to reduce runoff volumes and rates of surface runoff compared to existing conditions and would not result in flooding due to an increase in impervious surfaces or changes in absorption rates, drainage patterns, or the rate of surface runoff.

Compared to the Project, the Retain San Diego International Sports Arena Alternative would result in similar construction-generated and long-term operational pollutants. However, construction-generated pollutants would be temporary and addressed through preparation of a Project-specific SWPPP in accordance with the City's Stormwater Standards Manual and the City's Grading Ordinance and would include construction BMPs. Similar to the Project, this alternative would implement post-construction site design, source control, and treatment control BMPs consistent

with the City's Grading Ordinance and Stormwater Standards Manual, which would reduce the discharge of potential pollutants off-site and result in a less than significant impact.

Similar to the Project, the Retain San Diego International Sports Arena Alternative would not require the use of groundwater supplies and no groundwater wells would be drilled. Similarly, under this alternative, Project components would be expected to result in a reduction in impervious surfaces by redeveloping some existing surface parking areas with public space and would not impede groundwater recharge or degrade groundwater quality. Therefore, the Retain San Diego International Sports Arena Alternative would result in similar hydrology and water quality impacts as identified for the Project.

Visual Effects and Neighborhood Character

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a less intensive mix of residential and commercial uses and would not demolish the San Diego International Sports Arena. Similar to the Project, potential aesthetic or visual impacts on scenic vistas and views from implementation of the alternative would not be considered a significant impact on the environment because the alternative would include residential and mixed-use development in a Transportation Priority Area. Similar to the Project, under the Retain San Diego International Sports Arena Alternative, the partial redevelopment of the site with residential and commercial uses would establish the Sports Arena Community Village in the Midway District, and improvements would be considered a benefit to the overall character of the Project site and surrounding neighborhood. Similar to the Project, the Retain San Diego International Sports Arena Alternative would include a comprehensive street tree and landscape plan consistent with the public space and urban canopy goals of the City's 2022 CAP and would not result in the loss of any distinctive or landmark trees or a stand of mature trees as identified in the Midway-Pacific Highway Community planning area. Similar to the Project, the Retain San Diego International Sports Arena Alternative would not result in a substantial change to the existing, relatively flat site landform. Finally, similar to the Project, this alternative would be required to be consistent with 2018 Community Plan Urban Design Element policies (UD-7.3, UD-7.5, and UD-7.7) and comply with SDMC Section 142.0740 and SDMC Section 142.0730 to minimize glare would reduce adverse effects to daytime and nighttime views in the area. Therefore, the Retain San Diego International Sports Arena Alternative would result in similar visual effects and neighborhood character impacts as identified for the Project.

Air Quality

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a less intensive mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. Similar to the Project, the Retain San Diego International Sports Arena Alternative would be consistent with the growth projections and

emissions forecasts used in the RAQS and SIP because the intensity of land uses would be less than the Project. Compared to the Project, the Retain San Diego International Sports Arena Alternative would result in reduced construction and operational air pollutant emissions due to the reduced number of dwelling units and commercial uses compared to the Project. However, similar to the Project, the Retain San Diego International Sports Arena Alternative would be required to implement mitigation to reduce impacts from VOC emissions to a less than significant level due to the commercial kitchens and landscape equipment that would be similarly proposed. Compared to the Project, the Retain San Diego International Sports Arena Alternative would result in reduced CO hotspot emissions due to the reduction in peak hour traffic volumes from the reduced development intensity. In addition, this alternative would result in fewer diesel particulate matter emissions from construction activities due to reduced construction activities associated with a reduction in dwelling units and commercial uses compared to the Project. However, this alternative would still have the potential to result in a significant health risk impact, due to diesel particulate matter emissions from operation of diesel equipment and vehicles during construction requiring mitigation to reduce impacts to a less than significant level. In addition, the Retain San Diego International Sports Arena would still have the potential to result in a health risk impact and construction activities would have the potential to disturb soils containing hazardous materials. Soil disturbance without proper precaution may result in exposure to soil vapors or result in fugitive dust containing hazardous materials. The impact would require mitigation to reduce the impact to a less than significant level. Under this Alternative, similar to the Project, future site occupants may be exposed to the upward migration of VOCs in soil vapor, which could exceed commercial and residential screening. The impact would require mitigation to reduce the impact to a less than significant level. Finally, the Retain San Diego International Sports Arena Alternative would result in fewer odor emissions due to the reduction in construction activities and operations emitting odors due to reduced development intensity. Therefore, the Retain San Diego International Sports Arena Alternative would result in similar air quality impacts as identified for the Project.

Greenhouse Gas Emissions

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a lower intensity mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. GHG emissions from construction and operation of the lower intensity project would be reduced compared to the Project. Similar to the Project, the Retain San Diego International Sports Arena Alternative would be consistent with the City's 2022 CAP, 2008 General Plan, and CAP Consistency Regulations because it would implement the same sustainability features, multimodal improvements, and street tree and landscape plan as the Project. This alternative would also be consistent with the Climate Resilient SD Plan, SANDAG's 2021 Regional Plan, and CARB's 2022 Scoping Plan because it would include the same active transportation network and parks and public spaces and would be consistent with statewide emissions reduction goals through similar project features compared to the Project. Therefore, the Retain San Diego

International Sports Arena Alternative would result in similar impacts to GHG emissions impacts as identified for the Project.

Public Services and Facilities

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a less intensive mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. This alternative would provide up to 3,631 dwelling units, which is 623 dwelling units less compared to the Project, as well as less commercial land uses. Similar to the Project, under the Retain San Diego International Sports Arena Alternative, an increase in population would occur. However, this alternative would not require new or expanded facilities. Similar to the Project, the Retain San Diego International Sports Arena Alternative would be required to meet the 2021 Parks Master Plan minimum Value Standard requirement and pay the applicable fees. Under this Alternative, while there is an existing need to upgrade Fire Station 20, this alternative would not trigger the need for new or altered fire facilities, similar to the Project. As identified in Section 5.11.3, the focus of the analysis should be on the physical impacts of constructing the public service facilities. In addition, the Retain San Diego International Sports Arena Alternative would result in a less than significant impact on library services because it would result in less demand for library services than the Project. Finally, similar to the Project, the new student population generated by the Retain San Diego International Sports Arena Alternative could cause the schools serving the site to reach or exceed capacity, requiring the need for new or expanded facilities. Similarly, this alternative would be required to pay fees pursuant to California Government Code Sections 65995 and 65996 and California Education Code Section 53080 to address any increased enrollment that may result.

Therefore, similar to the Project, no new facilities or improvements to existing public facilities would be required to serve this alternative, the construction of which could cause significant environmental impacts. The Retain San Diego International Sports Arena Alternative would result in similar public services and facilities impacts as identified for the Project.

Public Utilities

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a less intensive mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. This alternative would result in lower demand for potable water due to the reduced development intensity compared to the Project. Similar to the Project, the Retain San Diego International Sports Arena Alternative would not trigger the need for new or expanded stormwater, sewer, or water facilities; communication systems; or electrical and gas distribution beyond what is needed to serve the alternative development. Compared to the Project, this alternative would generate solid waste during the grading, construction, and operational phases at a lower rate than the Project because less development would occur. Similar

to the Project, the Retain San Diego International Sports Arena Alternative would be required to implement strategies outlined in a Project-specific Waste Management Plan through conditions of approval, as well as compliance with applicable City regulations related to solid waste. Therefore, the Retain San Diego International Sports Arena Alternative would result in similar public utilities impacts as identified for the Project.

Biological Resources

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a less intensive mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. The disturbance footprint would be reduced compared to the Project. Similar to the Project, the Retain San Diego International Sports Arena Alternative would have the potential to directly impact nesting birds from removal of suitable nesting habitat and indirectly from Project-generated noise and vibration during construction activities. Similar to the Project, this alternative would comply with the Migratory Bird Treaty Act and California Fish and Game Code Section 3503, which would ensure that no direct impacts to nesting birds would occur. Similar to the Project, the Retain San Diego International Sports Arena Alternative is not located within a sensitive natural vegetation community or located near jurisdictional resources. Similar to the Project, this alternative would adhere to the requirements in SDMC Section 142.0740 related to lighting and glare and incorporate various design features to reduce the potential for bird strikes. Finally, similar to the Project, the Retain San Diego International Sports Arena Alternative is not within the MHPA identified in the MSCP SAP and would comply with the applicable requirements of the MSCP SAP, specifically the General Management Directives including managing litter, trash, and materials storage and avoiding the introduction of invasive species on the site and into the adjacent MHPA. Therefore, the Retain San Diego International Sports Arena Alternative would result in similar biological resource impacts as identified for the Project.

