

STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE MISSION BAY PARK IMPROVEMENTS PROGRAM

(PUBLIC RESOURCES CODE Section 21081(b))

Pursuant to California Environmental Quality Act Section 21081(b) and California Environmental Quality Act Guidelines Sections 15093 and 15043, the decision-making agency must balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the Mission Bay Park Improvements Program (hereinafter referred to as the "Program" or the "proposed project"), as defined in the Final Program Environmental Impact Report (Final PEIR). This Statement of Overriding Considerations is specifically applicable to the significant and unavoidable impacts identified in Chapter 4 of the Final PEIR. As set forth in the Findings, the proposed project would result in unavoidable adverse impacts related to: Biological Resources; Historical, Archaeological and Tribal Cultural Resources; Noise; and Recreation.

The City Council of the City of San Diego, having accomplished the following:

- (i) Independently reviewed the information in the Final PEIR and the record of proceedings;
- (ii) Made a reasonable and good faith effort to eliminate or substantially lessen the significant impacts resulting from the proposed project to the extent feasible by adopting recommended mitigation measures identified in the Final PEIR; and
- (iii) Balanced the benefits of the proposed project against the significant environmental impacts, chooses to approve the proposed project, despite its significant environmental impacts, because, in its view, specific economic, legal, social, and other benefits of the proposed project render the significant environmental impacts acceptable.

The following statement identifies why, in the City Council's judgment, the benefits of the proposed project outweigh the unavoidable significant impacts. Each of these benefits serves as an independent basis for overriding all significant and unavoidable impacts. Any one of the reasons set forth below is sufficient to justify approval of the proposed project. Substantial evidence supports the various benefits, and such evidence can be found in the preceding sections, which are incorporated by reference into this section, the Final PEIR, or in documents that comprise the Record of Proceedings in this matter.

- 1. The Mission Bay Park Improvements Program expresses the Priorities and Policies of the City Charter, General Plan, Mission Bay Park Master Plan, Climate Action Plan and Climate Resilient SD Plan by conserving and enhancing biological diversity and increasing the resilience of important coastal resources to the effects of climate change.**

Consistent with the voter-approved Proposition C in 2008 and Measure J in 2016 amendments to the City Charter Section 55.2, the Mission Bay Park Improvements Program explicitly facilitates implementation of the voter-approved priorities of the following:

1. Improve Mission Bay Park through **wetland expansion, water quality improvements**, and the **protection and expansion of eelgrass beds** as identified in the Mission Bay Park Master Plan.
2. Identify inadequate and failing shorelines within Mission Bay Park, and prioritize **shoreline restoration** treatments, including restoration of beach sand and stabilization of erosion control features.
3. Expand **endangered or threatened species preserves and upland habitats** in areas identified in the Mission Bay Park Master Plan, including on North Fiesta Island, along the levee of the San Diego River floodway, and other opportunity areas.
4. Implement **deferred maintenance projects**, including but not limited to, maintenance and regular replacement of recreational and public safety facilities, to the benefit of park users.
5. Assess deficiencies and gaps in the existing **bicycle and pedestrian circulation network** to improve overall circulation, safety, and enjoyment of bicyclists and pedestrians in Mission Bay Park.
6. **Restore the seawall bulkhead** on Oceanfront Walk to a condition no less than the quality of restoration previously performed in 1998 from Thomas Street to Pacific Beach Drive or to conditions as may be required by historic standards.

Specifically, the Mission Bay Park Improvements Program includes Elements that align with these seven priorities of the City Charter as follows:

City Charter Section 55.2 Priority No.	Element
1	Wetlands and Water Quality Improvements Element
2	Restoration of Shoreline Element
3	Upland Habitat and Preserve Expansion Element
4	Deferred Maintenance Element
5	Bicycle and Pedestrian Improvements Element
7	Restoration of Seawall Bulkhead Element