Paleontological Resources

Compared to the Project, the Retain San Diego International Sports Arena Alternative would redevelop the site with a less intensive mix of residential and commercial uses but would not demolish the San Diego International Sports Arena. The disturbance footprint would be reduced compared to the Project. Similar to the Project, grading activities associated with the Retain San Diego International Sports Arena Alternative would not require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit or over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit. No impact to paleontological resources would occur. Therefore, the Retain San Diego International Sports Arena Alternative would result in similar paleontological resource impacts as identified for the Project.

8.2.3.3 Relationship to Project Objectives

The Retain San Diego International Sports Arena Alternative would meet Project objective 1 as it would create a focused long-range plan for an underutilized infill site that is intended to promote increased residential density and employment opportunities consistent with the 2008 General Plan, Midway-Pacific Highway Community Plan, and the 2022 CAP. The Retain San Diego International Sports Arena Alternative would partially meet Project objective 2 but would not contribute to an increase the City's housing supply to the same extent that the Project would because it would provide 623 fewer dwelling units than the Project. The Retain San Diego International Sports Arena Alternative would meet Project objective 3 as it would implement and support the 2008 General Plan and Midway-Pacific Highway Community Plan smart growth principles and goals for the Sports Arena Community Village by developing a centralized, mixed-use neighborhood.

The Retain San Diego International Sports Arena Alternative would partially meet Project objective 4 because it would promote multimodal travel by establishing a pedestrian and transit-oriented village with a network of promenades, ~~widened streets,~~ pedestrian paths, and bicycle facilities to provide access to internal and adjacent transit services, commercial/retail uses, and other amenities although to a lesser extent than the Project because fewer multi-use paths would be provided throughout the site with retention of the San Diego International Sports Arena. The Retain San Diego International Sports Arena would provide increased urban tree canopy and introduce a sustainable landscape, which would meet Project objective 5.

The Retain San Diego International Sports Arena Alternative would not meet Project objective 6 as it would not develop a modern entertainment center. Finally, the Retain San Diego International Sports Arena Alternative would partially meet Project objective 7 because it would address the implementation of public facilities, but at a smaller scale by providing fewer on-site parks, to serve new and existing residents in the community compared to the Project.

In summary, the Retain San Diego International Sports Arena would not meet Project objective 6. This alternative would partially meet Project objectives 2, 4, and 7. The Retain San Diego International Sports Arena Alternative would meet Project objectives 1, 3, and 5.

8.2.4 No Commercial Development Alternative

8.2.4.1 Description

The No Commercial Development Alternative would demolish on-site development and redevelop the site with a mix of uses, including entertainment, residential, and public park uses. Similar to the Project, this alternative would provide up to 4,254 dwelling units, including up to 2,000 affordable housing units, and construct a modern multi-purpose entertainment center. However, under the No Commercial Development Alternative, no commercial land uses would be provided on site. In addition, this alternative would designate the Midway Rising Entertainment Center District.

The No Commercial Development Alternative would provide a variety of public space areas for recreational and gathering opportunities, including The Green and The Square, which would allow for large special events. Under this alternative, events in public spaces would be limited to the hours of 7:00 a.m. to 7:00 p.m.

Finally, the No Commercial Development Alternative would provide the same multimodal network as the Project and would include new streets, improved streets, sidewalks, multi-use paths, and bicycle facilities. Internal circulation for this alternative would be facilitated by two new on-site roadway segments, the extension of Kemper Street and Frontier Drive, which would run north-south through the Project site and connect Sports Arena Boulevard and Kurtz Street. Similar to the Project, the Greenwood Street extension would not be constructed in this alternative.

A General Plan Amendment and Community Plan Amendment would be required for this alternative to redesignate the site and address modifications to the 2018 Community Plan, respectively. This alternative would also require the preparation of a Specific Plan. This alternative was analyzed because it would eliminate the significant and unavoidable VMT transportation (regionally serving commercial land use) identified for the Project.

8.2.4.2 Analysis of No Commercial Development Alternative

Land Use

Compared to the Project, the No Commercial Development Alternative would redevelop the site with the same amount of residential and entertainment uses but no commercial land use. Similar to the Project, this alternative would conflict with Historic Preservation Goal A and Policy HP-A.5 of the 2008 General Plan and Policy HP-2.1 of the Historic Preservation Element of the 2018 Community Plan because it would demolish the San Diego International Sports Arena, a designated historical resource. In addition, similar to the Project, the No Commercial Development Alternative would provide a variety of public spaces areas for recreational and gathering opportunities. Under this alternative, amplified noise would be limited to the daytime hours from 7:00 a.m. to 7:00 p.m., which would reduce noise levels during the evening hours from 7:00 p.m. to 10:00 p.m. compared to the Project. However, daytime events would still have the potential to exceed SDMC hourly noise standards from 7:00 a.m. to 7:00 p.m. Therefore, similar to the Project, this alternative would conflict with the 2008 General Plan Noise Element Policy NE-G.2, Goal I, and Policy NE-I. Land use impacts (consistency with historical resources and noise policies) would remain significant and unavoidable under this alternative.

In addition, similar to the Project, the No Commercial Development Alternative would not lead to the development or conversion of 2008 General Plan or 2018 Community Plan designated Open Space or Prime Farmland because none currently exists on site. In addition, similar to Project, this alternative would be required to comply with applicable General Management Directives outlined in Section 1.5.2 of the MSCP SAP, which is the adopted Habitat Conservation Plan for the site. Similar to the Project,

this alternative would be required to determine consistency from the ALUC with the ALUCP and would be subject to the requirements of the ALUCP and associated FAA and City requirements.

Therefore, the No Commercial Development Alternative would result in similar land use impacts compared to the Project, and the significant and unavoidable land use impact related to inconsistency with historical resources and noise policies identified for the Project would also occur under this alternative.

Transportation and Circulation

The No Commercial Development Alternative would result in fewer vehicle trips than those generated under the Project due the elimination of commercial uses at the site. Similar to the Project, the No Commercial Development Alternative would provide a multimodal network that would include new streets, improved streets, sidewalks, multi-use paths, and bicycle facilities. Similar to the Project, the No Commercial Development Alternative would not conflict with the 2008 General Plan Mobility Element, 2018 Community Plan, and the City's Mobility Choices Program because it would include the same mobility and transportation improvements.

Compared to the Project, the No Commercial Development Alternative would construct the same number of dwelling units. Therefore, similar to the Project, the residential land use under this alternative would result in a less than significant transportation VMT impact. However, no commercial land uses would be provided at the site. Without commercial land uses, including regionally serving uses, the No Commercial Development Alternative would not result in a net change in VMT and therefore, this alternative would avoid the significant and unavoidable regionally serving commercial land use VMT transportation impact identified for the Project. However, similar to the Project, this alternative would develop an entertainment land use that would result in a net increase in VMT and would result in a potentially significant transportation VMT impact. Similar to the Project, this impact would be reduced to a less than significant level with implementation of the mitigation measure requiring an employee transit subsidy.

Similar to the Project, the No Commercial Development Alternative would include the construction of service roads, vehicular access points, and parking areas in accordance with the standards in the SDMC, City's Standard Drawings, and City's Street Design Manual and would comply with requirements for emergency vehicle access such as the City's fire apparatus access roadway requirements. Therefore, the No Commercial Development Alternative would not result in significant transportation impacts related to hazards or emergency vehicle access. This alternative would avoid the significant and unavoidable regionally serving commercial land use VMT transportation impact identified for the Project because it would not include commercial land uses, and the entertainment VMT impact would be mitigated to a less than significant level, similar to the Project.

Historical and Tribal Cultural Resources

Similar to the Project, this alternative would demolish the San Diego International Sports Arena which is a designated historical resource. Therefore, similar to the Project, the No Commercial Development Alternative would result in a substantial adverse change to a historical resource pursuant to California Public Resources Code Section 21084.1, which would result in a significant impact. Similar to the Project, this alternative would require the implementation of feasible mitigation measures but would not reduce the impact to below a level of significance. The impact would remain significant and unavoidable. Similar to the Project, the No Commercial Development Alternative would not result in an adverse change to prehistoric and historic archaeological resources, Sacred Sites, or human remains because the overall site development footprint would be the same as the Project and the potential for additional resources on this site is low. Therefore, the No Commercial Development Alternative would result in a similar significant and unavoidable historical resources impact as identified for the Project.

Geologic Conditions

Under this alternative, the overall development footprint would be the same as the Project. Similar to the Project, the No Commercial Development Alternative would be required to implement recommendations from the site-specific geotechnical investigation to minimize potential safety risks caused by seismic-related ground failure, including liquefaction, and would be required to conform to the CBC. Similar to the Project, the No Commercial Development Alternative would require excavation, demolition, or grading activities that may result in erosion. Temporary erosion and sedimentation impacts during construction would be addressed through conformance with applicable elements of the City's Stormwater Standards Manual and the NPDES requirements. Similar to the Project, under this alternative, post-construction drainage through the site would be adequately controlled through a series of new underground private storm drains collecting rooftop and surface drainage. In addition, proposed landscaping would include a mix of trees, shrubs, and ground cover, which would minimize soil erosion and topsoil loss post-construction. Similar to the Project, the No Commercial Development Alternative would not be located on a geologic unit that could potentially result in on- or off-site landslides. In addition, similar to the Project, the potential for lateral spreading would be low since an unprotected face does not exist along the San Diego River north of the site due to the existing flood control levee maintained by the City. Similar to the Project, the No Commercial Development Alternative would be required to comply with applicable regulatory requirements and recommendations in the site-specific geotechnical investigation which would reduce impacts related to geologic instability caused by liquefaction-induced settlement. Similar to the Project, the No Commercial Development Alternative may encounter expansive soils during construction in the on-site undocumented artificial fill and would be required to comply with requirements of the CBC and implement the recommendations in the geotechnical investigation to ensure that impacts to people or structures would be reduced to an acceptable level of risk.

Therefore, the No Commercial Development Alternative would result in similar impacts related to geologic conditions as identified for the Project.

Noise

Compared to the Project, the No Commercial Development Alternative would redevelop the site with the same amount of residential and entertainment uses but without any commercial land uses. Vehicle trips generated under the No Commercial Development Alternative would be reduced compared to the Project due to the elimination of commercial land uses that could generate vehicle trips, as compared to the Project. This alternative would result in reduced ambient noise level increases at noise sensitive land uses due to the reduction in traffic volumes compared to the Project. Vehicle traffic noise levels at affected noise sensitive land uses would be reduced due to the reduced traffic volumes along affected roadway segments compared to the Project. Similar to the Project, the No Commercial Development Alternative would be required to submit Project-level consistency determination applications until such time as the ALUC determines that the City has incorporated the noise policies and standards of the ALUCP into the SDMC. A Title 24 consistency determination would also be required to demonstrate compliance with the interior noise standard of 45 dBA CNEL, consistent with the compatibility guidelines of the 2008 General Plan for new residences in areas where exterior noise levels exceed 60 dBA CNEL. Similar to the Project, the No Commercial Development Alternative would provide a variety of public spaces areas for recreational and gathering opportunities. Under this alternative, amplified noise would be limited to the daytime hours from 7:00 a.m. to 7:00 p.m., which would reduce noise levels during the evening hours from 7:00 p.m. to 10:00 p.m. compared to the Project. However, daytime events would still have the potential to exceed SDMC hourly noise standards from 7:00 a.m. to 7:00 p.m. Therefore, the outdoor event noise impact under this alternative would remain significant and unavoidable, although it would be reduced in intensity compared to the Project.

The No Commercial Development Alternative would result in reduced impacts related to other operational noise sources including loading docks, mechanical equipment (such as generators and HVAC units), truck deliveries, trash-hauling activities, and customer and employee use of commercial facilities compared to the Project due to the elimination of commercial land use development. Similar to the Project, during construction, the No Commercial Development Alternative would have the potential to result in construction equipment noise levels that exceed 75 dBA. Similar to the Project, implementation of mitigation would be required to reduce the impact to a less than significant level. Finally, similar to the Project during construction the No Commercial Development Alternative would have the potential to result in the operation of vibrating equipment levels to exceed 65 VdB. Similar to the Project, implementation of mitigation would be required to reduce impacts to a less than significant level. Therefore, the No Commercial Development Alternative would result in a reduced noise impact compared to the Project. However, under this alternative, the outdoor event noise impact would remain significant and unavoidable.

Health and Safety

Compared to the Project, the No Commercial Development Alternative would redevelop the site with the same amount of residential and entertainment uses but no commercial land use. Similar to the Project, the No Commercial Development Project Alternative is located in an urbanized area of the City surrounded by commercial uses, is not adjacent to wildland areas, and is not in an area identified as a VHFHSZ; therefore, no impact would occur. Similar to the Project, the No Commercial Development Alternative would demolish on-site structures, which could result in the release of ACM and LBP during demolition, releasing adverse hazards and hazardous materials within one-quarter mile of a school. Similar to the Project, implementation of mitigation would reduce impacts to a less than significant level.

Similar to the Project, the No Commercial Development Alternative would be consistent with requirements for emergency vehicle access, and no components of the alternative would impair the implementation of or compliance with an adopted evacuation plan. Similar to the Project, the No Commercial Development Alternative could encounter soil contamination during grading and excavations that could result in potentially significant hazards and hazardous materials impacts to on-site construction/grading personnel. Similar to the Project, to reduce the potential risks associated with grading and excavation of soils potentially containing hazardous materials three options could be implemented to remediate the portion of the West Point Loma Dump within the disturbance area prior to or during construction. In addition, the No Commercial Development Alternative would be required to prepare and implement a comprehensive Soil Management Plan and a Community Health and Safety Plan. Similar to the Project, under the No Commercial Development Alternative there is a risk of exceedances of residential screening levels for benzene in indoor air and a risk of exceedances of residential screening levels for m- and p-xylene, ethylbenzene and PCE in indoor air, which could create a significant hazard to future residential occupants of the Project. Similar to the Project, implementation of mitigation measures would reduce impacts to a less than significant level. Finally, similar to the Project, the Project site is located within the SDIA AIA and within the NASNI Airspace Protection Boundary. Compliance with the SDMC Article 2, Division 15, requirement to obtain a consistency determination from the San Diego County Regional Airport Authority and requirement to obtain an FAA determination of no hazard to air navigation in accordance with the SDIA AIA and the NASNI Airspace Protection Boundary would ensure impacts would be less than significant. Therefore, the No Commercial Development Alternative would result in similar health and safety impacts as identified for the Project.

Hydrology/Water Quality

Compared to the Project, the No Commercial Development Alternative would redevelop the site with the same amount of residential and entertainment uses but no commercial land use. Similar to the Project, under the No Commercial Development Alternative, there would be an increase in the amount of pervious surfaces due to the construction of public space and parks throughout the site.

On-site runoff would be collected and conveyed through a series of new, underground, private storm drains collecting rooftop and surface drainage. Similarly, this alternative would not result in flooding due to an increase in impervious surfaces or changes in absorption rates, drainage patterns, or the rate of surface runoff.

Similar to the Project, the No Commercial Development Alternative would result in construction-generated and long-term operational pollutants. However, construction-generated pollutants would be temporary and addressed through preparation of a Project-specific SWPPP in accordance with the City's Stormwater Standards Manual and the City's Grading Ordinance and would include construction BMPs. Similar to the Project, under this alternative would implement post-construction site design, source control, and treatment control BMPs consistent with the City's Grading Ordinance and Stormwater Standards Manual, which would reduce and treat the discharge of potential pollutants from the site.