Consistent with the City Conservation Element of the General Plan, the Mission Bay Park Improvements Program facilitates the creation, restoration, and/or enhancements of sensitive biological habitats through two specific Elements of the Program (Wetlands and Water Quality Element, and Upland Habitat and Preserve Expansion Element). The Program would create new and/or restored wetland habitat of approximately 95 acres (*77 acres at North Fiesta Island, 5.2 acres at Cudahy, and 12 acres at Tecolote*), including eelgrass, on North Fiesta Island, Cudahy, and Tecolote Creek mouth and approximately 177 acres (*1 = 38 acres, 2 = 15 acres, 3 = 12 acres, 4 = 28 acres, 5a = 17 acres, 5b = 6 acres, and 5c = 51 acres*) of upland habitat expansion or preserve focused on Fiesta Island and along the South Shores and Sea World Drive/San Diego River areas, which include California Least Tern Preserve and Nuttal's Lotus (rare plant) preservation. These habitat restoration activities would also support the City's General Plan goal of conserving biological diversity by preserving and managing natural habitats, the Mission Bay Park Master Plan's goal of creating a park in which biodiversity is sustained and enhanced through the protection of natural resources and the expansion of habitat areas for sensitive species, and the Climate Action Plan's goal to restore 700 acres of saltmarsh land and other associated tidal wetland and riparian habitats by 2035.

Implementation of the Program would also enhance the resilience of the proposed project area to the effects of climate change by establishing a variety of wetland and upland habitats that would serve as a buffer against the effects of projected sea level rise and increase the resilience of both the proposed project area and communities further inland as well as Restoration of Seawall Bulkhead and Shoreline Restoration elements promoting infrastructure resilience and protecting public safety in the Program area. These actions align with the City's Charter and Mission Bay Park Master Plan as well as both the Climate Action Plan goals and the City's Climate Resilient SD goals and policies, which focus on supporting and prioritizing thriving natural environments and enhancing adaptability.

2. The Mission Bay Park Improvements Program further expresses the policies of the City's Charter, General Plan, the Mission Bay Park Master Plan, and the Parks Master Plan by improving water quality.

The Mission Bay Park Improvements Program includes policies and recommendations that implement specific voter-approved City Charter Amendments Section 55.2 for water quality improvements, which are City-wide goals and policies in the Conservation Element for "Clean coastal waters by continuing to improve water quality of ocean outfalls." Implementation of the recommendations outlined in the Program would maintain and enhance a variety of water quality improvements via creation enhancement and/or restoration of wetlands habitat improved tidal circulation with new channels through North Fiesta Island and beneath the Fiesta Island Causeway, as well as specific improvements to outfalls at Cudahy and at the mouth of Tecolote Creek. Further, the program incorporates updated and improved Best Management Practices to improve stormwater quality as it enters Mission Bay in all elements and components including the Bike and Pedestrian Improvements Element and Deferred Maintenance Element, which would support the City's General Plan goal to improve the quality of runoff discharged into coastal waters.

3. The Mission Bay Park improvements Program further expresses the policies of the City's Charter, General Plan, the Mission Bay Park Master Plan, and the Parks Master Plan by protecting sensitive biological resources while providing recreational opportunities.

The Mission Bay Park Improvements Program includes policies and recommendations that implement specific voter-approved City Charter Amendments Section 55.2 for wetland expansion and expanding endangered or threatened species preserves and upland habitats as well as improvements for enjoyment of bicyclists and pedestrians and to the benefit of park users, which are City-wide goals and policies in the Conservation Element for "Coastal resource preservation and enhancement." Consistent with the Mission Bay Park Master Plan, the Program would establish new or improved wetland habitats, expanded upland habitats, and improved water quality. Further, the Program establishes improved access including new or enhanced sections of pedestrian and bicycle paths, interpretive and wayfinding signage, deferred maintenance and protections for existing access and infrastructure through shoreline restoration and restoration of the seawall bulkhead.

The Mission Bay Park Improvements Program facilitates the construction and operation of new and/or expanded parks and recreational facilities. The Program provides a framework that focuses upon the development of mixed-use active trails, improved amenities, and restored infrastructure protections. The City's Parks Master Plan establishes a recreational value-based standard that determines the value of parks in points based on features related to park size, recreational

opportunities, access, amenities, activations, and overall value delivered. The Program establishes improved access to open space and amenities that enhance recreation, the experiences, and sense of place of visitors to Mission Bay Park as a unique, aquatic-oriented resource.