Similar to the Project, the No Commercial Development Alternative would not require the use of groundwater supplies, and no groundwater wells would be drilled. Similarly, under this alternative, development would result in a reduction in impervious surfaces and would not impede groundwater recharge or degrade groundwater quality. Therefore, the No Commercial Development Alternative would result in similar hydrology and water quality impacts as identified for the Project.

Visual Effects and Neighborhood Character

Compared to the Project, the No Commercial Development Alternative would redevelop the site with the same amount of residential and entertainment uses but no commercial land use. Similar to the Project, potential aesthetic or visual impacts to scenic vistas and views from implementation of this alternative would not be considered a significant impact on the environment because it would propose residential and mixed-use development in a Transportation Priority Area. Similar to the Project, under the No Commercial Development Alternative, the development of residential and entertainment uses would establish the Sports Arena Community Village in the Midway District, and improvements would be considered a benefit to the overall character of the site and surrounding neighborhood. Similar to the Project, the No Commercial Development Alternative would include a comprehensive street tree and landscape plan consistent with the public space and urban canopy goals of the City's 2022 CAP and would not result in the loss of any distinctive or landmark trees or a stand of mature trees. Similar to the Project, the No Commercial Development Alternative would not result in a substantial change to the existing, relatively flat site landform. Finally, similar to the Project, this alternative would be required to be consistent with 2018 Community Plan Urban Design Element policies (UD-7.3, UD-7.5, and UD-7.7) and comply with SDMC Section 142.0740 and SDMC Section 142.0730 to minimize glare, which would reduce adverse effects to daytime and nighttime views in the area. Therefore, the No Commercial Development Alternative would result in similar visual effects and neighborhood character impacts as identified for the Project.

Air Quality

Compared to the Project, the No Commercial Development Alternative would redevelop the site with the same amount of residential and entertainment uses but no commercial land use. Similar to the Project, the No Commercial Development Alternative would be consistent with the growth projections and emissions forecasts used in the RAQS and SIP because it would propose less commercial land use than the Project. Compared to the Project, the No Commercial Development Alternative would result in reduced construction and operational air pollutant emissions due the elimination of commercial land uses that could generate these types of pollutants. However, similar to the Project, the No Commercial Development Alternative would still be required to implement mitigation to reduce impacts from VOC emissions to a less than significant level due to landscape equipment. Compared to the Project, the No Commercial Development Alternative would result in reduced emissions related to CO hotspots due to the reduction in peak hour traffic volume associated with the elimination of commercial development. In addition, the No Commercial Development Alternative would result in reduced diesel particulate matter emissions from construction activities due to the elimination of commercial uses. However, the No Commercial Development Alternative would still require mitigation due to construction activities to reduce impacts to a less than significant level. In addition, the No Commercial Development Alternative would still have the potential to result in a health risk impact due to this alternative having a similar development footprint and construction activities would have the potential to disturb soils containing hazardous materials. Soil disturbance without proper precaution may result in exposure to soil vapors or result in fugitive dust containing hazardous materials. The impact would require mitigation to reduce the impact to a less than significant level. Under this Alternative, similar to the Project, future site occupants may be exposed to the upward migration of VOCs in soil vapor, which could exceed residential screening. The impact would require mitigation to reduce the impact to a less than significant level. Finally, the No Commercial Development Alternative would result in elimination of odor impacts due to the reduction in construction activities and operations related to the commercial land uses. Therefore, the No Commercial Development Alternative would result in similar air quality impacts as identified for the Project.

Greenhouse Gas Emissions

Compared to the Project, the No Commercial Development Alternative would redevelop the site with the same amount of residential and entertainment uses but no commercial land use. Similar to the Project, the No Commercial Development Alternative would increase residential density in a Transportation Priority Area; include sustainability features; improve bicycle, pedestrian, and transit connections on site and to the surrounding community; plant trees; and be consistent with the City's 2022 CAP, 2008 General Plan, and CAP Consistency Regulations. This alternative would also be consistent with the Climate Resilient SD Plan, SANDAG's 2021 Regional Plan, and CARB's 2022

Scoping Plan. Therefore, the No Commercial Development Alternative would result in similar GHG emissions impacts as identified for the Project.

Public Services and Facilities

Compared to the Project, the No Commercial Development Alternative would redevelop the site with the same amount of residential and entertainment uses but no commercial land use. Like the Project, an increase in population would occur, resulting in an increase in services calls; however, this alternative, like the Project, would not require new or expanded facilities. Similar to the Project, the No Commercial Development Alternative would be required to meet the 2021 Parks Master Plan minimum Value Standard requirement and the payment of applicable fees. Under the No Commercial Development Alternative, while there is an existing need to upgrade Fire Station 20, this alternative would not trigger the need for new or altered fire facilities, similar to the Project. As identified in Section 5.11.3, the focus of the analysis should be on the physical impacts of constructing the public service facilities. In addition, the No Commercial Development Alternative would result in a less than significant impact on library services because the demand for library services would be less than the Project. Finally, similar to the Project, new student population generated by the No Commercial Development Alternative could cause the schools serving the site to reach or exceed capacity, requiring the need for new or expanded facilities. Similarly, this alternative would be required to pay fees pursuant to California Government Code Sections 65995 and 65996 and California Education Code Section 53080 to address any increased enrollment that may result.

Therefore, similar to the Project, no new facilities or improvements to existing public facilities would be required to serve this alternative, the construction of which could cause significant environmental impacts. Therefore, the No Commercial Development Alternative would result in similar public services and facilities impacts as identified for the Project.

Public Utilities

This alternative would result in reduced demand on potable water supply compared to the Project due to the elimination of commercial development. Similar to the Project, the No Commercial Development Alternative would not trigger the need for new or expansion of stormwater facilities, sewer, water facilities, communication systems, or electrical and gas distribution beyond what is needed to serve the development. Similar to the Project, this alternative would generate solid waste during the grading, construction, and operational phases and would be required to implement strategies outlined in a Project-specific Waste Management Plan through conditions of approval, as well as compliance with applicable City regulations related to solid waste. Therefore, the No Commercial Development Alternative would result in similar public utilities impacts as identified for the Project.

Biological Resources

The development footprint for this alternative would be the same as identified for the Project. Similar to the Project, the No Commercial Development Alternative would have the potential to directly impact nesting birds from removal of suitable nesting habitat and indirectly from Project-generated noise and vibration during construction activities. However, similar to the Project, this alternative would comply with the Migratory Bird Treaty Act and California Fish and Game Code Section 3503, which would ensure that no direct impacts to nesting birds would occur. Similar to the Project, the No Commercial Development Alternative is not located within a sensitive natural vegetation community or located near jurisdictional resources. Similarly, this alternative would adhere to the requirements in SDMC Section 142.0740 related to lighting and glare and incorporate various design features to reduce the potential for bird strikes. Finally, similar to the Project, the No Commercial Development Alternative is not within the MHPA identified in the MSCP SAP and would comply with the applicable requirements of the MSCP SAP, specifically the General Management Directives including managing litter, trash, and materials storage and avoiding the introduction of invasive species on the site and into the adjacent MHPA. Therefore, the No Commercial Development Alternative would result in similar biological resource impacts as identified for the Project.

Paleontological Resources

The development footprint for this alternative would be the same as identified for the Project. Similar to the Project, grading activities associated with the No Commercial Development Alternative would not require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit or over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit. Therefore, this alternative would result in similar paleontological resource impacts as identified for the Project.

8.2.4.3 Relationship to Project Objectives

The No Commercial Development Alternative would partially meet Project objective 1 as it would create a focused long-range plan for an underutilized infill site that is intended to promote increased residential density and employment opportunities consistent with the 2008 General Plan, Midway-Pacific Highway Community Plan, and the 2022 CAP but with reduced employment opportunities compared to the Project due to the elimination of commercial uses on site. The No Commercial Development Alternative would meet Project objective 2 because it would increase the City's housing supply proximate to transit, jobs, amenities, and services, similar to the Project. The No Commercial Development Alternative would partially meet Project objective 3 as it would implement and support the 2008 General Plan and Midway-Pacific Highway Community Plan smart growth principles and goals for the Sports Arena Community Village by developing a centralized, mixed-use neighborhood but it would not include commercial opportunities.

The No Commercial Development Alternative would meet Project objective 4, as it would construct the planned streets identified in the 2018 Community Plan to promote multimodal travel by

establishing a pedestrian and transit-oriented village with a network of promenades, ~~widened streets,~~ pedestrian paths, and bicycle facilities to provide access to internal and adjacent transit services, commercial/retail uses, and other amenities. The No Commercial Development Alternative would provide increased urban tree canopy and introduce a sustainable landscape, which would meet Project objective 5. The No Commercial Development Alternative would meet Project objective 6 because it would develop a modern entertainment center. Finally, the No Commercial Development Alternative would meet Project objective 7, as it would provide the implementation of public facilities, including on-site parks, to serve new and existing residents in the community.

In summary the No Commercial Development Alternative would partially meet Project objectives 1 and 3. This alternative would meet Project objectives 2, 4, 5, 6, and 7.

8.3 Environmentally Superior Alternative

CEQA Guidelines Section 15126.6(e)(2) requires the identification of an environmentally superior alternative among the alternatives analyzed in an EIR. The environmentally superior alternative is generally defined as the alternative that would result in the least adverse environmental impact on a project site and affected environment. If a No Project Alternative is found to be the environmentally superior alternative, the EIR must identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6[e][2]). Table 8-1, Summary of Impacts for Alternatives Compared to the Project, provides a summary comparison of the alternatives with the Project to highlight if the alternatives would result in a similar, greater, or lesser impact regarding potentially significant impacts.

As shown in Table 8-1, the Retain San Diego International Sports Arena Alternative would be the environmentally superior alternative because it would avoid the following significant and unavoidable impacts identified for the Project: (1) land use (conflicts with historical resources policies) and (2) historical and Tribal Cultural Resources (historical resources). Potentially significant and unavoidable impacts to land use (conflicts with noise policies), transportation (VMT regionally serving commercial land use), and noise (exceedance of noise standards) would continue under the Retain San Diego International Sports Arena Alternative similar to the Project. In addition, potentially significant impacts to noise, health and safety, and air quality would continue to have potentially significant impacts and would be mitigated to below a level of significance similar to the Project. Under this alternative, the existing San Diego International Sports Arena would remain in place so there would be no net change in VMT for the entertainment use, and no mitigation for the entertainment use would be required. Finally, all other impacts, including geological conditions, hydrology and water quality, visual effects and neighborhood character, greenhouse gas emissions, public services and facilities, public utilities, biological resources, and paleontological resources would have less-than-significant impacts under the Retain San Diego Internation Arena Alternative, similar to the Project.

The Retain San Diego International Sports Arena Alternative would meet or partially meet Project objectives 1, 2, 3, 4, 5, and 7. This alternative would not meet Project objective 6. Table 8-2, Alternatives Relationship with Project Objectives, summarizes the alternatives relationship with the Project objectives.

Table 8-1. Summary of Impacts for Alternatives Compared to the Project

Impact	Project		Alternatives			
	Without Mitigation	With Mitigation	No Project/ No Build Alternative	No Project/ Community Plan Buildout Alternative	Retain San Diego International Sports Arena Alternative	No Commercial Development Alternative
Land Use	PS	SU (Inconsistencies with historical resources and noise goals and policies)	<	=	<	=
Transportation and Circulation	PS	SU (Commercial land use VMT)	<	=	=	<
Historical and Trial Cultural Resources	PS	SU (Historical resources)	<	=	<	=
Geological Conditions	LS	LS	=	=	=	=
Noise	PS	SU (Outdoor event noise)	<	=	=	<
Health and Safety	PS	LS	<	=	=	=
Hydrology and Water Quality	LS	LS	>	=	=	=
Visual Effects and Neighborhood Character	LS	LS	=	=	=	=
Air Quality	PS	LS	<	=	=	=
Greenhouse Gas Emissions	LS	LS	=	=	=	=

Table 8-1. Summary of Impacts for Alternatives Compared to the Project

Impact	Project		Alternatives			
	Without Mitigation	With Mitigation	No Project/ No Build Alternative	No Project/ Community Plan Buildout Alternative	Retain San Diego International Sports Arena Alternative	No Commercial Development Alternative
Public Services and Facilities	LS	LS	<	<	<	=
Public Utilities	LS	LS	<	<	<	=
Biological Resources	LS	LS	<	=	=	=
Paleontological Resources	LS	LS	=	=	=	=

Notes: LS = Less than Significant Impact; NI = No Impact; PS = Potentially Significant Impact; SU = Significant and Unavoidable Impact

= Impacts would be similar to those of the Project.

> Impacts would be greater than those of the Project.

< Impacts would be less than those of the Project.

Table 8-2. Alternatives Relationship with Project Objectives

Project Objectives	Alternatives			
	No Project/ No Build Alternative	**No Project/ Community Plan Buildout Alternative**	**Retain San Diego International Sports Arena Alternative**	**No Commercial Development Alternative**
1. Create a focused long-range plan for an underutilized infill site that is intended to promote increased residential density and employment opportunities consistent with the General Plan, Midway-Pacific Highway Community Plan and the Climate Action Plan.	No	Yes	Yes	Partially
2. Increase the City's housing supply by providing a mix of housing opportunities, including both market rate and deed-restricted affordable units, proximate to transit, jobs, amenities, and services.	No	Partially	Partially	Yes
3. Implement and support the General Plan and Midway-Pacific Highway Community Plan smart growth principles and goals for the Sports Arena Community Village by developing a centralized, mixed-use neighborhood that would include entertainment, housing, commercial, public parks and recreation opportunities near transit nodes.	No	Partially	Yes	Partially

Table 8-2. Alternatives Relationship with Project Objectives

Project Objectives	Alternatives			
	No Project/ No Build Alternative	**No Project/ Community Plan Buildout Alternative**	**Retain San Diego International Sports Arena Alternative**	**No Commercial Development Alternative**
4. Promote multimodal travel by establishing a pedestrian and transit-oriented village with a network of promenades, ~~widened streets,~~ pedestrian paths, and bicycle facilities to provide access to internal and adjacent transit services, commercial/retail uses, and other amenities.	No	Yes	Partially	Yes
5. Encourage redevelopment of an underutilized infill site by increasing the urban tree canopy, instituting sustainable landscaping, and introducing shade to the area to support the City's Climate Action Plan goals.	No	Yes	Yes	Yes
6. Develop a modern entertainment center that would recognize and value the historic San Diego International Sports Arena.	No	No	No	Yes
7. Establish a phasing and implementation program that takes into account the existing long-term City property leases to provide public facilities, including on-site parks, that will serve new and existing community residents.	No	Yes	Partially	Yes

Source: Maxar Imagery 2022.