4. The Mission Bay Park Improvements Program expresses the policies of the City's Charter, General Plan, Climate Action Plan, Parks Master Plan, and Climate Resilient SD Plan by increasing resilience as well as coastal access and enhancing recreation opportunities.

The Mission Bay Park Improvements Program includes policies and recommendations that implement specific voter-approved City Charter Amendments Section 55.2 for shoreline restoration, which are City-wide goals and policies in the Conservation Element for "Enhanced public access to the shoreline and coast." The Conservation Element of the General Plan includes policies to enhance public access to the shoreline and coast for all users. Climate Resilient SD and the Parks Master Plan both include policies to increase access to parks and open space for all San Diegans. The Program includes coastal resilience adaptation considerations including the raising of the seawall bulkhead along Mission Bay, and wetlands transitional intent in wetland expansion areas. As well as incorporation of living shoreline components such as oyster beds and dunes in the Shoreline Restoration Element. The Program would realize approximately 6 miles of improved access and restored shoreline protecting access infrastructure, as well as comprehensive signage throughout the Park. Through the facilitation of improved walking and biking facilities, the Program includes component features that would increase accessibility to the coast for all users, which is also consistent with the General Plan's Conservation Element goal to reduce the City's overall carbon dioxide footprint by increasing use of alternative modes of transportation and supports the Mobility Element's goals to implement safe pedestrian routes and develop a safe, sustainable multimodal transportation system.

The Program is also consistent with the General Plan, Climate Action Plan and Climate Resilient SD plan policies to support expansion of an active transportation route and provide safe and enjoyable routes for pedestrians and cyclists through improved connectivity and safety for pedestrians and bicyclists. The Bike and Pedestrian Element would support access to the coast and Program area via walking and bicycling and enhance the recreational experience of users.

5. The Mission Bay Park Improvements Program expresses the policies of the City's Charter, General Plan, and Climate Resilient SD by protecting historic and cultural resources.

The Mission Bay Park Improvements Program includes policies and recommendations that implement specific voter-approved City Charter Amendments Section 55.2 for water quality improvements, for restoring the seawall bulkheads to conditions as may be required by historic standards, and with the General Plan goals to identify and preserve the historical resources of the City and integrate historic preservation planning into the larger planning process. The planning effort for the Program included site surveys and analysis to understand what existing and/or potential historic resources were present at each of the project sites and identify potential impacts. For Program Elements and components that might impact historical resources, where possible, alternative project concepts or options were proposed that limited or avoided impacting historical resources. Historic preservation planners helped to inform concept design and impact analysis

throughout the Program. Consistent with Climate Resilient SD, the Program integrates consideration of historical and cultural resources in the larger land use planning process and considered historical and cultural resources early in the project design process so that all resources could be identified and impacts mitigated to the extent feasible.

The Program also includes policies to foster government-to-government relationships with the Kumeyaay/Diegueño tribes of San Diego and their aide in content creation for interpretive signage. Throughout plan development and as the project concepts move forward, City staff has been reaching out to and coordinating with Tribal Nations and Tribal organizations to build relationships, incorporate Tribal perspectives and knowledge, address Tribal concerns related to cultural and Tribal cultural resources, acknowledge Tribal history, and develop site specific measures. This coordination and relationship building would continue as the projects move forward. The Program includes a comprehensive signage element for Mission Bay Park that consists of way finding, information, and interpretive signage. The interpretive signage content would be developed in coordination with Tribal Nations to reflect their perspective and the cultural significance applicable at interpretive signage locations.

CONCLUSION

For the foregoing reasons, the City Council finds that the adverse, unavoidable environmental impacts are outweighed by the above-referenced benefits, any one of which individually would be sufficient to outweigh the adverse environmental effects of the Mission Bay Park Improvements Program. Therefore, the City Council adopts this Statement of Overriding Considerations.

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