N

0 350 700

Feet

Figure 8-1

No Project/No Build Alternative

Midway Rising

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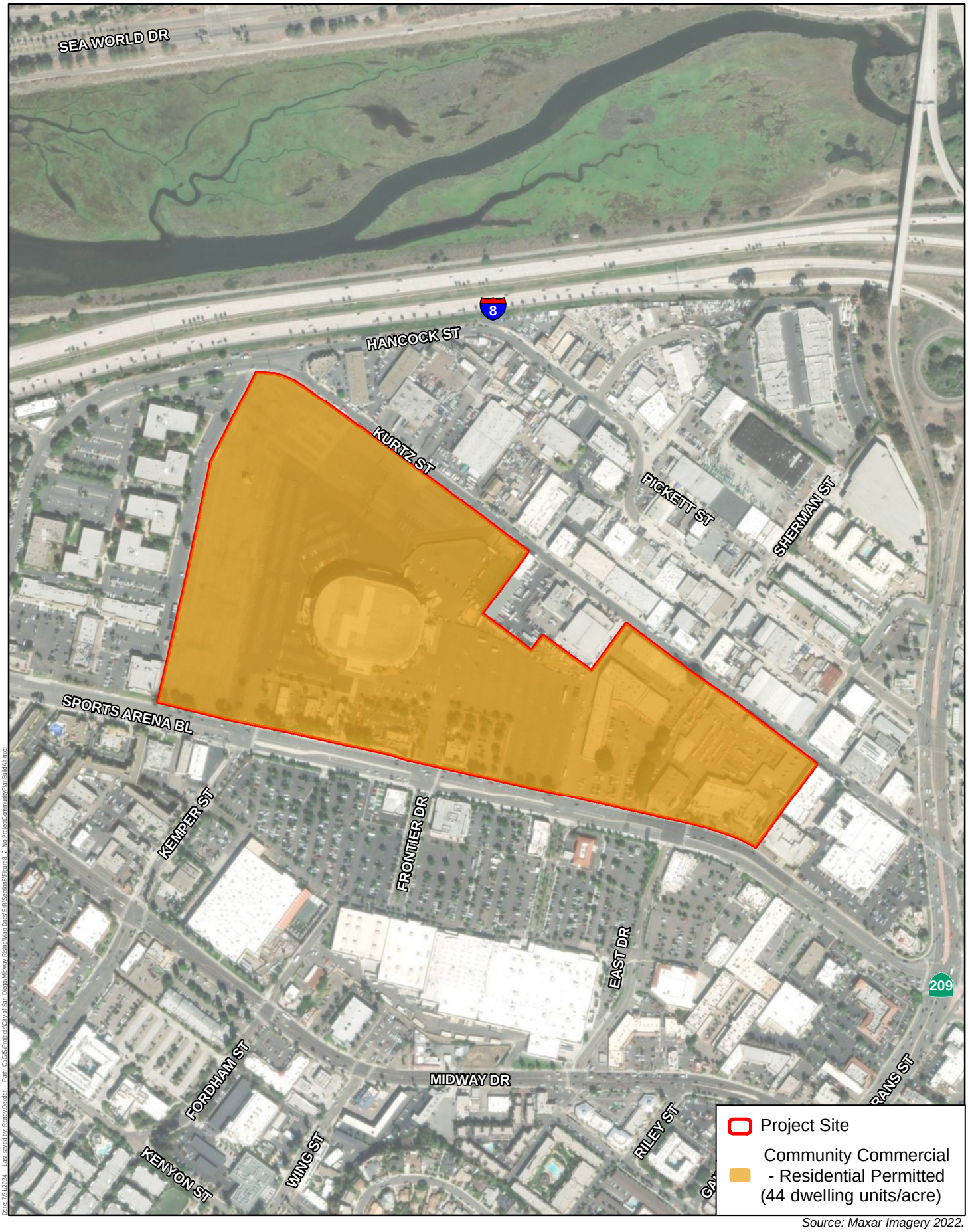

Source: Maxar Imagery 2022.

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Figure 8-2

No Project/Community Plan Buildout Alternative

Midway Rising

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Source: CityThinkers 2024.

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Figure 8-3

Retain San Diego International Sports Arena Alternative

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Chapter 9.0 Mitigation Monitoring and Reporting Program

This chapter includes the Mitigation Monitoring and Reporting Program (MMRP) for the Midway Rising Project (Project). California Environmental Quality Act (CEQA) Section 21081.6 requires that an MMRP be adopted upon certification of an Environmental Impact Report (EIR) to ensure that the mitigation measures are implemented. The MMRP specifies what the mitigation is, the entity responsible for monitoring the program, and when in the process it should be accomplished.

Potentially Significant impacts requiring mitigation were identified for the following resource areas: land use, transportation and circulation, historical and Tribal Cultural Resources, noise, health and safety, and air quality. After all feasible mitigation measures are implemented, some impacts would remain **Significant and Unavoidable**.

Table 9-1 is an overview of the MMRP to be completed for the Project.

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
Section 5.1, Land Use				
Issue 1: Conflicts with Applicable Plans Implementation of the Project would be inconsistent with Historic Preservation Goal A and Policy HP-A.5 of the City's 2008 General Plan and Policy HP-2.1 of the Historic Preservation Element of the Midway-Pacific Highway Community Plan. Additionally, the Project would be inconsistent with Noise Element Policy NE-G.2, Goal I, and Policy NE-I.1 of the City's 2008 General.	See **MM HIST-5.3-1, MM HIST 5.3-2, MM HIST 5.3.-3** and **MM HIST 5.3-4** in this table under Section 5.3, Historical Resources, and **MM ~~NOI-5.4-1~~ NOI-5.5-1** under Section ~~5.4~~ 5.5, Noise.			
Section 5.2, Transportation and Circulation				
Issue 2: Vehicle Miles Traveled The Project would result in vehicle miles traveled exceeding thresholds identified in the City of San Diego Transportation Study Manual for the regionally serving commercial and	**MM TRANS 5.2-1: Commercial Shuttle**. Prior to issuance of certificate of occupancy for the first eating or drinking land use, the Owner/Permittee shall implement a daily shuttle between Frontier Drive and the Old Town Transit Center for the ~~first 10 years of the Project Opening Phase 1, which is anticipated to occur in 2030~~life of the commercial	Prior to issuance of certificate of occupancy for the first eating or drinking land use	Project applicant	City Engineer

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
entertainment land use components of the Project.	land uses, satisfactory to the City Engineer. The shuttle shall operate between 12:00 p.m. and 10:00 p.m. using one vehicle at 20- or 30-minute headways.			
	MM TRANS 5.2-2: Employee Transit Subsidy. Prior to issuance of the first certificate of occupancy for the entertainment center, the Owner/Permittee shall implement an employee transit subsidy for the entertainment center employees to offset the net increase in vehicle miles traveled for the Project, satisfactory to the City Engineer. The employee transit subsidy shall be offered to all employees at 50 percent off the San Diego Metropolitan Transit System's current monthly pass rate for the ~~first 10 years of the Project Opening Phase 1, which is anticipated to occur in 2030~~life of the entertainment center.	Prior to issuance of the first certificate of occupancy for the entertainment center	Project applicant	City Engineer
Section 5.3, Historical and Tribal Cultural Resources				
Issue 1: Historic Structures, Objects, or Sites The Project would result in the destruction of a historic building because it proposes	**MM HIST 5.3-1: San Diego International Sports Arena Salvage Plan.** a. Prior to issuance of a demolition permit for the San Diego	a. Prior to issuance of a demolition permit for the San Diego	a. Qualified historic preservation professional b. Project applicant	a. City of San Diego City Planning Department's Heritage

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
demolition of the San Diego International Sports Arena, which is a designated historical resource.	International Sports Arena, the City of San Diego City Planning Department's Heritage Preservation staff shall review and accept a salvage plan prepared by a qualified historic preservation professional. The salvage plan, to be implemented during the demolition of the San Diego International Sports Arena, shall catalog and identify elements proposed for removal from the existing San Diego International Sports Arena and shall include historic period architectural elements, as well as memorabilia, including photographs, posters, and plaques of past athletic and entertainment events, teams, and entertainers, for display in publicly accessible areas throughout the new entertainment center. b. As a condition of closure of the demolition permit for the San Diego International Sports Arena, the Owner/Permittee shall document that the various displays presenting the salvaged items from the San Diego International Sports Arena have been installed at the	International Sports Arena b. As a condition of closure of the demolition permit for the San Diego International Sports Arena		Preservation staff b. City of San Diego City Planning Department's Heritage Preservation staff

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	entertainment center to the satisfaction of the City of San Diego Heritage Preservation staff.			
	MM HIST 5.3-2: The Green Interpretive Display. a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning Department's Heritage Preservation staff shall review and accept plans for an interpretive display to be installed in The Green area (Lot I, as shown on the approved Tentative Map) of the site near the old footprint of the San Diego International Sports Arena to be prepared by a qualified team, including a historian and a graphic designer. b. Prior to issuance of the last certificate of occupancy for any building associated with Lots 10, 11, 12, 13, and 14 or Lot I as shown on the approved Tentative Map, whichever occurs latest, the Owner/Permittee shall document that the interpretive display has been installed in The Green area,	a. Prior to issuance of a demolition permit for the San Diego International Sports Arena b. Prior to the last certificate of occupancy for any building associated with Lots 10, 11, 12, 13, and 14 or Lot I as shown on the approved Tentative Map	a. Qualified team, including a historian and a graphic designer b. Project applicant	a. City of San Diego City Planning Department's Heritage Preservation staff b. City of San Diego City Planning Department's Heritage Preservation staff

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	satisfactory to the City of San Diego City Planning Department's Heritage Preservation staff. The display shall do the following: 1. Explain the history of the site from the Pre-European era through present day, including demolition of the San Diego International Sports Arena. 2. Describe the San Diego International Sports Arena building's New Formalist architecture and the role of the San Diego International Sports Arena in the Midway neighborhood development. 3. Discuss the Frontier Housing Project as the first modern development on the site and the current Project returning the site to affordable housing with a new entertainment center.			
	MM HIST 5.3-3: Robert Breitbard Interpretive Display. a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning Department's Heritage	a. Prior to issuance of a demolition permit for the San Diego International Sports Arena	a. Qualified team, including a historian and a graphic designer b. Project applicant	a. City of San Diego City Planning Department's Heritage Preservation staff

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	Preservation staff shall review and accept plans for an interpretive display that shall be designed by a qualified team, including a historian and a graphic designer, that focuses on the life of Robert Breitbard as it relates to his work in the sports field. b. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the Owner/Permittee shall document that the interpretative display has been installed in a location accessible to the public at the new entertainment center. The display shall include photographs of Breitbard, the San Diego International Sports Arena, the San Diego Gulls, and the San Diego Rockets and a text description of Breitbard's sports career.	b. Prior to issuance of a demolition permit for the San Diego International Sports Arena		b. City of San Diego City Planning Department's Heritage Preservation staff
	MM HIST 5.3-4: Historic American Buildings Survey Level 2 Documentation. a. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the City of San Diego City Planning	a. Prior to issuance of a demolition permit for the San Diego International Sports Arena	a. Qualified team, including an architectural historian with prior experience preparing Historic	City of San Diego City Planning Department's Heritage Preservation staff

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	Department's Heritage Preservation staff shall review and accept the Historic American Buildings Survey documentation package for the San Diego International Sports Arena. The Historic American Buildings Survey documentation shall achieve Level 2 standards in accordance with the Historic American Buildings Survey Guidelines for Preparing Written Historical Descriptive Data. The Historic American Buildings Survey documentation package shall be prepared by a qualified team, including an architectural historian with prior experience preparing Historic American Buildings Survey photographs. The Historic American Buildings Survey documentation package shall include the following: 1. Measured drawings shall be produced according to Historic American Buildings Survey guidelines depicting existing conditions or other relevant features of historic buildings, sites, structures, objects, or landscapes.	b. Prior to issuance of a demolition permit for the San Diego International Sports Arena	American Buildings Survey photographs b. Project applicant	

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	2. Photographic documentation shall follow the Photographic Specification–Historic American Buildings Survey, including 15–20 archival quality, large-format photographs of the exterior and interior of the building and its architectural elements. Construction techniques and architectural details shall be documented, noting the measurements, hardware, and other features that tie architectural elements to a specific date. The historic photographs and original architectural plans shall be included as figures in the historical report, following current Historic American Buildings Survey guidelines. 3. A written historical narrative and report shall be completed according to the Historic American Buildings Survey Historical Report Guidelines. b. Prior to issuance of a demolition permit for the San Diego International Sports Arena, the Owner/Permittee shall provide			

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	verification, satisfactory to the City of San Diego City Planning Department's Historic Preservation staff, that two copies of the Historic American Buildings Survey documentation package were produced and submitted as follows: 1. One copy submitted to the National Parks Service/Library of Congress; and 2. The second copy provided to an archive or history collection accessible to the general public, such as the San Diego History Center.			
Section 5.5, Noise				
Issue 4: Noise Ordinance Compliance Implementation of large special events accommodated within Project outdoor public space areas would have the potential to exceed City of San Diego Municipal Code hourly noise standards.	**MM NOISE 5.5-1: Special Events Noise Best Management Practices.** Prior to approval of a sitewide or individual Special Event Venue Permit for all private events, public events, or commercial operations in outdoor spaces on the Project site that require the use of amplified noise, the Owner/Permittee, event organizer, or individual responsible party shall submit a Noise Control Plan, satisfactory to the City of San Diego	Prior of approval of a sitewide or individual Special Event Venue Permit for all private events, public events, or commercial operations in outdoor spaces on the Project site that require the	Project applicant, event organizer, or individual responsible party	City of San Diego Special Events & Filming Department

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	Special Events & Filming Department. The Noise Control Plan shall: 1. Demonstrate that event acoustics have been planned to minimize their impact on the nearest noise-sensitive receptors. 2. Indicate where stationary noise sources such as generators and speakers will be located. No speakers or other stationary noise sources shall be allowed in areas not indicated in the Noise Control Plan. 3. Demonstrate how speaker arrays would be designed to reduce noise spillage to the surrounding environment. This may include the following: a. Directing speakers away from sensitive receptors to the extent feasible. b. Using temporary sound barriers for stages and event areas where they would not present a safety hazard or inhibit movement on the site. c. Incline elevated speakers downward or otherwise design them to reduce noise spillage.	use of amplified noise		

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	d. Install optimized sub-arrays and optimized speaker arrays for temporary stages, if required. If suitable, employ delay tower speaker systems or circuit speakers rather than banks of speakers on either side of the stage. 4. Establish a contact phone number that is monitored during outdoor events. If complaints are received, or there is reason to suspect that conditions of the Noise Control Plan have not been met, the City of San Diego shall require the Owner/Permittee to conduct noise monitoring of events to confirm noise levels and enforce agreement compliance.			
Issue 5: Temporary Construction Noise Operation of heavy construction equipment would have the potential to expose sensitive receptors to 12-hour equivalent continuous sound level levels of 75 A-weighted decibel or higher.	**MM NOISE 5.5-2: Construction Noise Best Management Practices.** Prior to issuance of a grading permit, the Owner/Permittee shall submit grading plans that demonstrate that Project construction shall achieve a 12-hour average sound level of less than 75 A-weighted decibel, satisfactory to the Chief Building Official.	Prior to issuance of a grading permit	Project applicant, construction contractor	Chief Building Official

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	At a minimum, construction noise best management practices shall be applied to all construction activities within 170 feet of existing or future residential development occupied at the time of construction. Best management practices shall be detailed on all Project construction plans and shall include but are not limited to the following: • Limit construction activities to the hours between 7:00 a.m. and 7:00 p.m. Construction is not allowed on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with the exception of Columbus Day and Washington's Birthday, or on Sundays (consistent with Section 59.5.0404 of the San Diego Municipal Code). • Equip all internal combustion engine-driven equipment with appropriately sized intake and/or exhaust mufflers that are properly operating and maintained consistent with manufacturer's standards.			

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	• Stationary noise-generating equipment (e.g., compressors or generators) shall be located as far as possible from adjacent residential receivers and oriented so that emitted noise is directed away from sensitive receptors, whenever feasible. • If noise levels are expected to potentially exceed San Diego Municipal Code thresholds, locate temporary noise barriers with a minimum height of 8 feet around pertinent active construction equipment or entire work areas to shield nearby sensitive receivers. • Use "quiet" air compressors, generators, and other stationary noise sources where technology exists. • The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be			

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	scheduled to minimize noise disturbance. • Designate a "disturbance coordinator" responsible for receiving and responding to any complaints about construction noise or vibration. Contact information shall be posted in a conspicuous location near the construction site entrance. The disturbance coordinator shall determine the cause of the noise complaint and, if identified as a sound generated by construction area activities, shall institute modifications to the construction operations, equipment, or work plan to ensure compliance with San Diego Municipal Code standards. These modifications shall implement one or more of the following: administrative controls (e.g., reduce equipment operating time and/or prohibit the use of equipment types within certain distances of sensitive receptors); engineering controls (upgraded existing noise controls, such as installing better engine exhaust mufflers or improving			

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	existing noise abatement); and installation of temporary barriers, barrier back sound curtains, and/or acoustical panels around working construction equipment and, if necessary, around the construction boundary. • Recurring disturbances shall be evaluated by a qualified acoustical consultant retained by the Project proponent to ensure compliance with applicable standards.			
Issue 6: Vibration Implementation of the Project could result in the exposure of people to significant temporary vibration that exceeds 65 vibration decibel up to 230 feet from operation of vibrating equipment and 140 feet from operation of other construction equipment.	**MM NOISE 5.5-3: Vibration Management Strategies.** Prior to construction activities near vibration-sensitive land uses (within 230 feet from operating vibrating equipment [roller and plate compactor] or 140 feet from other operating construction equipment), vibration sensitive uses shall be identified on construction plans, and the Owner/Permittee shall submit the site-specific vibration studies that documents that Project construction would not adversely affect adjacent vibration-sensitive properties, satisfactory to the City Engineer.	Prior to construction activities near vibration-sensitive land uses (veterinary facilities on Sports Arena Boulevard) (within 230 feet from operating vibrating equipment [roller and plate compactor] or 140 feet from other operating	Project applicant, qualified vibration expert	City Engineer

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	Surrounding vibration-sensitive uses include veterinary clinics on Sports Arena Boulevard where the operation of construction equipment could exceed 65 vibration decibels and interfere with interior operations that use vibration-sensitive equipment, such as medical equipment. Such efforts shall be conducted by a qualified vibration expert and shall include the following: • Develop a Vibration Monitoring and Construction Contingency Plan to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels exceed the limits. • Monitor vibration during initial construction activities and during activities that require use of vibratory equipment. Monitoring results may indicate the need for	construction equipment)		

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	modifications to the Vibration Monitoring and Construction Contingency Plan to include more or less intensive measurements. • Designate a "disturbance coordinator" who would be responsible for receiving and responding to any complaints about construction vibration. The disturbance coordinator shall determine the cause of the noise complaint and shall require that reasonable measures be implemented to correct the problem. • When vibration levels exceed limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures. • Conduct post-activity survey on structures where either monitoring has indicated high levels or complaints of damage have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.			

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
Section 5.6, Health and Safety				
Issue 2: Hazardous Emissions and Materials The Project would result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a 0.25 mile of an existing or proposed school during demolition of structures containing asbestos-containing material and lead-based paints.	**MM HS 5.6-1: Asbestos-Containing Material Removal.** Prior to issuance of a demolition permit, the Owner/Permittee shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements pertaining to asbestos-containing material removal have been met.	Prior to issuance of a demolition permit	Project applicant, properly licensed abatement contractor	City of San Diego Development Services Department's Mitigation Monitoring Coordination staff
	MM HS 5.6-2: Lead-Based Paint Removal. Prior to issuance of a demolition permit, the Owner/Permittee shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements pertaining to lead-based paint removal have been met.	Prior to issuance of a demolition permit	Project applicant, construction contractor, California Department of Toxic Substances Control hauler	City of San Diego Development Services Department's Mitigation Monitoring Coordination staff
Issue 4: Hazardous Materials Site The Project would be located on a site that is included on a list of hazardous materials	**MM HS 5.6-3: Removal of Underground Storage Tank.** Prior to issuance of a grading permit for the area where an underground storage tank was encountered on the	Prior to issuance of a grading permit for the area where an underground storage tank was	Project applicant, construction contractor	City of San Diego Development Services Department's Mitigation

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
sites compiled pursuant to California Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment.	Project site, the Owner/Permittee shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements related to the removal of the underground storage tank have been met.	encountered on the Project site		Monitoring Coordination staff
	MM HS 5.6-4: Soil Vapor Sampling and Vapor Intrusion Mitigation System Where Indicated. Prior to issuance of a grading permit, the Owner/Permittee shall collect soil vapor samples within the footprints of the proposed Project buildings to re-assess soil vapor concentrations. Where soil vapor concentrations comply with the State Water Resources Control Board Low-Threat Underground Storage Tank Case Closure Policy, which provides specific health risk-based screening criteria for the petroleum hydrocarbon-related volatile organic compounds that include benzene, ethylbenzene, and naphthalene established by the State Water Resources Control Board, as well as the applicable vapor	Prior to issuance of a grading permit	Project applicant, licensed professional engineer	City of San Diego Development Services Department's Mitigation Monitoring Coordination staff

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	intrusion screening levels for human health risks, the additional round of soil vapor sampling may indicate that vapor intrusion remediation is not necessary beneath certain buildings proposed above the sampling site, and no further work is required in connection with indoor air, provided applicable regulatory agency approval is received. Prior to the issuance of the first certificate of occupancy for any building affected by and/or within the footprint of the vapor intrusion mitigation system, the Owner/Permittee shall provide a verification letter from the County of San Diego's Department of Environmental Health and Quality, the San Diego Regional Water Quality Control Board, or other applicable agency with environmental authority to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements related to the design and construction of the vapor intrusion mitigation system have been met. For buildings proposed to			

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	be located on soil where previously collected and future soil vapor sample results indicate a vapor risk is present for future occupants, a vapor intrusion mitigation system shall be installed. The vapor intrusion mitigation system shall be installed for the enclosed occupied ground floor spaces of the residential or commercial buildings where necessary due to the high concentrations of volatile organic compounds identified in soil vapor sampling. The vapor intrusion mitigation system shall be designed by a licensed professional engineer and consist of a passive-vented system with the option to convert to an active system with a gas-tight horizontal membrane barrier above. ~~The Owner/Permittee shall provide a verification letter to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff confirming that all regulatory requirements related to the design and construction of the vapor intrusion mitigation system have been met.~~			

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
Section 5.9, Air Quality				
Issue 2: Air Quality Standards The net increase in operational emissions from the Project would result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation for volatile organic compounds emissions.	**MM AIR 5.9-1: Zero-Emissions Landscape Equipment.** Prior to issuance of the first certificate of occupancy, the Owner/Permittee shall submit verification that landscaping equipment operated on the Project site shall be zero-emissions, satisfactory to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff. This measure shall be incorporated into all contracts to provide landscape services on the Project site.	Prior to issuance of the first certificate of occupancy	Project applicant	City of San Diego Development Services Department's Mitigation Monitoring Coordination staff
Issue 3: Substantial Pollutant Concentrations Implementation of the Project would expose sensitive receptors to substantial pollutant concentrations. Cancer risk at sensitive receptors at the Villa Marbella apartments would exceed 10 in 1 million.	**MM AIR 5.9-2: Construction Equipment Emissions Standards.** Prior to issuance of a grading permit for each phase of construction, the construction contractor shall submit verification that the on-site diesel construction fleet shall include at least 50 percent equipment with engines that meet, at a minimum, the Tier 4 Final California Emissions Standards, satisfactory to the City of San Diego Development Services Department's Mitigation Monitoring Coordination staff. Alternatively,	Prior to issuance of a grading permit for each phase of construction	Project applicant, construction contractor	City of San Diego Development Services Department Mitigation Monitoring Coordination staff

Table 9-1. Mitigation Monitoring and Reporting Program

Potential Significant Impact	Mitigation Measure	Mitigation Time Frame	Responsible Party	Approving Agency
	additional electric-powered equipment may be used, such that at least 50 percent of the construction fleet meets or exceeds Tier 4 Final California Emissions Standards for particulate matter emissions.			
Issue 3: Substantial Pollutant Concentrations In addition, there is a risk of exceedances of commercial and residential screening levels for volatile organic compounds (including benzene, m,p-xylene, ethylbenzene, and tetrachloroethylene) in indoor air, posing a potential health risk for future occupants of the Project.	See **MM HS 5.6-4** under Section 5.6, Health and Safety.			

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Chapter 8.0, Alternatives

None.

Chapter 9.0, Mitigation Monitoring and Reporting Program

None.

Chapter 11.0 Preparers and Individuals and Agencies Consulted

Refer to the Midway-Pacific Highway Community Plan Update Revised Final Program Environmental Impact Report (Midway-Pacific Highway CPU PEIR) for individuals and agencies consulted during the Midway-Pacific Highway CPU PEIR process. The following individuals and/or agencies were consulted during the preparation of this Subsequent EIR (SEIR).

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